FREE MCLE event presented by Greg Wildman, CEO of OVC - Lawyer Marketing

Seating is limited!! Call to reserve your space today!! 630-762-1915

Join us for lunch and MCLE on Thursday, May 5 to learn more about how to successfully grow your online presence. With over 17 billion online searches last year, getting found on the internet is an increasing complex process.

In this informative seminar, Greg Wildman will cover search engine optimization, the use of awards and directories to boost online presence, Google and local listings, pay per click, videos and more.

THURSDAY MAY 5

Lunch will be served at 11:45am
Seminar Begins at 12pm @ The KCBA office
This year's Diversity issue is primarily made up of articles from the Kane County Bar Association's Diversity Committee. Please read their forward following my editor's page for additional information on them.

Diversity can both tear us apart, as well as bring us together depending on the circumstances. I was extremely lucky to grow up in a family that strongly accepted diversity, not only in terms of race and national origin, but also in terms of thought, political beliefs, wealth, gender, religion, and any other group of individuals. Indeed, in growing up I was taught instead of checking a race, to check other and write in “human.”

I hope that you enjoy the hard work of the Diversity Committee and learn something a little different in this issue.

Welcome to this month's Bar Briefs issue focusing on "Diversity Beyond Race"

Given that this edition of Bar Briefs is what has now become the annual diversity issue, we would be remiss if we did not first recognize and congratulate our own Divya Sarang who was appointed to the bench this past July. It is a well-earned accomplishment and we believe a great enhancement to the judiciary in Kane County. As many of you know, Judge Sarang was instrumental in leading the Diversity Committee as its chair from 2009-2015. As the current Co-Chairs of the Diversity Committee, we have big shoes to fill. We hope to build upon the excellent foundation Judge Sarang (and others) have established by continuing to educate and promote awareness on topics of diversity and inclusion within the Bar, Bench and in the larger communities within which we live and work.

With that in mind, we have established several goals for this year. But before sharing those, we wanted to explain to all KCBA members the Committee's purpose, role, and direction. The Diversity Committee's purpose can be found in our Mission Statement. To paraphrase the Statement, the Committee's purpose is to promote diversity and inclusion within the legal profession. The Committee supports members' efforts to realize the benefits of diversity and inclusion through open dialogue, education and training, while seeking to increase the participation of diverse lawyers in the Committee and Bar Association activities and functions. The Committee defines diversity as "inclusion of individuals of different race, sex, sexual orientation, gender identity/expression, religion, cultural and ethnic background, ability and nationality." However, we recognize that diversity also extends beyond this definition; it transcends into diversity of life experiences and backgrounds. The Committee's role and direction focuses on “fostering an environment in which all diverse lifestyles and beliefs thrive” while making sure that those with different life experiences and backgrounds do not feel excluded or targeted, but welcomed.

Consistent with the above, the Committee has established three main objectives for the upcoming year. First, to better serve the membership we wanted to better understand the make-up of our own Bar Association. Because the Association did not have
demographic information available, the Diversity Committee prepared a short, 8-question survey to send out to KCBA members. That survey was emailed in early February. We thank those members who responded. The survey results were informative as to the Association's current demographics and will provide a baseline for future surveys and programs.

So what are some of the survey results? According to responses, 56.78% of our members are male; 42.86% are female. The racial make-up of the Association is: 90.50% White, 0.75% Black, 6.50% Latin American, 2.28% Asian and 0% American Indian and Oceania. The data collected represents only a sampling of the Bar Association membership. But we believe it provides us with a good starting point!

Our second goal for the upcoming year is to focus on recruiting young lawyers and law students interested in issues of diversity and inclusion to join the Association and become members of our Committee. To that end, a number of recruiting meetings are planned throughout the year with the local law schools and their law student organizations such as the Black Student Law Association, Hispanic Law Association, Women Caucus Association, and Gay/ Lesbian Student Law Association. Our Committee also plans to reach out to different local legal associations with varied ranges of experiences and backgrounds and invite their members to not only join the KCBA and our Committee but also to participate in the Diversity Committee's social events. This year, the Committee plans on sponsoring four "Diversity Socials" each focusing on a specific diverse group with emphasis on the group's uniqueness, including cultures, customs and foods. We will begin with celebrating "Cinco de Mayo" next month, focusing on Mexican culture, customs and food and its influence on our local and legal community. We would like to take this opportunity to invite all Bar Association members to this event. The time and place will be announced shortly.

Our third and final goal for this year is to continue providing forums for presenting and discussing issues of importance in today's world and our own community through diversity seminars. The purpose of these seminars are not only to raise awareness of sensitive and sometimes controversial diversity and inclusion issues, but to open a dialogue among our legal professionals and foster recognition that there is a value for different perspectives and experiences which help make us better human beings, lawyers and public servants.

Please feel free to contact us or any member of the Diversity Committee with any suggestions for topics or events that you would like to see this year. We welcome your input and hope to see you at one of our meetings, seminars or social events.

Marzena Chwistek-Van de Burgt, Esq. and Edward Druck, Esq. Co-Chairs.
This month’s issue of our Bar Briefs focuses on diversity. While there are many ways to describe and define diversity, a succinct summary by Malcolm Forbes is as follows: “Diversity: the art of thinking independently together.” At the KCBA we have 34 active committees; one of them is our Diversity Committee. Our Diversity Committee has been an active part of our association for some time and I want to take this month’s President’s Page to highlight the committee.

The best way to describe our Diversity Committee is through its own mission statement. Their mission statement is as follows:

The Diversity Committee consists of lawyers and judges interested in addressing and discussing the promotion of diversity and inclusion within the bar, on the bench, and in the communities within which we live and work. The Committee seeks and supports the Bar Association’s and its members’ efforts to realize the benefits of diversity and inclusion through education, training and open dialogue. It seeks to raise and promote awareness of diversity in the legal profession and to increase the participation of diverse lawyers in the Bar Association, Bar activities and the Bar Foundation.

Not every one of our committees has a mission statement and structure like our Diversity Committee. This fact underscores the importance of diversity and the mission of the committee. This mission statement, as well as, the separate definition of diversity the committee has created (see the Diversity Committee page on our website for more information) has been approved and supported by the Board of Managers of the KCBA. The Diversity Committee itself has worked on carrying out this mission from its inception.

Since I became President I have solicited feedback from our members on how I can improve the membership experience, what the KCBA can do better and the like. The Diversity Committee recently took advantage of my offer by requesting that we issue a survey on diversity. The committee worked with the KCBA to get the survey prepared and out to our members this past February. I am happy to report that the survey resulted in the largest response rate we have had for any prior survey – thank you for your participation! Your feedback helps the committee further raise awareness within our association to promote diversity.

Often too little importance is placed on the value of diversity. Diversity among our members promotes new ideas, enhances creativity, provides fresh perspectives and helps foster a greater understanding and respect for one another. Booker T. Washington may have stated it best when he said: “In all things that are purely social we can be as separate as the fingers, yet one as the hand in all things essential to mutual progress.” With that in mind, I would like to thank the Diversity Committee for their work and dedication to the KCBA. Your efforts are much appreciated.

Gregory C. Maksimuk

Gregory C. Maksimuk is the President of the Kane County Bar Association and a partner at Schiller DuCanto & Fleck where he concentrates his practice on complex matrimonial litigation, with a concentration on assisting business leaders (CEO, CFO, COO, President, Vice President, Executive, and the like), business owners, their spouses and other individuals facing contested matrimonial matters. He may be reached by email at gmaksimuk@sdflaw.com or via phone at 630-784-7403.
**PLAN AHEAD**

**PLEASE NOTE:** Registration for the seminars and events below begins approximately 6 weeks before the actual date of the seminar. Not all of the seminars and events listed below are open for registration. This is not a registration page. Registration deadlines are one week prior to the date of the seminar and are noted on the registration page next to the seminar information. Please mark down the dates and check the KCBA website and/or Bar Briefs Registration Page to confirm seminar locations.

### 2016 SEMINAR & EVENT SCHEDULE

<table>
<thead>
<tr>
<th>DATE</th>
<th>TITLE</th>
<th>TIME</th>
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<tbody>
<tr>
<td>04/08/2016</td>
<td>Photo Shoot Day at the KCBA</td>
<td>9:00 a.m. - 4:00 p.m.</td>
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<tr>
<td>04/20/2016</td>
<td>Local Government Law Seminar</td>
<td>1:00 p.m. - 3:30 p.m.</td>
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<tr>
<td>04/21/2016</td>
<td>Judges’ Night</td>
<td>5:00 - 8:00 p.m.</td>
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<tr>
<td>04/29/2016</td>
<td>KCBF Mock Trials</td>
<td>To be determined.</td>
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<tr>
<td>04/29 &amp; 30/2016</td>
<td>Bar Show: Bar Wars – The Force Awakens</td>
<td>7:30 p.m.</td>
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<tr>
<td>04/29/2016</td>
<td>Estate, Probate &amp; Elder Law GAL Training</td>
<td>11:00 a.m. - 4:00 p.m.</td>
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<tr>
<td>05/04/2016</td>
<td>Immigration Seminar</td>
<td>1:00 p.m. - 4:15 p.m.</td>
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<tr>
<td>05/11/2016</td>
<td>Annual Meeting &amp; Memorial Service</td>
<td>11:00 a.m.</td>
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<tr>
<td>05/11/2016</td>
<td>Elder Care, Disability &amp; Mental Health Seminar</td>
<td>1:00 p.m. - 4:15 p.m.</td>
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<tr>
<td>05/19/2016</td>
<td>Family Law Seminar</td>
<td>1:00 p.m. - 4:15 p.m.</td>
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<tr>
<td>05/25/2016</td>
<td>Labor &amp; Employment Seminar</td>
<td>1:00 p.m. - 4:15 p.m.</td>
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<td>05/26/2016</td>
<td>KCBA Membership Appreciation Happy Hour</td>
<td>5:30 p.m. - 7:30 p.m.</td>
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<tr>
<td>06/08/2016</td>
<td>Practice Management &amp; Solo Law Firm Seminar</td>
<td>1:00 p.m. - 4:15 p.m.</td>
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<tr>
<td>06/09/2016</td>
<td>Annual Membership Dinner</td>
<td>5:30 p.m.</td>
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<tr>
<td>06/15/2016</td>
<td>11th Hour Seminar</td>
<td>9:00 a.m. - 4:15 p.m.</td>
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<tr>
<td>07/28/2016</td>
<td>2016 Golf Outing</td>
<td>11:00 a.m. (Registration)</td>
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**IMPORTANT NOTE:**

Please register for seminars in a timely fashion so that we have time to accurately produce the correct amount of seminar materials. Online seminar registration will close approximately one week before the seminar. Unfortunately, we are unable to guarantee materials for late registrants and “walk-ins”. Also, note that outside food is not allowed into Eagle Brook Country Club due to health code restrictions. We appreciate your consideration!
Stop by our new banking facility in downtown Geneva. Our new location includes an antique vault with safe deposit boxes, three drive-up lanes, a night depository and drive-up ATM. As you step inside, you'll also notice a replica of the original gas station sign. During your visit, ask about our Total Access Checking\(^1\), which offers **unlimited FREE ATM transactions nationwide\(^2\)** plus FREE mobile banking\(^3\) and text/email alerts. Contact Tom Hansen at 630-563-7920\(^4\) to learn more. We hope to see you soon!

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©2013 Geneva Bank & Trust
On June 26, 2014, the Illinois Legislature passed and sent House Bill 8 (HB-8) to the Governor to be signed. HB-8 amended the Illinois Human Rights Act (“IHRA”) to prohibit employers with more than one employee from discriminating against employees based on pregnancy, childbirth and conditions related to pregnancy or childbirth. Additionally, HB-8 requires that employers with more than one employee provide reasonable accommodations to employees suffering from conditions related to pregnancy or childbirth. In passing HB-8 the General Assembly found that current workplace laws in Illinois proved inadequate to protect pregnant workers from enjoying equal employment opportunities. The General Assembly further recognized that women represent nearly fifty-percent of all workers in Illinois, and that “failing to provide reasonable accommodations to pregnant women leads to lost wages, periods of unemployment, and lost employment opportunities and job benefits such as seniority, all of which have lifelong repercussions on women’s economic security and advancement and the well-being of their families.” The General Assembly also noted that “most women work during pregnancy,” and that by continuing to work, “women can maintain and advance their economic security.” Further, if women can work throughout their pregnancies with accommodation, they may be able to take longer periods of leave after they give birth “which in turn facilitates breastfeeding, bonding with and caring for a new child, and recovering from childbirth.”

On August 26, 2014, the Governor signed HB-8 with the changes to the IHRA going into effect January 1, 2015.

Now before addressing the changes, it is important to note that prior to HB-8 being passed and signed into law, the IHRA already prohibited discrimination based upon pregnancy. However, the 2015 amendments to the IHRA not only greatly expanded the protections under the IHRA, but also added that employers must now provide reasonable accommodations to pregnant employees when requested.

The discrimination protections provided under the IHRA to pregnant employees were expanded in two ways. First the IHRA pregnancy discrimination protections were modified to cover more employers by changing the definition of employer for pregnancy discrimination from “15 or more employees” to “one or more employees.” Additionally, the IHRA definition of pregnancy was expanded from covering pregnancy and “related medical conditions”, to pregnancy and “common conditions related to pregnancy,” meaning that some conditions protected may not necessarily be medical in nature.

While these were two major changes, the most significant change to the IHRA was the language that required employers to provide reasonable accommodations for employees who are pregnant or have conditions related to pregnancy.

The IHRA now specifically defines “reasonable accommodations” in relation to pregnancy and provides that reasonable accommodations may include, but are not limited to:

“more frequent or longer bathroom breaks, breaks for increased water intake, and breaks for periodic rest; private non-bathroom space for expressing breast milk and breastfeeding; seating; assistance with manual labor; light duty; temporary transfer to a less strenuous or hazardous position; the provision of an accessible worksite; acquisition or modification of equipment; job restructuring; a part-time or modified work schedule; appropriate adjustment or modifications of examinations, training materials, or policies; reassignment to a vacant position; time off to recover from conditions related to childbirth; and leave necessitated by pregnancy, childbirth, or medical or common conditions resulting from pregnancy or childbirth.”

