New EEOC Enforcement Guidance on Retaliation: The Commission’s Interpretation of the Law

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"If your actions inspire others to dream more, learn more, do more and become more, you are a leader." – John Quincy Adams

As lawyers, we are leaders in our communities. We sit on various Boards, have relationships with businesses and governmental bodies in the surrounding cities, and often advise on issues that affect the residents of the communities in which we work and live. In many ways, we are in a position of privilege compared to the majority of the population. As such, we should be doing what we can to assist others to make our communities better. In my opinion, this means providing pro bono assistance when necessary and able. There is an ever increasing need for pro bono representation across the nation, the State, and within our own communities. Organizations that provide access to legal services continuously face financial struggles and they cannot continue their efforts with the assistance of private practice attorneys.

Illinois Supreme Court Rule 756(f) requires each licensed attorney to report his/her hours of pro bono service provided over the proceeding twelve months and contains a broad definition of what constitutes “pro bono legal service.” Although basically understood as legal services for free, Rule 756(f) provides (in pertinent part) the following:

(1) Pro bono legal service includes the delivery of legal services or the provision of training without charge or expectation of a fee, as defined in the following subparagraphs:

(a) legal services rendered to a person of limited means;

(b) legal services to charitable, religious, civic, community, governmental or educational organizations in matters designed to address the needs of persons of limited means;

(c) legal services to charitable, religious, civic, or community organizations in matters in furtherance of their organizational purposes; and

(d) training intended to benefit legal service organizations or lawyers who provide pro bono services.

In a fee case, a lawyer’s billable hours may be deemed pro bono when the client and lawyer agree that further services will be provided voluntarily. Legal services for which payment was expected, but is uncollectible, do not qualify as pro bono legal service.

(2) Pro bono legal service to persons of limited means refers not only to those persons whose household incomes are below the federal poverty standard, but also to those persons frequently referred to as the “working poor.” Lawyers providing pro bono legal service need not undertake an investigation to determine client eligibility. Rather, a good-faith determination by the lawyer of client eligibility is sufficient.

Illinois, like many states, does not have a required number of pro bono hours that an attorney must undertake. Although meaningful access to justice is needed for those with limited means, mandatory pro bono is not the answer to achieving this goal. By creating a mandate, I believe we would create undue pressure on attorneys to comply, thereby resulting in creative ways of simply reaching the target number of hours rather than focusing on providing quality representation as able.

So, why should you want to provide pro bono assistance? Although there are many reasons from which to choose, here are my top five:

1) People Truly Need Your Help: These are people with real problems, oftentimes concerning living arrangements, the ability to interact with their children, and a need to protect their physical well-being. Their inability to pay an attorney would affect their basic life needs. While not all pro bono requests are this grave, the need is nonetheless real. Also, non-profit/charitable organizations often need legal assistance but cannot get people to assist. Providing a few hours a month could assist such organizations in the ability to provide services to the community.

2) Gain Experience: For some newer attorneys, gaining courtroom experience may take time. Opportunities to try a case may not yet have arisen, especially in a transaction-focused practice. By undertaking a pro bono matter, practical courtroom experience may be gained more quickly and more often. Additionally, for
newer attorneys in larger firms, undertaking a pro bono case may provide direct client contact that they would otherwise be lacking.

3) Learn & Do Something Different: If your practice is focused on a few specific areas of law, you may not have handled the type of matter presented by the pro bono client. Accepting a pro bono case may present you with an opportunity to handle a different type of legal matter than otherwise accustomed to undertaking. Not only does this afford an opportunity to broaden your substantive knowledge, that knowledge could in turn be parlayed into broadening your practice.

4) Expand Your Network: As we all know, anyone you meet can be a potential future client. This holds true even for pro bono clients. You may have handled an eviction matter for the client in the past and now that person has been injured in an automobile accident and turns to you for assistance. Or maybe financial circumstances have changed for