An employer may be excused from making a requested accommodation if it can demonstrate that the accommodation “would impose an undue hardship on the ordinary operation of the business of the employer.” Additionally, an employer may request that the employee provide documentation from the employee’s physician regarding the need for the requested accommodation “if the employer’s request for documentation is job-related and consistent with business necessity.” When such a request is made, the employee must promptly respond to the employer’s request for
medical documentation. As such, these changes are very similar to the interactive process that most employers are already required to engage in under the American with Disabilities Act (“ADA”).

However, the changes to the IHRA included language that provides a specific divergence from the ADA. Under the IHRA amendment, employers cannot force an “accommodation” on a pregnant employee that the employee neither wanted nor requested – nor may the employer force an employee to take leave if the employer could offer a reasonable accommodation.14

This language and procedure is markedly different than the ADA which requires employers to provide reasonable accommodations, but also provides that it is the employer’s prerogative to choose a reasonable accommodation; an employer is not required to provide the particular accommodation that an employee requests.15

As noted above, one of the accommodations that can be provided is time off. Much like the ADA, the IHRA does not provide any specific reference as to how much time off must be provided under the statute. However, it does provide that employers must reinstate a pregnant employee or employee affected by childbirth “to her original job or to an equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits, and other applicable service credits...unless the employer can demonstrate that the accommodation would impose an undue hardship on the ordinary operation of the business of the employer.”16

The amendments to the IHRA are in line with the EEOC Guidance on Pregnancy Discrimination issued on July 14, 2014 and its amendments on June 25, 2015.17 It is also in line with the federal Pregnancy Discrimination Act (PDA) and decision in Young v. United Parcel Serv., Inc., in which the Supreme Court held a pregnant employee could create a genuine issue of material fact to overcome summary judgment by providing evidence that an employer accommodated non-pregnant employees with similar restrictions.18 Prior to Young, Courts had traditionally interpreted the PDA as requiring employers to ignore a female employee’s pregnancy and treat that employee the same as it would if she were not pregnant, including with respect to absences and time off.19 It should also be noted, that the Supreme Court in Young further recognized that under the 2008 amendments to the ADA, the plaintiff’s work restrictions due to her pregnancy would likely fall within the expanded ADA definition of a disability requiring the employer to provide an accommodation.20

Pregnant workers in Illinois now have significant protection not only under the IHRA, but also under the federal PDA and ADA. In terms of the purpose and intention in providing the additional protections under the IHRA it is a step in the right direction. However, these changes will likely create many logistical problems and headaches for Illinois employers as they seek to comply with the law.

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1 Public Act 098-1050.
2 Id.
3 Id.
4 Id.
5 Id.
6 Id.
9 775 ILCS 5/2-102(I).
10 Id.
11 775 ILCS 5/2-102(I)(1).
12 Id.
13 Id.
14 775 ILCS 5/2-102(I)(3).
15 Swanson v. Vill. of Flossmoor, 794 F.3d 820, 827 (7th Cir. 2015); Jay v. Internet Wagner, Inc., 233 F.3d 1014, 1017 (7th Cir. 2000).
16 775 ILCS 5/2-102(I)(4).
18 135 S. Ct. 1338 (2015)
19 Piraino v. Int’l Orientation Resources, Inc., 84 F.3d 270, 274 (7th Cir.1996); Dormeyer v. Comerica Bank–Illinois, 223 F.3d 579, 583 (7th Cir.2000) (“[T]he Pregnancy Discrimination Act does not protect a pregnant employee from being discharged after her absence from work even if her absence is due to pregnancy or to complications of pregnancy, unless the absences of nonpregnant employees are overlooked.”).
20 135 S. Ct. at 1348.
First National Bank Welcomes KCBA Member Tyler Stevenson

First National Bank is pleased to welcome Tyler Stevenson to its Commercial & Agribusiness Banking team as a Senior Advisor. Prior to joining First National Bank, Tyler practiced law with Drendel & Jansons Law Group in Batavia from 2012-2015.

First National Bank has been in business for nearly 160 years and is currently in its sixth generation of family ownership. First National is the largest privately owned banking company in the United States with approximately $18 billion in assets. The corporate lending team at First National understands the challenges impacting business owners today. With a lineup that includes term loans, lines of credit, specialized loans or a combination, they work to find the right solution for your business.

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Tyler is based in our Sandwich branch and can be reached directly at 815-570-2843 or tstevenson@fnni.com.

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PLEASE UPDATE YOUR INFORMATION WITH THE KCBA OFFICE FOR THE 2016-2017 DIRECTORY.

Please email any changes that you have had during the past year to office@kanecountybar.org before FRIDAY, APRIL 22, 2016!

PLEASE UPDATE YOUR PHOTO

OVC, Inc. will be taking professional photos at the KCBA Office on Friday, April 8th from 9:00 a.m. to 4:00 p.m.

These photos will be used in the 2016-2017 Membership Directory. You will have the opportunity to purchase a digital copy of this professional photo for a nominal fee of $75.00

Please call the KCBA Office to make an appointment. Photos will take approximately 15 minutes.

CALL (630) 762-1915 TODAY!
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CITY, STATE, ZIP: _________________________________________________________________________
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Please indicate the size of ad that you would like to place.
□ Tabbed Section Divider - Color Ad (4.5"w x 7.5"h) $600.00
□ Full Page Ad (4.5"w x 7.5"h) $375.00
□ Half Page Ad (4.5"w x 3.5"h) $275.00
□ Quarter Page Ad (4.5"w x 2.0"h) $200.00
□ Yes! I would like design help.
If you would like us to design your ad for you please specify in the box above. Design fees are listed below. Please note: Design fees are in addition to your advertising fee.
Advertisement Design Charges
Quarter Page Ad $50.00
Half Page Ad $75.00
Full Page Ad $100.00
*Ads must be submitted in the following file formats:
Adobe Acrobat pdf files, Illustrator eps files, QuarkXpress files with fonts and pictures included in a separate folder.
Hope in Despair
Solace in Injury and Loss
Justice Carried Forward
Compassionately
The Kane County Bar Association is governed by a Board of Managers, consisting of a President, Vice-President, Secretary-Treasurer, and six board members. The Immediate Past President remains on the board ex-officio for the year after his or her presidency. The Board of Managers meets monthly to set policy, to establish programs beneficial to our members, and to ensure that the KCBA is fiscally sound.

Each spring, the KCBA conducts elections for vacancies on the Board of Managers. This year there is a contested election for the two vacant seats (three year terms beginning July 1, 2016) on the Board of Managers. Regarding the open position of Secretary / Treasurer, Alice Henrikson, being the only member to have submitted a petition for candidacy, is unopposed for the position. She will serve (beginning July 1) and will serve subsequent years as Vice-President, President and Immediate Past President.

The KCBA is fortunate to have three candidates vying for the two seats on the Board of Managers. Please see pages 30 and 31 to read about the candidates so that you can make an informed decision when you cast your vote for leadership for your bar association.

Members have indicated that they would prefer an election process that is confidential. When we developed our new website last year, we added an election module which will allow us to conduct our own elections without having to rely on an outside source. Using our website’s election module is more affordable than a blind paper ballot election and it is secure and easy to manage. Statistically, online elections maximize voter turnout, which is very beneficial to our organization. (We want our members to be involved and to have a voice.) The features of our election module ensure that no one votes more than once and that the voting is anonymous so no one will be able to connect a vote to the person who cast it.

The Kane County Bar Association's online election will be launched on Monday, April 18 and will run through Monday, May 2. Eligible voters (attorneys and judges) will receive an email from the KCBA, similar to the way the dues renewal notices were emailed this year.

Once you receive the e-mail, click on “Click here to vote.” which will take you to your KCBA Member Account Dashboard page. If you are not already logged in, you will need to do so using your regular KCBA login credentials. (You will be able to create your online account at this time if you have not already done so. Please contact the KCBA office if you need help with your password.) When you are logged in, you will see a menu on the left side of your Member Account Dashboard. Click on “Elections” and a page will open up where you can read about the candidates and then vote accordingly. We anticipate the online voting will take no more than 5 minutes. Because your votes are tied to your personal email address, each eligible voting member will be allowed to vote only once. Please remember that your vote is secure and private.

I encourage all eligible KCBA members (attorneys and judges in good standing) to participate in the election this year. It is a fairly simple process and it’s your option and your right! You will be selecting one third of the Board who will work to continue the tradition of excellence you have come to expect of your local bar association. Should you have any questions or concerns about the election process, please do not hesitate to contact me. And please thank all three of the outstanding KCBA members who are running for leadership on YOUR Board of Managers! They are all qualified to serve you, and better yet, they WANT to do so!

Jan Wade has served as the Executive Director of the Kane County Bar Association since 2001. She can be reached at director@kanecountybar.org or by phone at 630-762-1915.
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Transgender Issues in Schools and the Workplace: Personal Records

by Edward Druck, Esq., Jennifer Smith, Esq. and Brianne Dunn

The rights of transgender individuals and the application of those rights in the absence of specific laws leave schools and employers in unfamiliar territory on a myriad of issues. This article looks at just one: the management of records with sensitive information regarding an individual’s gender transition.

The School Dilemma

Schools generate and maintain many records that could identify a student as transgender such as birth certificates, rosters for activities separated by gender (e.g., sports teams), enrollment forms, and even gender support plans. As a starting place, it is important for attorneys practicing in this area to understand what information contained in records may be sensitive. The term “transgender” encompasses multiple concepts, but has been broadly defined as an individual who “has a gender identity (one’s internal sense of gender) that is different from the individual’s assigned sex (i.e. the gender designation listed on one’s original birth certificate).”1 Transition is known “the process through which transgender people begin to live as the gender with which they identify, rather than the one typically associated with their sex assigned at birth.”2 A gender transition often includes a “social transition,” during which an individual begins to live and identify as the sex consistent with the individual’s gender identity, with or without certain medical treatments or procedures.”3 Accordingly, records that include any identification of an individual’s gender, a name change, or other indications of a social transition are important in this context.

Consider 12-year-old Samantha: Samantha’s birth certificate identifies her as female, and Samantha identifies as a male. Samantha wants to transition as a male and meets with the school social worker to talk about the transition process. She shares her plans to transition and has several requests for her transition: Samantha wishes to be referred to with male pronouns and to be addressed as “Sam” by classmates and faculty. Sam does not want his former name to appear in his classroom or elsewhere in school. Sam has not told his parents of his transition and does not want to tell them.

Sam is essentially requesting that the school change his student records to reflect his gender identity. This request implicates laws including the Family Educational Rights and Privacy Act (“FERPA) and the Illinois School Student Records Act (“ISSRA”). Sam’s conversation itself with the social worker may be considered confidential as Section 5 of ISSRA provides that “[n]othing contained in this Act shall be construed to impair or limit the confidentiality of communications otherwise protected by law as privileged or confidential, including but not limited to, information communicated in confidence to…a school social worker or school counselor...”4 However, Sam’s transition plan in school, specifically his requests to be referred to as Sam, to have his name changed on school documents, and to be referred to using male pronouns raise the issue of whether the school needs the consent of Sam’s parents to make the requested changes.

Parental involvement may be required because Sam’s request involves a change to his school records. ISSRA gives parents the right to both access and challenge their child’s student records: “Parents shall have the right to challenge the accuracy, relevance, or propriety of any entry in the school student records...”5 ISSRA broadly defines student records as, “Any writing or other recorded information concerning a student and by and which a student may be individually identified, maintained by a school or at its discretion or by an employee of a school, regardless of how or where the information is stored.”6 (Emphasis added.) Accordingly, any documentation of Sam’s requested name and pronoun change or document reflecting the name and pronoun change are records that may be accessed and challenged by Sam’s parents.

Gender Identification through School Records

Consider a second situation: Sam starts at a new middle school already having transitioned. His family has not informed the new school of the gender transition, instead enrolling him using the identified male gender
and his preferred name, Sam. The family is reluctant to give the school a copy of Sam's birth certificate. Sam will be known only as Sam at this new school and if the birth certificate (which identifies Sam as female) is shared or exposed, they fear of backlash and potential violence against Sam. Sam's parents contest giving the original birth certificate.

Some state laws, including two in Illinois, require that parents or guardians enrolling students in a school for the first time provide a certified copy of a student's birth certificate. The Missing Children's Records Act and the Missing Children's Registration Law require parents to provide a certified copy of a birth certificate or "other reliable proof as determined by the Department [of State Police] of the student's identity and age, and an affidavit explaining the inability to produce a copy of the birth certificate."

The purpose of these laws is not to identify students as transgender, but rather to alert law enforcement to the presence of potentially missing children. Nonetheless, the discrepancy between a student's birth certificate and enrollment information will identify the student as transgender in school records. In the scenario described with Sam, the school must require the birth certificate or affidavit.

The challenges of maintaining the confidentiality of a student's gender transition go beyond the birth certificate. ISSRA allow schools to routinely share gender information with the public. Schools may designate student gender as "directory information," meaning the student's gender may be released to the public. Schools may routinely share gender information publically, for example, by posting "girls" and "boys" rosters for activities. Parents or their legal counsel who seek to protect a child's gender identity must affirmatively request that gender information not be released by the school. To honor such requests, schools will need to take steps to broadly consider what public information the school releases that may identify a student's gender.

Student records are not only an issue when the student attends school: a student's name and gender are included on the student's permanent record, which the school district must maintain for 60 years after the student leaves school. Individuals and lawyers assisting them may seek to align all of an individual's official records with a change in gender identity may request a change to their permanent school record. Currently, there are no legal standards governing the criteria a school district should use to process such a gender change request.

**Records in the Workplace: Navigating through the Evolving Law**

Illinois is one of seventeen states to explicitly include gender identity under its state anti-discrimination laws. While Illinois law specifically protects transgender individuals from discrimination in the workplace, it is unclear what practical implications this has for record maintenance.

**The Workplace Dilemma**

The Illinois Human Rights Act ("IHRA") provides "freedom from discrimination against any individual because of his or her race, color, religion, sex, age...sexual orientation...in connection with employment, real estate transactions, access to financial credit, and the availability of public transactions." Sexual orientation, as defined in the IHRA, includes, "gender-related identity, whether or not traditionally associated with the person's designated sex at birth."

Consider employee Samantha: Samantha's birth certificate identifies her as female, and Samantha identifies as a male. Samantha wishes to transition at his job. He requests to be referred to as Sam by the employer and employees. He requests to change his personnel records to reflect his changed name and gender and to have his paychecks reflect his new name. Sam has not made any formal changes to his personal identification documents (including his state ID, driver's license, or birth certificate). Sam's employer wants to maintain legally compliant personnel records.

At present, there is no law directly applicable to situations like the one presented by Sam's request. The Illinois Personnel Record Review Act ("IPRRA"), which provides for access, review, and production of employee records, does contain a general provision allowing for the correction of personnel records by an employee. IPRRA's Section 6 states, "If the employee disagrees with any information contained in the personnel record, a removal or correction of that information may be mutually agreed upon by the employer and the employee." The IPRRA does not require an employer to make all requested changes to personnel records. If the employer does not agree with a requested change, then Section 6 of IPRRA provides that the employee may submit a written statement explaining the employee's position and the employer must then attach the employee's statement to the disputed portion of the personnel record. The IPRRA process is not well suited to this dispute as any statement of disagreement attached to a personnel record would only serve to highlight the individual's transgender status.

However, the IPRRA is not the only legal consideration. Advocates for transgender individuals have successfully argued that current laws provide a right to privacy that applies to an individual's transgender status. For example, in *Love v. Johnson*, the United States District Court in the Eastern District of Michigan recently found that requiring an individual to disclose her transgender status implicates a constitutional right to
privacy. The court based its decision, in part, because disclosure of one’s transgender status “creates a very real threat to Plaintiffs’ personal security and bodily integrity.” It is unclear whether this logic could support a discrimination claim under the IHRA or other anti-discrimination laws.

Evolving Issue

Even when looking only at the single issue of records management for transgender individuals, the law is highly complex and evolving. This leaves all parties and their legal representatives to make practical decisions balancing not only the current state of the law, but also where the law may go in the weeks, months, and years to come.

1 Education Law Practicum Student for Franczek Radelet P.C.

5 105 I LCS 10/7.
7 325 I LCS 55/5.
8 105 I LCS 10/6(e).
10 775 ILL Comp. Stat. 5/1-102 (2016).
12 820 I LCS 40/6.
14 Id.
Local Government Law Seminar

Wednesday, April 20, 2016

1:00 – 3:30 p.m.

Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva

2.25 General Credit Hours

MODERATOR:
Mark T. Schuster, Esq., Bazos, Freeman, Kramer, Schuster & Braithwaite, LLC, Elgin, IL

TOPICS & SPEAKERS:

Reed v. Town of Gilbert  (1:00 – 1:30 p.m.)
John E. Motylinski, Esq., Ottosen, Britz, Kelly, Cooper, Gilbert & DiNolfo, Naperville, IL

Open Meetings Act/Freedom of Information Update  (1:30 – 2:00 p.m.)
Maryam Judar, Esq., Executive Director/Community Lawyer, Citizen Advocacy Center, Elmhurst, IL

BREAK  (2:00 – 2:15 p.m.)

Legislative/Case Law Update  (2:15 - 2:45 p.m.)
Roman J. Seckel, Esq., Drendel & Jansons Law Group, Batavia, IL

Administrative Adjudication of Local Offenses  (2:45 - 3:30 p.m.)
Mark T. Schuster, Esq., Bazos, Freeman, Kramer, Schuster & Braithwaite, LLC, Elgin, IL

Register online at www.kanecountybar.org  (630) 762-1915
Diversity in Kane County

by Judith Miller, Esq.

Mention the word “diversity” at any gathering of attorneys in Kane County and you will hear every manner of spirited opinion-making. As a member of the KCBA Diversity Committee, I have been present at many committee meetings where various issues of diversity are discussed freely and passionately. The committee’s goal is “to realize the benefits of diversity and inclusion through education, training and open dialogue.” And so I now openly share with you some of the dialogue at the heart of the legal system in Kane County.

“Diversity,” as defined by our State’s Attorney Joe McMahon, “is so much more than country of origin; it includes diversity of experience, socio-economic background, and culture.” While the Kane County State’s Attorney’s Office (“KCSAO”) can point to a gender statistic where 55 percent of assistant state’s attorneys are female and 45 percent are male, it keeps no record of ethnicity or race. “We look for ‘richness of experience’ and a desire to work with and protect the rights of crime victims,” according to McMahon. In hiring, McMahon says he tries to identify candidates with a broad range of experiences, such as study abroad, clinic work, a second career, or military service. “I look at diversity from a perspective of diverse thought.” This, he says, creates a more robust debate and helps inform good decision-making. Ethnicity, race, and gender are part of that, but not all of it.

Yet, in recognition that ethnicity, race and gender are part of the diversity equation, our State’s Attorney created the position of Diversity Coordinator. It is the Diversity Coordinator’s job to reach out to law student groups where diverse candidates can be found and draw them to the KCSAO. The hope is that exposure to the KCSAO will encourage law students of different races, ethnicities, cultures and backgrounds to stay in Kane County and become part of our legal fabric.

The KCSAO’s first Diversity Coordinator was Divya Sarang, a woman born and raised in India and who immigrated to America about 30 years ago having already earned a law degree. Full of hope in the American Dream, she went back to law school and became licensed to practice in Illinois. Her career moved from private practice to state’s attorney’s office to judgeship. In 2015, Judge Sarang became Kane County’s newest associate judge. Judge Sarang acknowledges being “lucky to have excellent mentors who were encouraging along the way.” She says she came to America – and was drawn to America – because “I believed there were no barriers.” This theme of encouragement, mentoring, and no barriers is a common one among those judges who stand out for their diversity of race and ethnicity.

The judiciary is intimidating, especially for those who may feel like an outsider. My objective was to encourage diverse candidates to get engaged in the process.”

In order to diversify its perspective and understanding, the Kane County legal system needs to encourage diverse candidates to entry-level jobs “because they are the ones who become judges,” says Judge Brown. “Judgeship doesn’t happen overnight; it takes a 10- to 20-year period,” he notes. “The judiciary is intimidating, especially for those who may feel like an outsider. My objective was to encourage diverse candidates to get engaged in the process.”

When Judge Brown came to the bench as an associate in 1991, the Kane County judiciary was almost exclusively comprised of white men. Diversity, at that time, took the form of two women judges: Judge Pamela Jansen, who was appointed associate in 1987; and Judge Judith Brawka, appointed in 1991. Today 10 of the 28 presiding judges are women. Judge Judith Brawka rose to the position of chief judge in 2012 and, having served as such until 2015, was followed by Judge Susan Boles as the current chief judge.

Chief Judge Boles recognizes that as a young female lawyer she benefitted from being able to witness that females can have a successful career and family life. Her professional experiences, she explains, “have been shaped, influenced and encouraged by both male and female role models.
I have had the good fortune to work for and alongside some incredibly talented lawyers and judges."

Judge Brown says that he has tried to be a mentor to women judicial candidates, as he knows the feeling of paving new roads. Not only was he the first Black judge in Kane County, but for six years he held the top legal position in the 16th Judicial Circuit as he served as acting chief judge (from 2004 to 2008) and as the official chief judge (2008 to 2010). He knows firsthand that "judges have a lot of power when it comes to shaping the judicial system," which leads him to ask and answer a critical question: "Who will a judge be more inclined to listen to for ideas and opinions? Another judge."

Long before the judiciary can diversify its ranks, however, it needs to nurture a pool of candidates. That seems to be at the crux of why many Kane County judges regularly visit local schools to speak to students.

Judge René Cruz, who in 2012 became the first Hispanic judge of the 16th Judicial Circuit, offers that "One of my concerns – and why I go to high schools and middle schools – is that if I’m first, but the only, then I really haven’t opened the doors. I am always looking for opportunities to encourage qualified individuals. If the pool isn’t there, then expectations are not raised high enough."

Judge Cruz makes a point of engaging with students during after-school programs in Aurora, the city where he settled with his family and started his legal career. During school events, he will talk to 20-30 students at a time, often in Spanish, and then meet with their parents. In this way, he helps immigrant parents to bridge the culture gap between how they were raised and the world in which their children are growing up. Born in Panama to a military family, Judge Cruz is comfortable relating to individuals of diverse backgrounds. As he says of his upbringing, "I had to learn quickly to accept others and adjust."

But accepting others and adjusting does not translate into ignoring diversity. According to Judge Cruz, when he started practicing there was an "obvious gap in Hispanic legal services" in Kane County. Recognizing this gap, he started his law career in one of first local law firms focused on carving out a niche within the Hispanic community. This idea, he says, is starting to catch on. He has noticed that as the Hispanic population has grown to comprise nearly 32% of those living in Kane County in 2015, law firms providing Hispanic legal services have opened up to fill this niche.

With such a growth in the number of people who identify as Hispanic, it is perhaps not surprising that the 16th Judicial Circuit soon followed Judge Cruz’s appointment with another Hispanic judge, Judge Robert Villa, in 2013. An active member of the Hispanic National Bar Association, Judge Villa identifies with ethnic both components of his mixed Mexican-Irish parentage. Having grown up among family members whose cultures differed substantially from one another, Judge Villa opines that "the language of diversity is about inclusiveness." He believes it is the obligation and responsibility of those who wish to be accepted to "get outside your own head" and be likewise accepting. "It is counter-productive to get a seat at the table then disparage others at the table - which creates the cycle in reverse," he explains.

Kelli Childress, the Kane County Public Defender since 2011, remarks that although the make-up of Kane County has not varied greatly over the past years, the make-up of its judicial partners has. "I have seen a lot of change," she comments. "Those we serve have not changed dramatically, but as a judicial system, our judicial partners have embraced diversity and it has done wonders to the system."

Childress’s interest in justice and fairness within the legal system is apparent in the active role she plays in the Illinois State Bar Association. Since 2011, she has been a member of the Human Rights Section Council. As the current chair of this council, she has earned a spot on the Diversity Leadership Council, which serves as the umbrella group that fosters communication and coordination between the ISBA’s diversity-related committees and section councils. These include the Standing Committee on Women in the Law, Racial and Ethnic Minorities and the Law, Sexual Orientation and Gender Identity, Disability Law, the International Law and Immigration Section Council, as well as the Human Rights Section Council. According to Childress, diversity generates cultural sensitivity. "We sit in a position to pass judgment on others all the time. We need to do this from where they stand instead of where we stand.” Seeing the problem or challenge from the other person’s point of view, from their cultural and experiential eyes, "leads to real justice," says Childress. "There are so many reasons why diversity is important," says Childress. "People of diverse backgrounds bring better understanding and make us more emotionally intelligent."

It is clear from the voices of our legal leaders that diversity is a prized quality that they agree need to be nurtured, encouraged, and intentionally sought. As Chief Judge Boles summarizes, "The 16th Circuit Judiciary is more diverse than in years past. However, we need to do more and continue that trend to work toward a circuit that is truly representative of the citizens and community members in which we all serve."
FOR IMMEDIATE RELEASE
February 19, 2016
Governor Announces Appointments

Name: Rick Law
Position: Kendall County Public Guardian and Administrator

Governor Bruce Rauner has appointed Rick Law as Kendall County Public Guardian and Administrator. Law’s extensive experience makes him a natural choice for this position.

Currently, Law is a managing partner at Law ElderLaw LLP. The firm concentrates on elder law, estate planning and guardianship.

Law has presented to the Illinois State Bar Association on numerous occasions and is the co-author of the American Bar Association Book “Alzheimer’s and the Law: Counseling Clients with Dementia and Their Families.”

Law holds a bachelor’s degree in political science from Illinois State University and a law degree from Northern Illinois University. He lives in Oswego.
1st ANNUAL
KCBA vs. DCBA
SOFTBALL TOURNAMENT

THE KANE COUNTY BAR ASSOCIATION IS LOOKING FOR SKILLED MEN & WOMEN 16 INCH SOFTBALL PLAYERS.

PLEASE CALL THE KCBA AT (630) 762-1915 IF YOU ARE INTERESTED. TRYOUTS WILL BE SCHEDULED THIS SPRING.

THE GAMES WILL BE HELD ON SEPTEMBER 21st & 22nd OF 2016! PROCEEDS OF THE GAME WILL BENEFIT THE KANE COUNTY BAR FOUNDATION. WINNER TAKE ALL!
KCBA vs. DCBA
SOFTBALL TOURNAMENT

SPONSORS NEEDED!

KCBA SOFTBALL SPONSORSHIPS

Support KCBA members as they defend our honor in a fundraising softball game against members of the DuPage County Bar Association!

- $100 - Recognition in the Bar Briefs
- $250 - Recognition in the Bar Briefs and on the Game Day Score Card
- $500 - Includes all of the above and banner privileges (bring your own banner and display it on the field fence)

Each bar association has been challenged to raise $2,500 by June 1, 2016. On game day, each team will put half of their donations into the “winner’s fund”. The remaining half of their donations will benefit the respective Bar Foundations.

Call the KCBA at (630) 762-1915 if you are interested in sponsoring our team!
KCBA Cares

KCBA Cares is a monthly volunteer opportunity for our members ranging from helping at food pantries and other non-profit organizations who need support to drives for donated items such as clothing, toys, etc. If you have suggestions for organizations who may need some help, please contact Vince Mancini, KCBA Cares Coordinator, at vmancini@eklwilliams.com. Please contact Jan Wade at director@kanecountybar.org if you can help.

APRIL PROJECT

WHAT: FOOD FOR GREATER ELGIN

Food For Greater Elgin is a large fast-growing Client Choice Food Pantry serving low income residents in Elgin and South Elgin. Just 3 years at its warehouse/office complex, Food For Greater Elgin is currently providing food assistance to 1200 families each month, feeding 5500 individuals in those households, of whom nearly half are children.

WHEN: Thursday, April 21, 2016 • 5:30 p.m. to 8:30 p.m.
WHERE: Food for Greater Elgin, Inc., 1553 Commerce Drive, Elgin, IL 60123
WE NEED: 10 volunteers are needed to help pack and distribute food.

MAY PROJECT

WHAT: ANDERSON ANIMAL SHELTER

Anderson Animal Shelter is a "no-kill", limited admission facility. That means that they do not euthanize adoptable animals. Instead, they cease admissions when the shelter is at capacity. Anderson Animal Shelter is committed to an adoption guarantee for all healthy and treatable animals in their care, and euthanasia is reserved for animals whose behavior and/or health cannot be reasonably managed in a home environment.

WHEN: Tuesday, May 10, 2016 • 5:00 p.m. to 7:00 p.m.
WHERE: Anderson Animal Shelter, 1000 S. La Fox Street, South Elgin
WE NEED: 6-8 volunteers are needed.

THANK YOU!

Thank you to all of the KCBA members who volunteer at Feed My Starving Children on March 22, 2016. The hand-packed meals that you prepared will make a difference to so many children!
This year, Illinois lawyers + law firms got back $1.9 Million

Efficient operations, careful risk selection & successful investment management have allowed ISBA Mutual to return $18.3 Million in premiums since 2000.
Judges’ Night 2016

THURSDAY, APRIL 21, 2016
5:00 to 8:00 p.m.
CLADDAGH IRISH PUB

Address: Geneva Commons, 1702 Commons Drive, Geneva, IL 60134
JUDGES ARE COMPLIMENTARY BUT NEED TO REGISTER.
$30.00 KCBA Members  $35.00 Non-Members
Register on page 32.
KCBA Board of Managers’ Election Procedures 2016

The Kane County Bar Association is governed by a Board of Managers, consisting of a President, Vice-President, Secretary-Treasurer, and six board members. The Immediate Past President remains on the board ex-officio for the year after his or her presidency. The Board of Managers meets monthly to set policy, to establish programs beneficial to our members, and to ensure that the KCBA is fiscally sound. Each spring, the KCBA conducts elections for vacancies on the Board of Managers.

This year there are two vacant Director positions, each with a three year term beginning July 1, 2016. The KCBA is fortunate to have three candidates vying for the two seats on the Board of Managers.

Candidates for the (2) Director Positions are as follows:
Mark Brent, Judy Kullenberg and Lidia Serrano

Please read biographies of these three candidates on pages 30-31.

Regarding the open position of Secretary / Treasurer, Alice Henrikson, being the only member to have submitted a petition for candidacy, is unopposed for the position. She will serve (beginning July 1) and will serve subsequent years as Vice-President, President and Immediate Past President.

Members have indicated that they would prefer an election process that is confidential. When we developed our new website last year, we added an election module which will allow us to conduct our own elections without having to rely on an outside source. Using our website’s election module is more affordable than a blind paper ballot election and it is secure and easy to manage. Statistically, online elections maximize voter turnout, which is very beneficial to our organization. (We want our members to be involved and to have a voice.) The features of our election module ensure that no one votes more than once and that the voting is anonymous so no one will be able to connect a vote to the person who cast it.

The Kane County Bar Association’s online election will be launched on Monday, April 18 and will run through Monday, May 2. Eligible voters (attorneys and judges) will receive an email from the KCBA, similar to the way the dues renewal notices were emailed this year.

Once you receive the e-mail, click on "Click here to vote." which will take you to your KCBA Member Account Dashboard page. If you are not already logged in, you will need to do so using your regular KCBA login credentials. You will be able to create your online account at this time if you have not already done so. Please contact the KCBA office if you need help with your password. When you are logged in, you will see a menu on the left side of your Member Account Dashboard. Click on “Elections” and a page will open up where you can read about the candidates and then vote accordingly. We anticipate the online voting will take no more than 5 minutes. Because your votes are tied to your personal email address, each eligible voting member will be allowed to vote only once. Please remember that your vote is secure and private.
KCBA Board of Managers Election Candidates

This year there are two vacant Director positions, each with a three year term beginning July 1, 2016. The KCBA is fortunate to have three candidates vying for the two seats on the Board of Managers.

Candidates for the (2) Director Positions are as follows (in alphabetical order):
Mark Brent, Judy Kullenberg and Lidia Serrano

Please read biographies of these three candidates on pages 30-31.

All KCBA voting members in good standing will have one vote.
(Attorneys and Judges are voting members of the Association. Students and paralegals are not voting members.)

SEE PAGE 30 FOR DETAILS ON THE ELECTION AND THE ONLINE VOTING PROCEDURE.

MARK D. BRENT

I am an Aurora native, with offices in Aurora and Batavia. I have been a member of the KCBA, and practicing exclusively in the area of family law, since 1997. I have been licensed since 1991.

My diverse professional and personal experiences will serve the KCBA Board and membership well. Having worked in firms of one to over 100 attorneys in both local and nationwide practices, I draw on a wide range of experiences and perspectives. My first-hand experience with a varied range of firm sizes, law office economics, professional environments, and practice areas gives me valuable insight and will allow me to represent many segments of our membership.

Past leadership roles in community service and not-for-profit organizations give me the experience to help our organization grow and progress. I have been part of successful leadership teams for Family Counseling Services of Aurora, The Aurora Noon Kiwanis Club, Kiwanis Club International, and the University of Illinois Alumni Association.

I see the KCBA as a vehicle for positive change – a way to do good for our membership and for our communities, by working with others who share that goal. As a member of the Board of Managers, I would:

1. Make a deliberate effort to be a representative to the membership of the KCBA, by being accessible and by trying to act as a conduit for information and input;

2. Seek to enhance the cooperation between Bar and Clerk’s Office to promote the use of technology and forms to improve our practice;

3. Look for ways to add value to membership benefits.

Thank you very much for your consideration.

JUDY KULLENBERG

I graduated from the University of Washington in Seattle in 1980 and John Marshall Law School in 1989 after working as a paralegal for Prairie State Legal Services. I was hired by then Kane County Public Defender Judge Judy Brawka at the Public Defenders office in 1989 and left after close to four years to focus on raising a family. I started teaching part time at Elgin Community College in the Paralegal program shortly thereafter and also taught at Roosevelt University’s paralegal program. I returned to the Public Defenders office full time in 2008 after a few years of part time private practice specializing in Social Security and mental health law. I served on the ISBA Mental Health Law Committee for several years and am a member of the Kane County Bar Association and the National Association of Criminal Defense Lawyers. I would be honored to serve on the Kane County Bar and hope to have your vote!
LIDIA SERRANO

This fall I will be celebrating fifteen years of membership with the Kane County Bar Association. In that period, I have witnessed and benefited from the many CLE’s, committees, and activities offered by the Kane County Bar Association. Most recently, as co-chair of the family law committee, I have had the pleasure of serving my fellow family law members. I have enjoyed the experience tremendously and hope to expand my service to all of my fellow Kane County Bar Association members by serving as a Director on the Board of Managers. I would consider it an honor to serve for you and ask for your consideration and vote.

VOTING BEGINS
TUESDAY, APRIL 18th
AND WILL RUN THROUGH
MONDAY, MAY 2ND.

VOTING INSTRUCTIONS ON PAGE 29.

Accepting personal injury referrals in Kane, DuPage, Kendall, and DeKalb counties

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KCBA REGISTRATION & ORDER FORM

☐ Title: Local Government Law Seminar (2.25 General Credit Hours)  
Date: Wednesday, April 20, 2016  
Time: 1:00 - 3:30 p.m.  
Location: Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva  
Cost: FREE to Members  
Registration Deadline: 04/13/2016

☐ Title: Judges' Night 2016  
Date: Thursday, April 21, 2016  
Time: 5:00 p.m. - 8:00 p.m.  
Location: Claddagh Irish Pub, Geneva Commons, 1702 Commons Drive, Geneva  
Cost: $30.00 KCBA Members, $35.00 Non-Members  
(Please Note: Judges are complimentary but must register)  
Registration Deadline: 04/18/2016

☐ Title: 2016 Bar Show: BAR WARS - The Farce Awakens  
Date: Friday, April 29 and Saturday, April 30, 2016  
Time: 6:15 Cocktail Reception / 7:30 p.m.  
Location: Paramount / Copley Theater, 23 E. Galena Boulevard, Aurora  
Cost: $55.00 - Tickets are on sale through Copley Theater.  
Call (630) 896-6666 to order your tickets.  
Registration Deadline: 04/22/2016

☐ Title: Immigration Seminar (3.00 General Credit Hours)  
Date: Wednesday, May 4, 2016  
Time: 1:00 - 4:15 p.m.  
Location: Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva  
Cost: FREE to Members  
Registration Deadline: 04/27/2016

☐ Title: Elder Care, Disability & Mental Health Seminar (3.00 Prof. Resp. Credit Hours)  
Date: Wednesday, May 11, 2016  
Time: 1:00 - 4:15 p.m.  
Location: Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva  
Cost: FREE to Members  
Registration Deadline: 05/04/2016

☐ Title: Annual Meeting & Memorial Service  
Date: Wednesday, May 11, 2016  
Time: 11:00 a.m. Service, Lunch to follow  
Location: Kane County Judicial Center, Service in Ceremonial Courtroom & Luncheon in Jury Lounge  
Cost: $25 Per Person (Please note: Judges are complimentary but must register for lunch)  
Registration Deadline: 05/04/2016

☐ Title: Family Law Seminar (3.00 Credit Hours)  
Date: Thursday, May 19, 2016  
Time: 1:00 - 4:15 p.m.  
Location: Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva  
Cost: FREE to Members  
Registration Deadline: 05/12/2016

☐ Title: Labor & Employment Law Seminar (3.00 Credit Hours)  
Date: Wednesday, May 25, 2016  
Time: 1:00 - 4:15 p.m.  
Location: Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva  
Cost: FREE to Members  
Registration Deadline: 05/18/2016

☐ Title: 11th Hour Seminar (6.00 Credit Hours)  
Date: Wednesday, June 15, 2016  
Time: 9:00 - 4:15 p.m.  
Location: FONA International, 1900 Averill Road, Geneva  
Lunch: Optional $15.00 Lunch (Lunches must be pre-ordered and pre-paid)  
Cost: FREE to Members  
Registration Deadline: 06/08/2016

REGISTRATION AND PAYMENT

MAIL TO: KANE COUNTY BAR ASSOCIATION  
555 South Randall Road, Suite 205, St. Charles, IL 60174  
p. (630) 762-1915  f. (630) 762-9395  www.kanecountybar.org

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REGISTRATION DEADLINES:

Local Government Law Seminar  
Registration Deadline: 04/13/2016

Judges' Night 2016  
Registration Deadline: 04/18/2016

2016 Bar Show: BAR WARS - The Farce Awakens  
Registration Deadline: 04/22/2016

Immigration Seminar  
Registration Deadline: 04/27/2016

Elder Care, Disability & Mental Health Seminar  
Registration Deadline: 05/04/2016

Annual Meeting & Memorial Service  
Registration Deadline: 05/04/2016

Family Law Seminar  
Registration Deadline: 05/12/2016

Labor & Employment Law Seminar  
Registration Deadline: 05/18/2016

11th Hour Seminar  
Registration Deadline: 06/08/2016

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The KCBA Estate, Probate, and Elder Law Committee presents:

PROBATE
Guardian ad Litem Training
Friday, April 29, 2016 | 11:00 a.m. – 4:00 p.m.
Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva
Lunch Provided
Cost: $50 for KCBA Members | $75 for Non-Members
3.25 General Credit Hours | 1.00 Professional Responsibility Credit Hours

NOTE: This seminar will meet the GAL Training Course requirement pursuant to Local Rule 18.09(i)(i)[c] of the Circuit Court of Kane County, Illinois.

MODERATOR: Stephanie L. Butler, Esq., Stephanie L. Butler, Attorney at Law, Elburn, IL

TOPICS & SPEAKERS:

Your Role as a GAL in Probate Court (11:00 - 11:30 a.m.) (.50 General Credit Hours)
Eleonora R. Holmes, Esq., Holmes Law, LLC, Hanover Park, IL
Overview of the function of the GAL in Probate/Guardianship. Summary of the statutes, local rules, and procedures.

Ethics for the GAL in Probate Court (11:30 a.m. - 12:30 p.m.) (1.00 Professional Responsibility Credit Hours)
Daniel Parsons, Esq., Parsons Law, Geneva, IL
Evaluating Mental Capacity of Potential Wards; Ethical responsibilities of the GAL when dealing with individuals with diminished capacity; How to handle suspected financial or elder abuse as GAL.

Lunch/Break (12:30 p.m. – 1:00 p.m.)

Role of the Public Guardian and State Guardian (1:00 - 1:45 p.m.) (.75 General Credit Hours)
Faviola Carmona, Esq., Law ElderLaw, LLP, Aurora, IL
Richard Wachtel, Esq., Illinois Office of State Guardian, Des Plaines, IL
Purpose of Public and State Guardians and how they differ. How and when to involve the Public or State Guardian.

Corporate Guardian v. Individual Guardian (1:45 – 2:30 p.m.) (.75 General Credit Hours)
James Dombek, Esq., First Midwest Bank, Sycamore, IL
Jennifer Koff, First Midwest Bank, Joliet, IL
Distinctions between guardian options and when to recommend each.

BREAK (2:30 - 2:45 p.m.)

Financial Issues for the Probate GAL (2:45 – 3:30 p.m.) (.75 General Credit Hours)
Darryl J. Lynch and Benjamin D. Holland, Oppenheimer & Co. Inc., Chicago, IL
Proper financial management of Ward assets; New FINRA operating procedures when elder abuse is suspected; Process of restricting/blocking investment accounts and reducing bonding costs.

Drafting the GAL Report (3:30 – 4:00 p.m.) (.50 General Credit Hours)
Susan S. Russo, Esq., Law Office of Susan S. Russo, Batavia, IL
Basics of the written GAL report.

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KANE COUNTY BAR ASSOCIATION, 555 South Randall Road, Suite 205, St. Charles, IL 60174  (630) 762-1915  www.kanecountybar.org
2016 IMMIGRATION SEMINAR

Wednesday, May 4, 2016, 1:00 - 4:15 p.m.
Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva
3.0 General Credit Hours

MODERATORS:
Omar Salguero, Esq., Latino Immigration & Legal Center, P.C., Aurora, IL
Kimberly S. Spagui, Esq., The Spagui Law Firm, Elgin, IL

TOPICS & SPEAKERS:
1:00 – 2:00 p.m.
Family Reunification Under the Immigration System and the Inability of Many Families to Reunify Lawfully
Anita Maddali, Associate Professor of Law & Director of Clinics, NIU College of Law, DeKalb, IL

2:00 – 2:45 p.m.
Executive Orders in the Area of Immigration: Deferred Action (DAPA & extended DACA)
David Richmond, Esq., Latino Immigration & Legal Center, PC, Aurora IL

2:45 p.m. – 3:00 BREAK

3:00 – 3:45 p.m.
Overview of Business Immigration
Jacqueline Lentini, Esq., Law Offices of Jacqueline Lentini, St. Charles, IL

3:45 – 4:15 p.m.
Immigration Consequences of Criminal Convictions
Shirley Sadjadi, Esq., Law Offices of Shirley Sadjadi, Elgin, IL

KCBA (630) 762-1915 | register online at www.kanecountybar.org
Buddha v. Angulimāla: Seeking Balance within the Criminal Justice System

By Steven M. Sims, Esq.

Ted Bundy, John Wayne Gacy, and Jeffery Dahmer are some of the most notorious serial killers of the latter part of the 20th century. Simply hearing their names can provoke feelings of fear, anger, and revulsion. During the 5th century BCE (Before the Common Era), the Buddha came face-to-face with one of the most notorious killers of his time, Angulimāla.

Angulimāla was a bandit who ambushed and then murdered innocent victims who lived in or traveled through the realm of King Pasendai of Kosala, India. The crime of murder was no more uncommon in the time of the Buddha than it is today. What made Angulimāla infamous was what he did after he killed his victims. He cut off one finger from each victim that he slayed, and then proudly wore the severed fingers threaded on a cord around his neck. The name, Angulimāla is a nickname, roughly translated as “finger-garland” or “fingerprint.”

In the time of the Buddha, there were no electric street lights, no paved roads, and no automobiles with doors that could be locked for safety. Most travel was done by foot, on dirt paths and trails—making travelers vulnerable to bandits. Angulimāla is reputed to have destroyed complete villages. When people would travel on a path known for bandit attacks they would often travel in large groups, sometimes up to fifty men, based upon the theory of “safety in numbers.” Nonetheless, Angulimāla was still able to ambush the groups, slaughtering them all and claiming his finger trophies.

If you’re like many typical Westerners, you may be wondering how the smiling, bald, big-bellied guy (whose belly you rub for luck, who is often seen in statue form seated near a cash register in Chinese restaurants) could stand a chance against a thug as tough as Angulimāla. For starters, that smiling, laughing Buddha is a different Buddha known as Budai or Hotei. Many schools of Buddhism believe there has been a succession of thousands of different Buddhas in the past, and there will be thousands of Buddhas in the future, often existing in realms other than our universe. Budai is an incarnation of the Maiteya Buddha, a future Buddha, and a story for another time.

The Buddha who came face-to-face with Angulimāla was the “historical Buddha.” The exact dates of his birth and death are unknown, but he lived for eighty years between the 5th and 6th centuries BCE in the areas of what is now present-day Nepal and India. Before hearing about his encounter with Angulimāla, some background information is in order. The historical Buddha is known by many names including Siddhartha Gautama, Gotama Buddha, The Enlightened One, and Shakyamuni (sage of the Shakya clan). Siddhartha Gautama was born into the Shakya clan, a warrior caste in Lumbini in what is now present-day Nepal, and his family’s Shakya state was based in the city of Kapilavastu in either present-day India or present-day Nepal.

As a warrior-prince, Siddhartha was adept at hand-to-hand combat, and proficient in the use of a multitude of martial arts weapons.

Siddhartha was married at the age of 16 to a cousin, Yaśodharā, in an arranged marriage. Although Siddhartha had all of the luxuries that a young man could want, he became dissatisfied with palace life when he came to the realization that all people will suffer from disease, old age and ultimately death. Soon after the birth of his son, Rāhula he left his wife and newborn son behind and set out into the surrounding countryside in search of a way to put a stop to the endless cycle of birth, suffering and death. On this journey, he had at first embraced extreme asceticism, a then popular belief that one can only achieve a high moral and spiritual state by practicing extreme abstinence and self-denial. The theory behind asceticism was “you can’t make a fire with soft, wet wood. The body is the same. If physical desires are not mastered, it is difficult for the heart to attain enlightenment.”

Strictly adhering to ascetic practices, Siddhartha began starving himself, ultimately eating just a single grain of rice per day. He was so thin and sickly that he was near death. It was in this weakened, dehydrated and malnourished state that Siddhartha bathed himself in the river for the first time in months, and then collapsed on the shore. A young village girl named Sujata, saw the collapsed Siddhartha, and gave him a mixture of rice and milk.
to eat. Not long after receiving this offering of food, Siddhartha observed a music instructor interacting with his pupil. The instructor was giving a lesson on the sitar, a stringed instrument. The instructor, teaching his pupil how to tune the sitar, gave the following advice, “If you tighten the string too tight, it will break, and if you have the string too slack, it will make no sound, the middle way is best.” Siddhartha then realized this “middle way is best” approach should be used toward his own seeking of enlightenment. The extremes of royal overindulgence and the starvation techniques of asceticism were both wrong paths. He rejected asceticism and thereafter ate in moderation, making sure his body was nourished. With renewed insight and commitment Siddhartha attained enlightenment, reaching a higher mental state of absolute clarity, while meditating under the Bodhi tree at the age of 35.

After attaining enlightenment, Siddhartha Gautama became known as the Buddha, a title meaning “awakened one.” He soon collected a following of monks, called Bhikkhus, and traveled the country side of India spreading his teachings, known as the Dharma.

The Buddha’s approach to teaching the Dharma was revolutionary for the time period. Social status and occupations in India during the 5th and 6th centuries BCE, was dictated by a caste system. A person would be born into one of four castes, or classes of people: the Brahmins or priests, the warriors, the merchants or traders and the untouchables. The Buddha believed that there were good and bad people within each caste. He further believed that it was a person’s actions, not his or her assigned caste, that determined the value of a person. The Buddha also taught his Dharma to women, and had a following of nuns, known as Bhikkunis. Giving religious teachings across castes and genders was truly groundbreaking.

Fast forward to the Buddha being 56 years old, and we are ready for his encounter with Angulimāla. This was an advanced age given the time period, but nevertheless the Buddha was still traveling the country on foot, spreading the Dharma. This is when he came upon the village of Sāvatthi, a place he had visited many times in the past. This time the normally busy trail leading to Sāvatthi was eerily deserted. As the Buddha continued along the trail known for ambushes by the bandit, many cowherds, shepherds and ploughmen, recognized the Buddha, and came forward to warn him of the dangers ahead. They told him, “Do not take this road, recluse. On this road is the bandit Angulimāla, who is murderous, bloody-handed, given to blows and violence, and merciless to living beings. Villages, towns, and districts have been laid waste by him. He is constantly murdering people and he wears their fingers as a garland. Men have come along this road in groups of ten, twenty, thirty, and even forty, but still they have fallen into Angulimāla’s hands.”

They told the Buddha that King Pasenadi was organizing a brigade of soldiers to hunt down the bandit, but that until the bandit was captured or killed, it was not safe to go any further. Despite being warned repeatedly by many concerned people, the Buddha continued on toward Sāvatthi.

Soon the bandit Angulimāla saw the lone traveler, and couldn’t believe his luck. In his glee he thought to himself, “It is wonderful, it is marvelous! Men have come along this road in groups of ten, twenty, thirty, and even forty, but still they have fallen by my hands. But now this recluse comes alone, unaccompanied... Why shouldn’t I take this recluse’s life?” With this murderous thought in his heart, Angulimāla grabbed his sword, sprang from his vantage point overlooking the trail and ran at full speed toward the Buddha.

The Buddha, still walked at a meditative pace, responded calmly and gently, “I have stopped, Angulimāla, it is you who must now stop.” Confused, Angulimāla demanded to know how the Buddha could say that he had already stopped, while he was still walking away. The Buddha stopped and stood face-to-face with the bandit. The Buddha explained, “Angulimāla, I have stopped forever, I abstain from violence towards living beings; but you have no restraint towards things that live: That is why I have stopped and you have not.”

Upon seeing the calm and radiant nature of the man before him, Angulimāla realized for the first time that this was no simple monk, but the Buddha himself standing before him. The Buddha had spoken his name “Angulimāla” and therefore must have known of his murderous reputation, and yet the Buddha had traveled alone into this dangerous path to spread the Dharma to him. Angulimāla was accustomed to people being terrified in his presence. The luminous appearance of the Buddha, his lack of fear, and the compassionate way in which he was addressing Angulimāla was shocking. The Buddha’s words and actions caused Angulimāla to be overcome with emotion and his heart became transformed. He threw aside his sword slowly down the path toward Sāvatthi. Although the Buddha was born a mortal man, supernatural abilities have been attributed to him on occasion, and this was one such time. No matter how fast or hard Angulimāla chased after the Buddha, through some feat of illusion or magic, the Buddha always remained ahead of Angulimāla, just out of reach.
and weapons, and knelt at the Buddha’s feet. He renounced killing and evil action. Expressing fear that it may be too late for him to make these changes given all the lives he had taken and all the harm he had caused, the Buddha reassured him, “It is never too late to do a good act.”

Angulimāla then became one of the Buddha’s followers, and took the vows of an ordained monk or Bhikkhu. He shaved his head, and took on the robes of a monk, and joined the Buddha and the other Bhikkhus in begging for offerings of food and spreading the Dharma to all who would listen.

Soon after this conversion, the Buddha and his followers of monks came upon King Pasenadi, who had amassed a group of 500 soldiers. The Buddha asked the king why he had so many soldiers, and he inquired whether Pasenadi’s kingdom was under attack from a neighboring hostile kingdom. King Pasenadi explained that his kingdom was not under attack, but that he had gathered these 500 soldiers to hunt down and kill the bandit Angulimāla, so that the people of his kingdom could finally live without fear.

Addressing Pasenadi, the Buddha asked, “Great king, suppose you were to see that Angulimāla had shaved his head and beard, put on the yellow robe, and gone from the home life into homelessness; that he was abstaining from killing living beings; from taking what is not given, and from false speech…and that he was virtuous and of good character. If you were to see him thus, how would you treat him?”

The king then turned to the Buddha, and said, “It is wonderful venerable sir, it is marvelous how the Blessed One tames the untamed, and brings peace to the unpeaceful.” The king continued, “Venerable sir, we could not tame him with force and weapons, and yet the Blessed One has tamed him without force and weapons.” And thus, the king kept his word and spared Angulimāla’s life.

An interesting footnote to the story of the Buddha’s encounter with Angulimāla is that after his conversion to Buddhism, Angulimāla found himself on the receiving end of some “street justice.” Angulimāla was traveling, making an alms round with the Buddha and other monks, when he was recognized by a villager as being the bandit Angulimāla. Word spread of the sighting, and soon an angry mob formed. The mob stoned Angulimāla and struck him with sticks. The beating was intense. The Buddha was present during this attack and he instructed Angulimāla to endure the beating. The beating, the Buddha advised, was part of the karmic price for Angulimāla’s past actions. The Buddha said that it was better to calmly take this beating than to react violently and spend hundreds or thousands of years in hell. So, heeding the Buddha’s advice, Angulimāla calmly recited prayers as he was being stoned and bludgeoned nearly to death. By refraining from violence even in the face of life-threatening aggression, Angulimāla’s embrace of a non-violent life was now complete.

The reality is that today’s worst-of-the-worst criminals have about as much of a chance of encountering a supernatural religious leader and experiencing a life-transforming change of character than they do of winning the lottery. But the tale of the Buddha’s encounter with Angulimāla is not without lessons for our modern criminal justice system, which many consider broken and in desperate need of repair. The story of Angulimāla is a tale of redemption. It supports the notion that no one, no matter the nature of his or her past crimes, is beyond salvation. It also demonstrates the power of fearless compassion even toward those individuals who seem undeserving of such compassion. According to Robert A. F. Thurman, Professor of Indo-Tibetan Buddhist Studies at Columbia University, long-time friend of the Dalai Lama, and father of actress Uma Thurman, “The story of the Buddha’s conversion of the serial murderer Angulimāla, Angulimāla’s subsequent attainment of a certain level of enlightenment, sufficient for him to offer himself to the families of his many victims for them to take his life or punish him as they wish is used in Buddhist literature in many countries and in many languages as a prime example that it is never too late to reform, to undo the negative evolutionary trajectory caused by killing or other harmful actions, and to transform himself or herself into a positive person, achieve release from suffering, and make a contribution to the welfare of others.”

Under Buddhist beliefs, humans are very susceptible to both reformatory and corruptive forces, which can help explain why Angulimāla committed his murders in the first place, and why he was subsequently able to become reformed into a useful member of society. According to what Professor Thurman refers to as “Buddhist biology” he notes that “a human person is highly malleable for both good or evil, depending on how she is educated or corrupted, so that a good person can become evil, bit by bit, and an evil person can even become a saint, in exceptional circumstances.”
Angulimāla, like the followers of Charles Manson and the Revered Jim Jones, started out as a normal person but fell under the influence of an evil teacher. Thurman explains that Angulimāla was “originally a spiritual student of a bad teacher who was jealous of his student’s strength and intelligence, and who then gave him a fake ‘secret precept’ that if he killed one thousand persons, including his own mother, and made a rosary of their finger-bones, he would become perfectly enlightened.” Thus, Angulimāla’s trust of his teacher turned him from a “faithful disciple” into a “blood thirsty killer.”17

Despite being molded into a killer, under the theory of “Buddhist biology” the ability to reform always remained in Angulimāla’s spiritual and ethical DNA. Professor Thurman expands on the theory of “Buddhist biology” by noting that “according to Buddhists, a human being is a miracle of ethical development upward from a reincarnating individual’s many previous lives as more hard-wired violent animals, reaching the incredibly complex life forms of the human mammal, which is capable of not only of the worse harmfulness than any less technology adept animal, but also of utter goodness of selfless love and compassion for others.”18

So what lessons are there in the tale of Angulimāla’s initial corruption into a violent murder and ultimate redemption into a peaceful monk can be applied to our modern American system of justice? For starters, a heathy amount of skepticism is in order. The notion of the total reformation of a criminal may be the ideal, but it is not the norm. Many criminals have no intention of changing their ways. Others may feign efforts toward rehabilitation in attempts to appear more sympathetic and to seek leniency. Many criminals “find religion” often just before a sentencing hearing or in hope of a release on parole. But is it also true that many prison inmates find legitimate meaning in prison ministry services, whether these services be Buddhist, Christian, Jewish, or Muslim. Ideally, the court and penitentiary systems should be focused on providing opportunities for rehabilitation, not just warehousing criminals.

For those with a sincere desire for rehabilitation, there is hope. Our criminal justice system does make efforts to address the “highly malleable nature of humans” toward the goal of redemption. American courts keep juvenile offenders away from adult offenders so that they don’t become further corrupted by the more hardened adult criminals. Diversion programs offer services and solutions that help keep those people facing their first felony charges from becoming convicted felons, giving them a second chance toward staying a productive member of society. Specialty treatment courts, such as drug, mental health and veteran’s courts help with the dual goals of holding people accountable, while simultaneously providing mental health and drug treatment and other services in order to best support a criminal’s journey toward rehabilitation. Like Angulimāla, all human beings have the potential for redemption, but whether that potential is fully realized is dependent upon the motivations and actions of the individual. Just as the tuning of the sitar strings revealed the lesson that “the middle way is best” our criminal justice system works at its best when a balance is struck between society’s desire for punitive justice and the rehabilitative needs of the defendant.

2 Id. at 710.  
5 Id. at 710-711.  
6 Id. at 711.  
7 Id.  
8 Id.  
KCBA
Annual Meeting
& Memorial Service

WEDNESDAY, MAY 11, 2016
11:00 a.m.

The Memorial Service will be held at the Kane County Judicial Center in the Ceremonial Courtroom.

There will be a luncheon following the Memorial Service in the KCJC Jury Lounge.

Cost of Luncheon: $25
Judges are complimentary, but must register.
Registration for the luncheon is on page 32.

COLLEAGUES TO BE HONORED:
LeRoy L. Bianchi
Thomas D. Chase
Justice Marvin Dunn
Honorable Kurt Peter Klein
J. Robert Murphy
Lewis William Terlizzi

Please let us know if we have omitted anyone.
The KCBA Elder Care, Disability & Mental Health Committee presents

PERSONAL WELLNESS in the Legal Profession

Wednesday, May 11, 2016, 1:00 to 4:15 p.m.
Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva, IL

3.0 Professional Responsibility Credit Hours

MODERATORS:

Inez Toledo, Esq., Legal Advocacy Service Staff Attorney, Illinois Guardianship & Advocacy Commission, Chicago, IL

Colleen Boraca, Esq., NIU College of Law Health Advocacy Clinic, Aurora, IL

TOPICS & SPEAKERS:

Mental Impairment and Substance Abuse of Illinois Lawyers (1:00 - 2:30 p.m.)

Christine P. Anderson, Director of Probation & Lawyer Services, Attorney Registration & Disciplinary Commission, Chicago, IL

Scott Szala, Adjunct Professor Northwestern University Law School and University of Illinois Law School, Chicago, IL

BREAK (2:30 - 2:45 p.m.)

Recognizing, Understanding and Referring: Mental Health and Addictive Disorders (2:45-3:30 p.m.)

Robin Belleau, JD, LCPC, Executive Director, Lawyers' Assistance Program, Chicago, IL

Introduction to Mindfulness for Lawyers (3:30 - 4:15 p.m.)

Laurel Rigertas, JD, Associate Professor, Northern Illinois University College of Law, DeKalb, IL

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What Can Mindfulness Offer Lawyers?

by Laurel A. Rigertas, Esq.

What is mindfulness?

Mindfulness is a modern movement, with roots in Buddhism, which has been integrated into clinical practices by Dr. Jon Kabat-Zinn. The basic idea in mindfulness is “awareness, cultivated by paying attention in a sustained and particular way: on purpose, in the present moment, and nonjudgmentally.” 1 In essence, having the ability to maintain a moment-by-moment awareness of your thoughts, feelings, sensations and surrounding environment.

What can mindfulness offer lawyers?

A recent study of lawyers in the Journal of Addiction Medicine concluded that “[l]evels of depression, anxiety, and stress among attorneys were significant, with 28%, 19%, and 23% experiencing symptoms of depression, anxiety, and stress, respectively.” 2 For those of us in the practice of law the results of this study are not surprising.

Lawyering is emotionally and intellectually demanding work. While lawyers use their training to view clients’ problems in legal frameworks—breach of contract, divorce, criminal charges, etc.—the human stories behind those problems often involve broken promises, disappointment, betrayal, retaliation, deception, loss, anger, pain, or violence. Lawyers’ training focuses on the law and the facts, but neither can be separated from the human emotions that lawyers often deal with in their offices on a regular basis. Empathizing with clients is emotionally demanding work. And lawyers, whether they are doing transactional work or litigation, are positioned in opposition to a competing side. The daily work can be a battle – and often a frustrating battle. Despite the stress, legal work can be meaningful and fulfilling in a variety of ways. In his or her own way, each lawyer is contributing to justice and upholding the rule of law. We help people. However, the demands of legal work create a need for self-care on the part of each lawyer. Mindfulness is one way to do this.

The practice of mindfulness allows you to just slow down, even if just for a few minutes, and to escape the relentless drum of demands. We live in a world dominated by doing. Simply being for a few minutes a day can be a welcome reprieve. It can allow us to appreciate that we are actually complete, as we are, in the present moment. Many mindfulness practices focus on connecting us to humanity and seeing our individual struggles as universal. This can bring some perspective to the daily grind. Additionally, mindfulness skills can assist lawyers by helping one’s attention, civility, ethical decision-making and stress management.

The legal profession is starting to explore the benefits of mindfulness. In recent years mindfulness for lawyers has been the topic of conferences, bar journal and law review articles, law school courses, CLEs, and books. Indeed, there are even studies showing that mindfulness can provide medical benefits. In Dr. Kabat-Zinn’s book, Mindfulness for Beginners, he discusses that there has been brain imaging research that shows that mindfulness practices can actually change the physical structure of the brain by thickening “certain brain regions, such as the hippocampus, which plays important roles in learning and memory, and thinning other regions, for instance, the right amygdala, a structure in the limbic system that regulates our fear-based reactions such as to perceived threats of one kind or another.” 3 While this may seem farfetched, the potential benefits of mindfulness are increasingly the subject of medical research.

The Basics of Mindfulness

There are many different ways to practice mindfulness. It does not require sitting in the lotus position for an hour a day or other images you may have about it. As the mindfulness movement has grown, so have the variety of approaches. While there is no one right way to practice mindfulness, there are two large categories that mindfulness practices typically fall into—formal and informal. Formal practices include seated meditations that focus one’s attention on something specific such as the breath, the body, sounds or thoughts. Informal practice does not require sitting, but rather uses any moment in life to cultivate your present awareness. The following are two examples that can be easily tried:

- **Formal Practice.** Find a quiet place to sit and set the timer on your cell phone for five minutes. Close your eyes and focus your attention on the sensation of your breath moving in and out of your body. You will soon notice thoughts intruding and pulling...
Mindfulness can help attorneys deal with daily interactions with clients and opposing counsel. For example, a significant concern in the legal profession is the lack of civility among attorneys. Imagine getting back to your office and finding a hostile and uncivil e-mail from opposing counsel. What kind of thoughts, emotions and physical feelings might that external experience trigger internally?

- Thoughts: “What a jerk.” “That’s the last time I extend him an extension.” “I can’t wait to beat him in court.” “#*(&@!”
- Emotions: Anger, annoyance, frustration, exhaustion.
- Physical feelings: Clenched jaw, tension in the shoulders, rapid heartbeat.

Often we react (or over-react) in response to all of these internal responses without being fully aware of them. For example, you could immediately fire back an equally hostile e-mail. With that reaction, the cycle of incivility continues. But if you take a moment and be the observer of those thoughts, emotions and feelings—sit on the river bank and watch them—then you have a chance of not letting them become the internal driver. Awareness of these internal events can give you the mental space to respond to the situation in a more civil manner, rather than with a rash or offensive response.

This process of observing internal responses to external events can also help reduce stress and anxiety. These observations can allow us to accept things as they are. For example, if the opposing counsel from the above scenario is consistently an unpleasant and difficult person to deal with, that could cause anxiety for you about each anticipated interaction. Distress can be caused by wishing things to be different than they are. “I wish I didn’t have to deal with this jerk every week.” However, mindfulness studies have shown that accepting circumstances as they are can reduce the suffering caused by resisting our reality.

Once you accept that weekly interactions with the unpleasant opposing counsel are inevitable, and then you can think about strategies to deal with that reality, as opposed to trying to wish it away and avoid it.

**How Do I Learn More?**

First and foremost, take advantage of your KCBA membership and attend the free KCBA Elder Care, Disability and Mental Health Committee continuing legal education program on Wednesday, May 11, 2016, where I will be presenting. I would also recommend looking into books on mindfulness, including Dr. Jon Kabat-Zinn’s Mindfulness for Beginners book. Additionally, the internet provides a vast resource of articles and free mindfulness recorded practices that can be found with a simple “lawyers and mindfulness” search.

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1 Dr. Jon Kabat-Zinn, Mindfulness for Beginners 1 (2012).
3 Kabat-Zinn, supra note 1, at 20.

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**Laurel A. Rigertas**

Associate Professor Laurel Rigertas joined the NIU law faculty in 2006. She teaches Professional Responsibility, Torts and Lawyering Skills. Professor Rigertas’ research and scholarship focuses on the legal profession, particularly in the areas of ethics, professionalism, and access to the legal system.
FAMILY LAW SEMINAR

Save the date!
May 19, 2016
1:00 - 4:15 p.m.

Eagle Brook Country Club
2288 Fargo Boulevard, Geneva

Speakers & topics to be announced.

Register online at

Labor & Employment Seminar
MARK YOUR CALENDAR!

May 25, 2016  | 1:00 - 4:15 p.m.

Eagle Brook Country Club, 2288 Fargo Blvd., Geneva

Speakers & topics to be announced.

Register online at:
www.kanecountybar.org

630.762.1915
KCBA MEMORIAL PLAQUE

The Kane County Bar Association Board of Managers has created a memorial plaque to honor deceased attorneys and judges who were members of the Kane County Bar Association. This memorial plaque is displayed outside of the Ceremonial Courtroom at the Kane County Judicial Center and was unveiled following the 2015 KCBA Memorial Service. Nameplates are now being added quarterly. The plaque is a beautifully displayed walnut board with gold engraved plates attached. All orders for engraved plates must be pre-paid.

The cost of an engraved nameplate is $250 and half of the proceeds will be donated to the Kane County Bar Foundation.

Order forms are available online at www.kanecountybar.org/memorial-plaque.

Orders received by April 22, 2016 will be displayed prior to the 2016 Memorial Service.

<table>
<thead>
<tr>
<th>KCBA PLAQUE ORDER FORM</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAIL TO: KANE COUNTY BAR ASSOCIATION 555 South Randall Road, Suite 205, St. Charles, IL 60174</td>
</tr>
<tr>
<td>NAME OF PERSON PLACING ORDER:</td>
</tr>
<tr>
<td>NAME OF PERSON BEING HONORED:</td>
</tr>
<tr>
<td>TITLE OF PERSON BEING HONORED:</td>
</tr>
<tr>
<td>YEAR THAT HONOREE WAS ADMITTED:</td>
</tr>
<tr>
<td>BIRTHDATE AND DEATH DATE:</td>
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<tr>
<td>☐ Check Enclosed  Check #  Amount $</td>
</tr>
<tr>
<td>CREDIT CARD PAYMENT</td>
</tr>
<tr>
<td>☐ Visa  ☐ MasterCard  ☐ Discover  Amount $</td>
</tr>
<tr>
<td>☐ Please charge my credit card $</td>
</tr>
<tr>
<td>(ALL BELOW INFORMATION IS REQUIRED)</td>
</tr>
<tr>
<td>Card #</td>
</tr>
<tr>
<td>Expiration Date  3-Digit Code (on back)</td>
</tr>
<tr>
<td>Name on Credit Card</td>
</tr>
<tr>
<td>Cardholder Billing Address (including zip code)</td>
</tr>
</tbody>
</table>
WE HAVE AN ANNOUNCEMENT!!!!
YOU CAN NOW LET ALL OF OUR MEMBERS KNOW ABOUT YOUR ANNOUNCEMENT!

KCBA Member Announcement Advertising Bundle

SPOTLIGHT your practice/firms latest business news to 1200+ KCBA legal professionals!

ONLY $300

Advertising Bundle Includes:
- One full page advertisement in the BarBriefs.
- Three months posting on the new Member “Announcement” page on the KCBA website.

Call today to find out how to use this opportunity to your advantage.

Contact: Deb Cook at BarBriefs@kanecountybar.org

Deadline: 10th of every month, preceding month of publication.
(Example: Due May 10th for publication in the June issue)
ELEVENTH HOUR SEMINAR

Save the date: Wednesday, June 15, 2016

9:00 a.m. to 4:15 p.m.

6.0 Credit Hours

FONA International
1900 Averill Road, Geneva

Optional Buffet Lunch: $15.00

Registration will begin May 2016. Details to be announced.

ATTENTION KCBA MEMBERS!

KCBA MEMBERS ARE ALLOWED ONE FREE CLASSIFIED AD PER MONTH. EMAIL YOUR AD TO barbriefs@kanecountybar.org.
Michael W. Clancy, Esq.
Results Driven Mediation

Mike Clancy brings a wealth of expertise and a strong record of success to his Kane County mediation practice, concentrating in the settlement of:

- Medical Malpractice cases
- Substantial Personal Injury matters
- Nursing Home cases
- Wrongful Death cases

Schedule Online at:

www.ClancyMediations.com

Resolute Systems, LLC

MEDIATION, ARBITRATION & ADR CONSULTING

St. Charles: 630-584-7666    Chicago: 312-346-3770
255 38th Avenue, Suite G, St. Charles, IL 60174

KCBA ONLINE SEMINARS

www.kanecountybar.org   NOTE: You must be logged into the KCBA website to view seminars.

SEMINARS CURRENTLY AVAILABLE FOR VIEWING:

- Commercial Real Estate Seminar
  (Recorded 1/26/16; 1.75 General Credit Hours)

- David Peskind Memorial Family Law Seminar
  (Recorded 11/5/15; 6.0 General Credit Hours)

- Post-Traumatic Stress Disorder: A Clinical and Legal Perspective
  (Recorded 5/27/15; 3.0 Prof. Resp. Credit)

- Women in the Law Seminar
  (Recorded 4/7/15; 2.5 General Credit Hours)

- 2015 Family Law Seminar
  (Recorded 4/14/15; 3.0 General Credit Hours)

- 2015 Estate, Probate & Elder Law Seminar
  (Recorded 3/4/15; 3.5 General Credit Hours)

- 2015 Civil Court Practice Seminar
  (Recorded 2/19/15; 2.0 General & 1 Prof. Resp. Credit Hours)

- Bench & Bar Seminar
  (Recorded on 6/3/14; 3.0 Prof. Resp. Credit Hours)

- Family Law Seminar
  (Recorded 5/1/14; 1.5 General and 1.0 Prof. Resp. Credit Hours)
REGISTER FOR KCBA SEMINARS & EVENTS ONLINE AT www.kanecountybar.org
You must be logged in to register for seminars and events. Scan our QR Code to access our website!

BAR SHOW
TICKET INFORMATION (Page 37)
SPONSORSHIP INFORMATION (Page 37)
ADVERTISING INFORMATION (Page 38)
GET YOUR TICKETS TODAY! (630) 896-6666
TEE TIME!

2016 KCBA GOLF OUTING

Mark your calendar!

July 28, 2016 | 11:00 a.m.

Orchard Valley Golf Course

Aurora
OFFICERS AND DIRECTORS PRESENT: Greg Maksimuk, Larry Lobb, Carolyn Jansons, Dan Whiston, Katie Doyen, Elizabeth Berrones, Scott Richmond, Alice Henrikson

ALSO PRESENT: General Counsel Josh Rosenzwieg, Finance Committee Chair Craig Hasenbalg and Executive Director Jan Wade

The Consent Agenda was approved.

Special Discussion: Continuing Legal Education. Greg led the discussion about procedures for approving CLE expenses. A committee was formed to review our current procedures: Julie Cibulskis, Josh Rosenzwieg, Larry Lobb and Alice Henrikson.

Executive Director Report / Items

A written report covering the following topics was included in the board packets: DCBA/KCBA softball game; Credit Card processing; Bar Show; Building Security; Activities

Credit Card processing: Jan reported that the current provider can process the swiping affordably, but she is still looking into it.

Election procedures / dates: The election will be held the last two weeks of April. There is one application for Secretary/Treasurer and no applications turned in yet for the director position.

Items for Discussion

Finance Committee Report: Craig and Jan provided a budget review and update. Some expense items are currently over budget and some revenue generating programs that were included in the budget have not been scheduled or produced as planned. The board also discussed our sponsorship program.

Bylaws: Josh will have a draft by the middle of next week.

Membership Categories for Retired or Inactive ARDC Status: The board discussed having a category of membership for people who are retired or on inactive status with the ARDC and its consequences. Jan was instructed to take all members with 40 plus years and compare them against the ARDC roster to determine how many of our member may be in these categories.

OVC News Releases: Greg led a discussion regarding OVC sponsorship and press releases. The board also discussed a member announcements feature on our website; referred to sponsorship committee.
LAWYER IN THE LIBRARY VOLUNTEERS

The “Lawyer in the Library” program, created by the Kane County Law Library & Self Help Legal Center in cooperation with Administer Justice and members of the Kane County Bar Association, is a resource which provides free consultation to qualifying low-income individuals. Attorneys provide legal coaching, general information and review court documents.

OUR FEBRUARY VOLUNTEERS WERE......

Pam Tan – 4
Bob Gilmartin – 1
Hon. Al Anderson – 7
Dan Klenke – 1
Bruce Steinberg - 1
John Walters - 4
Danelle Wozniak - 3
Sandra Parga - 3

If you are interested in volunteering please contact Cynthia Lorenzo (630) 406-7126 LorenzoCynthia@co.kane.il.us

ADMINISTER JUSTICE

Thank you to the following KCBA members who volunteered to serve our low income clients during the month of FEBRUARY:

SERVED AT ONE OF OUR CLINICS

Dee “Denise” Arnold
Catherine “Cat” Battista
Leanne Blegen-McCoy
Theresa Buskey
Marzenia Chwistek-Van de Burgt
Robert Gilmartin
Pamela Miller
Jane Craddock Ryan

ACCEPTED PRO BONO CASE(S):

Patrick Kinnally
Tina Miller
Mark Schuster
Anthony Scifo

Administer Justice is a faith based nonprofit providing legal aid to low income individuals within Kane County and throughout northern Illinois. Our holistic services empower individuals and families to move beyond their circumstances to a place of stability and hope. To volunteer, please email: Jmiller@administerjustice.org

The Kane County Law Library & Self Help Legal Center NEEDS YOU!!

HELP WANTED: The immense need for our “LAWYER IN THE LIBRARY” program is such that we are having to turn people away due to lack of attorney volunteers!

Have a trial go away? Stuck in the courthouse between appointments? Stop by the Kane County Law Library and let us know you are available to briefly meet with those desperately seeking legal guidance. More and more we are encountering individuals who economically qualify for legal aid assistance, but have conflicts with the agencies. These people have nowhere to turn! Next time you have time to kill in the courthouse, stop on by the Law Library and volunteer a few minutes of your time!

We also are seeking attorneys to schedule time in two to three hour blocks. If you would like to schedule a time to volunteer your expertise for “Lawyer in the Library” please call the Kane County Law Library & Self Help Legal Center (630) 406-7126.
**The Lawyer in the Lobby Program**

The Lawyer in the Lobby Program is a volunteer service project sponsored by the Kane County Bar Association. It is a free service to members of our community and is designed to educate/inform individuals regarding their procedural questions on the law.

This service is for Civil Court Pro Se Litigants only who have matters presently pending before the Court in the Kane County Courthouse (3rd Street).

**SERVICE PROJECT HOURS & LOCATION:**

Fridays 9:00 a.m. to 12:00 p.m.
(or earlier, if court call is over for the day)
Lobby at the 3rd Street Courthouse, Geneva

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**Thank you to our March volunteers!**

Kevin Barry  
Kirsten Casas  
Michael Lenert  
Monica Patankar  
Lindsay Vanek

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**“Ask a Lawyer Day” Volunteers Needed**

"Ask A Lawyer Day" is held on the second Saturday of each month. Volunteer attorneys take phone calls from the public between 9:00 am and noon.

**Volunteers are being scheduled for the next few months.**

First shift: 9:00 am - 10:30 am  
Second shift: 10:30 a.m. - Noon

If you can help, please contact Jan Wade by email at director@kanecountybar.org or by phone at 630.762.1915.

**Thank you to our volunteers**

Thanks to the members who staffed the phone lines during Ask a Lawyer Day”. Nineteen callers were helped during the three hour session on March 12, 2016.

**March Volunteers:**

Donna Amburgey  
Gail Anstett-Patrick  
Jon Ehrenstrom  
Josh Feagans  
Shelly Johnson  
Kevin Wright

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**The Bar Briefs Needs Your Photos!**

Show us your briefs!

The *Bar Briefs* publication is going to feature photos of KCBA members reading their *Bar Briefs* in exciting locations in upcoming issues. Going to Italy! Going Camping! Boating! Laying on the beach! We want photos of YOU and your *Bar Briefs*.

Grab the latest issue and throw it in your suitcase. We want to see all of the exciting places our members are visiting. Please email us a photo if you would like your photo included in this special issue. Photos can be emailed to Publications Coordinator Deb Cook at barbriefs@kanecountybar.org.

There is no deadline at this time, so keep the photos coming!
The Kane County Bar Association
Would Like to Welcome Our Newest Members

Kelly Baudin is an attorney at The Baudin Law Group, Ltd., 304 S. McHenry, Crystal Lake, Illinois 60014. Kelly received her B.S. in Marketing from Arizona State University and her Law Degree from The John Marshall Law School. Her concentration's of practice include Personal Injury and General Civil Litigation. Kelly can be reached by email at kelly@blgltd.com.

Peter Gaido is a partner at Gaido & Fintzen, 320 Walnut Street, St. Charles, Illinois 60174. Peter received his undergrad degree from Beloit University and his Law Degree from Washington University School of Law. Peter’s practice focuses on commercial transactions, litigation, and matters related to professional associations, national and international tax-exempt organizations, and health care providers and small businesses.

Daniel Guido is an attorney at the firm of Ariano, Hardy, Ritt, Nyuli, Richmond, Lytle & Goettel, P.C., 2000 McDonald Street, Suite 200, South Elgin, Illinois 60177. Daniel received his undergrad degree from the University of Iowa in Political Science and his Law Degree from Marquette School of Law. Daniel can be reached by email at dg@attorneys-illinois.com.

Pierina Infelise is an associate attorney with The Davi Law Group, 1776 S. Naperville Road, Building A, Suite 105, Wheaton, Illinois 60189. Pierina received her Bachelor of Arts Degree in Liberal Arts from the University of Illinois and her Law Degree from the John Marshall Law School. Pierina can be reached by email at rina@davilaw-group.com.

Dustin Paul Mosier is an attorney with McNamee & Mahoney, 17N208 Route 31, Dundee, Illinois 60118. Dustin received his undergrad degree from St. Cloud State University and his Law Degree from DePaul College of Law. His concentration of practice is Criminal Defense. Dustin can be reached by email at dpmosier@gmail.com.

Jonathan Rosenfield is an attorney with Rosenfield Law Offices, LLC, 33 N. Dearborn Street, Suite 1930, Chicago, Illinois 60602. Jonathan graduated from Lehigh University with a degree in Journalism and his Law Degree from Chicago Kent College of Law. Jonathan’s concentration of practice is in both Personal Injury and Medical Malpractice. Jonathan can be reached by email at jonathan@rosenfieldinjurylawyers.com.

Jonathan Wassell is an attorney with Keough & Moody, P.C., 1250 E. Diehl, Suite 405, Naperville, Illinois 60563. Jonathan received both his Law Degree and his undergrad degree from the University of Illinois Urbana-Champaign. Jonathan’s concentration of Practice is in Condominium and Common Interest Community Associations. Jonathan can be reached by email at jdw@kmlegal.com.

KCBA BOARD OF MANAGERS ELECTION

VOTING BEGINS
TUESDAY, APRIL 18th
AND WILL RUN THROUGH
MONDAY, MAY 2ND.

VOTING INSTRUCTIONS ON PAGE 29.
HELP WANTED

LITIGATION ATTORNEY WANTED: Griffin | Williams LLP seeks a litigation attorney with at least 3 years of experience in business litigation and personal injury. Please send cover letter and resume in confidence to jfeagans@gwllplaw.com.

LEGAL ASSISTANT - DOCUMENT DRAFTING: We need a trustworthy person to join the document drafting and trust funding department of our Estate Planning and Elder Law Firm. The right candidate for this position is self-motivated, enjoys accuracy and details, has good writing and communication skills, is organized, able to meet deadlines, and maintains composure within a fast-paced multi-staff team. You must be proficient with Microsoft Word. This is a full-time position with competitive salary, health insurance and other benefits. Please submit your resume and cover letter to lelhiring@gmail.com to be considered for this position. We look forward to hearing from you!

PARALEGAL WANTED: Griffin| Williams LLP seeks a full time paralegal/legal assistant with at least 3 years of experience in business litigation and personal injury. Experience with real estate transactions a plus. Please send cover letter and resume in confidence to jfeagans@gwllplaw.com.

LEGAL SECRETARY WANTED: Prominent and busy family law firm seeking experienced legal secretary. The candidate must possess exceptional administrative and organizational skills as well as flexibility with task completion and the ability to work with other members of the team. Experience in appellate work is preferred. The ideal candidate must be able to anticipate problems, and be a solution oriented problem solver. We are looking for someone with common sense and mature judgment. Salary commensurate with experience. Please send resumes and cover letters to Jenna Adams via email at jenna@peskindlaw.com.

SERVICES AVAILABLE

ATTORNEY AVAILABLE: QDROS, QILDROs, Retirement Orders: Attorney Dorothy A. Voigt has opened her own practice drafting QDROS, QILDROs and other Retirement Orders in connection with Divorces. Dorothy would be pleased to work on cases with KCBA members. Have done hundreds of orders since received L.L.M. in Employee Benefits from John Marshall Law School in 2012. Reasonable flat fee rates for order preparation. Contact Dorothy at (224) 806-2707 or at Dorothy@Dorothy-QDRO-Law.com for further information.

MANAGEMENT-SIDE LABOR & EMPLOYMENT LAW SERVICES: Nancy E. Joerg, managing shareholder and senior attorney of the St. Charles, Illinois office of Wessels Sherman represents employers in: Illinois Department of Employment Security (IDES) audits and hearings on independent contractor status, unemployment insurance hearings on misconduct, voluntary leave, etc. Also drafts independent contractor agreements, non-compete agreements, and employee handbooks. Represents employers in all employment law issues including discrimination charges, wage-hour, overtime, etc. Contact Nancy Joerg at 630-377-1554 or najoerg@wesselssherman.com.

PARALEGAL SECRETARIAL SERVICE: LegalEase is a virtual paralegal and secretarial service with 20 years experience in the legal field that will give your office the additional help you need. We draft pleadings, process QDRO’s, take dictation, follow up for your real estate transactions and even do your billing. Please contact us for your initial appointment so we can get to know you and your needs. Once your file or information is picked up, your completed work will be returned to you within 48 hours or sooner, depending on your needs. Please contact us at (630) 240-7260 or by email at legal.ease@comcast.net for your free consultation.

CIVIL and CRIMINAL TAX REPRESENTATION: Attorney Frank Louis Calabrese twenty-two years’ experience in general practice. Twenty-Six years Civil and Criminal experience with IRS. Revenue Officer in Los Angeles and Chicago, Revenue Agent in Chicago and Special Agent Criminal Investigation Los Angeles, and Chicago (630) 269-1791, flcalabrese@comcast.net, www. FrankL CalabreseAttorney.com.

OFFICE SPACE AVAILABLE: Two spacious street level offices available for rent. Two attorneys occupy other offices. Easy access to Route 88 at Farnsworth. Access to conference room, library, kitchenette, copier and ample parking. Secretarial space available. Contact Steven at (630) 701-1200.

OFFICE SPACE AVAILABLE: Office in prestigious Danada area of Wheaton; Office suite has 4 offices, 3 of which are occupied by other lawyers; Secretarial Space; conference room, kitchen, reception area, copier; Available immediately. Office $650.00; Secretarial - $75. Furnished or unfurnished. Call (630) 260-9647.

OFFICE SPACE AVAILABLE: Two office spaces available for lease. Includes two secretarial stations, access to conference room and access to kitchenette. Located approximately one block from the Kendall County Courthouse. For information and pricing call (630) 553-1313.
OFFICE FOR SALE IN YORKVILLE:
Former law office available immediately. Spacious offices with ample reception area and waiting room. Huge conference room for depositions, research and client meetings. Kitchenette/lunch room space. Many parking spaces and full basement for storage. Close to routes 71 and 126. Owner will consider rent to purchase option. Listing price is $325,000.00. However, can also be rented for $1,250.00 per month. Call Laura Edward at RE/MAX Great American North for further information (630) 336-5206.

PRIME LOCATION in Sycamore for office sharing. Turn-key operation, including phone, copier, fax, etc. Reception services available. Referrals in many areas of practice. Free parking for you and your clients. For details, call Richard D. Larson at (815) 899-9571.

PLACING AN AD

KCBA Members are allowed to run one free classified ad per month. Classified ads must be submitted or renewed by the 10th of every month for publication in the following month (ie. January 10 for the February issue). Classified advertisements are limited to 125 words. When you submit your ad please specify the months that you would like your ad to run. You may run your ad up to 6 months at a time. KCBA Members may also have their ad placed on the KCBA website for an additional $10 per month. Call Deb Cook at (630) 762-1915 if you have questions regarding placing a classified advertisement. Ads can be emailed to barbriefs@kanecountybar.org.

Important information regarding registration and seminar attendance!

It’s quick and easy to register for upcoming events! You must first be logged in as a KCBA Member. If you don’t remember which email we have on file for you, or you need help resetting your password, please contact our office.

To Register: ● From the home page of the KCBA Website (www.kanecountybar.org) ● Click on the “Upcoming Seminars” link, (which takes you to a KCBA Calendar). ● Find the seminar you want to attend and click on it. ● Click on the register button and if you have registered successfully, a “thumbs up” icon will appear. ● Registered but can no longer attend? Click “Unregister” and your name will be removed from the registration list.

Please Note: Registration generally closes one week prior to the seminar so the KCBA office has time to prepare materials. If you are not registered by that time, you can attend the seminar as a “walk-in” but we are unable to guarantee that materials will be available for you. If you have registered to attend and can no longer do so, please let us know.

Checking-in at Seminars: ● You will check-in using the iPads provided. ● Scroll through the alphabetical list to find your name; use the stylus provided to click the blue “SIGN IN” box. ● A pop-up window will open where you sign your name and click the brown “Save changes” box. ● The screen will revert to the list and your name will be highlighted in green. ● If you leave the seminar early, or arrive late, you will still need to sign in and out on the traditional paper sign in pages because we will need to reflect that you didn’t attend the entire time and will only be eligible for partial credit.
This Calendar was created on 03/28/2016
Please call (630) 762-1915 to confirm date, time and location of event before you attend.

# APRIL 2016

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Time</th>
<th>Location</th>
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<tr>
<td>04/06</td>
<td>Real Estate Committee Meeting</td>
<td>8:00 a.m.</td>
<td>Chicago Title, Geneva</td>
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<tr>
<td>04/06</td>
<td>Paralegal Committee Meeting</td>
<td>Noon</td>
<td>KCBBA Office</td>
</tr>
<tr>
<td>04/06</td>
<td>Women in the Law Seminar</td>
<td>1:00 - 4:15 p.m.</td>
<td>Eagle Brook Country Club, Geneva</td>
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<td>Professional Headshots by OVC. Inc.</td>
<td>9:00 a.m. - 4:00 p.m.</td>
<td>KCBBA Office</td>
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<tr>
<td>04/09</td>
<td>Ask a Lawyer Day</td>
<td>9:00 a.m. - Noon</td>
<td>KCBBA Office</td>
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<td>Diversity Committee Meeting</td>
<td>Noon</td>
<td>KCSAO</td>
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<td>04/12</td>
<td>Immigration Committee Meeting</td>
<td>Noon</td>
<td>KCBBA Office</td>
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<tr>
<td>04/12</td>
<td>KCBF Board of Directors Meeting</td>
<td>5:00 p.m.</td>
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<td>Family Law Committee Meeting</td>
<td>Noon</td>
<td>KCJC, Jury Lounge</td>
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<td>Tax Law Committee Meeting</td>
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<td>KCBBA Office</td>
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<td>Estate &amp; Probate Collegium</td>
<td>8:00 a.m.</td>
<td>KCBBA Office</td>
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<td>Criminal Law Committee Meeting</td>
<td>Noon</td>
<td>KCJC, Jury Lounge</td>
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<tr>
<td>04/20</td>
<td>Local Government Law Seminar</td>
<td>1:00 - 3:30</td>
<td>Eagle Brook Country Club, Geneva</td>
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<tr>
<td>04/21</td>
<td>Civil Law Committee Meeting</td>
<td>Noon</td>
<td>Kane County Courthouse</td>
</tr>
<tr>
<td>04/21</td>
<td>KCBBA Board of Managers Meeting</td>
<td>4:30 p.m.</td>
<td>The Claddagh Pub, Geneva Commons</td>
</tr>
<tr>
<td>04/21</td>
<td>Judges’ Night</td>
<td>5:00 - 8:00 p.m.</td>
<td>The Claddagh Pub, Geneva Commons</td>
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<td>04/26</td>
<td>Bar Briefs Editorial Board Meeting</td>
<td>Noon</td>
<td>KCBBA Office</td>
</tr>
<tr>
<td>04/26</td>
<td>Bench &amp; Bar Committee Meeting</td>
<td>Noon</td>
<td>Kane County Branch Court</td>
</tr>
<tr>
<td>04/27</td>
<td>Elder Care, Disability &amp; Mental Health C.M.</td>
<td>Noon</td>
<td>KCBBA Office</td>
</tr>
<tr>
<td>04/27</td>
<td>Business Issues Committee Meeting</td>
<td>Noon</td>
<td>25 North Co-working, Geneva</td>
</tr>
<tr>
<td>04/28</td>
<td>Technology in Practice Committee Mtg.</td>
<td>Noon</td>
<td>KCBBA Office</td>
</tr>
<tr>
<td>04/28</td>
<td>Legal Ethics Committee Meeting</td>
<td>Noon</td>
<td>KCBBA Office</td>
</tr>
<tr>
<td>04/29</td>
<td>Estate Probate &amp; Elder Law GAL Training</td>
<td>11:00 a.m. - 4:00 p.m.</td>
<td>Eagle Brook Country Club, Geneva</td>
</tr>
<tr>
<td>04/29</td>
<td>Law Day - KCBF Mock Trials</td>
<td>Noon</td>
<td>Kane County Courthouse</td>
</tr>
<tr>
<td>04/29</td>
<td>Bar Show</td>
<td>7:30 p.m.</td>
<td>Copley Theater, Aurora</td>
</tr>
<tr>
<td>04/30</td>
<td>Bar Show</td>
<td>7:30 p.m.</td>
<td>Copley Theater, Aurora</td>
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</tbody>
</table>

# MAY 2016

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Time</th>
<th>Location</th>
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</thead>
<tbody>
<tr>
<td>05/03</td>
<td>Committee Chair Luncheon</td>
<td>11:30 a.m.</td>
<td>KCBBA Office</td>
</tr>
<tr>
<td>05/04</td>
<td>Real Estate Committee Meeting</td>
<td>8:00 a.m.</td>
<td>Chicago Title, Geneva</td>
</tr>
<tr>
<td>05/04</td>
<td>Paralegal Committee Meeting</td>
<td>Noon</td>
<td>KCBBA Office</td>
</tr>
<tr>
<td>05/04</td>
<td>Immigration Seminar</td>
<td>1:00 - 4:15 p.m.</td>
<td>Eagle Brook Country Club, Geneva</td>
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<tr>
<td>05/05</td>
<td>OVC Marketing Luncheon</td>
<td>11:45 a.m.</td>
<td>KCBBA Office</td>
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<tr>
<td>05/10</td>
<td>Immigration Committee Meeting</td>
<td>Noon</td>
<td>KCBBA Office</td>
</tr>
<tr>
<td>05/10</td>
<td>KCBF Board of Directors Meeting</td>
<td>5:00 p.m.</td>
<td>KCBBA Office</td>
</tr>
<tr>
<td>05/11</td>
<td>Memorial Service &amp; Annual Meeting</td>
<td>11:00 a.m.</td>
<td>KCJC, Ceremonial Courtroom</td>
</tr>
<tr>
<td>05/11</td>
<td>Estate, Probate &amp; Elder Law Comm. Mtg.</td>
<td>Noon</td>
<td>KCBBA Office</td>
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<tr>
<td>05/11</td>
<td>Elder Care, Disability &amp; Mental Health Seminar</td>
<td>1:00 - 4:15 p.m.</td>
<td>Eagle Brook Country Club, Geneva</td>
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<tr>
<td>05/12</td>
<td>New Lawyers’ Committee Meeting</td>
<td>5:15 p.m.</td>
<td>To be determined.</td>
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<tr>
<td>05/14</td>
<td>Ask a Lawyer Day</td>
<td>9:00 a.m. - Noon</td>
<td>KCBBA Office</td>
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<tr>
<td>05/17</td>
<td>Diversity Committee Meeting</td>
<td>Noon</td>
<td>KCSAO</td>
</tr>
<tr>
<td>05/18</td>
<td>Estate &amp; Probate Collegium</td>
<td>8:00 a.m.</td>
<td>KCBBA Office</td>
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<tr>
<td>05/18</td>
<td>Criminal Law Committee Meeting</td>
<td>Noon</td>
<td>KCBBA Office</td>
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<tr>
<td>05/18</td>
<td>Women in the Law Committee Meeting</td>
<td>12:15 p.m.</td>
<td>KCBBA Office</td>
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<tr>
<td>05/19</td>
<td>Local Government Law Committee Mtg.</td>
<td>Noon</td>
<td>KCBBA Office</td>
</tr>
<tr>
<td>05/19</td>
<td>Civil Law Committee Meeting</td>
<td>Noon</td>
<td>Kane County Courthouse</td>
</tr>
<tr>
<td>05/19</td>
<td>Family Law Seminar</td>
<td>1:00 - 4:15 p.m.</td>
<td>Eagle Brook Country Club, Geneva</td>
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<tr>
<td>05/19</td>
<td>KCBBA Board of Managers Meeting</td>
<td>4:30 p.m.</td>
<td>KCBBA Office</td>
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<tr>
<td>05/20</td>
<td>Tax Law Committee Meeting</td>
<td>Noon</td>
<td>KCBBA Office</td>
</tr>
<tr>
<td>05/24</td>
<td>Workers’ Compensation Committee Meeting</td>
<td>4:00 p.m.</td>
<td>KCBBA Office</td>
</tr>
<tr>
<td>05/25</td>
<td>Bench &amp; Bar Committee Meeting</td>
<td>Noon</td>
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<td>Business Issues Committee Meeting</td>
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<td>Noon</td>
<td>KCBBA Office</td>
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<tr>
<td>05/25</td>
<td>Labor &amp; Employment Law Seminar</td>
<td>1:00 - 4:15 p.m.</td>
<td>Eagle Brook Country Club, Geneva</td>
</tr>
<tr>
<td>05/26</td>
<td>Technology in Practice Committee Meeting</td>
<td>Noon</td>
<td>KCBBA Office</td>
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<td>05/26</td>
<td>Legal Ethics Committee Meeting</td>
<td>Noon</td>
<td>KCBBA Office</td>
</tr>
<tr>
<td>05/26</td>
<td>Membership Appreciation Happy Hour</td>
<td>5:30 - 7:30 p.m.</td>
<td>Alley 64 Bar &amp; Grill, St. Charles</td>
</tr>
<tr>
<td>05/30</td>
<td>Memorial Day/Court Holiday - KCBBA Office Closed</td>
<td></td>
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</tr>
</tbody>
</table>
2014 Jury Verdict Award for Trial Lawyer Excellence

“For the past 33 years, I have successfully represented clients who sought justice in personal injury, medical malpractice and wrongful death. This honor was for representation of my client, who had injuries sustained in a grain bin accident.”

The award was received from the Jury Verdict Reporter, a division of the Chicago-based Law Bulletin Publishing Company at its annual 2015 fall reception awards for Trial Lawyer Excellence.

The three-week jury trial for this case was held in Carroll County, Illinois.

The verdict was appealed by the defense and the Second District Appellate Court in Elgin affirmed the jury verdict of $830,109.50, the highest reported Carroll County Verdict in a personal injury case.

Recently, the Supreme Court of Illinois denied Defendant’s request for leave to appeal that decision, making the verdict final.
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WE CALL IT A WAY OF LIFE

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LET US HELP.

A TEAM OF TOP TRIAL ATTORNEYS FOR LANDMARK CASES

DEFECTIVE MEDICAL PRODUCTS • MEDICAL MALPRACTICE • WRONGFUL DEATH • AUTO ACCIDENTS
NURSING HOME ABUSE • SEXUAL ABUSE • WORKPLACE INJURIES

Led by Illinois Super Lawyer and former President of the Illinois Trial Lawyers Association Peter J. Flowers, our team of experienced and creative trial attorneys routinely take on large challenges and succeed. Representing clients both locally and nationally in a full spectrum of cases involving catastrophic personal injuries, medical malpractice, medical device failures, dangerous drugs, workplace injuries and wrongful death, the firm has taken the lead in providing compassionate advocacy when clients need it most.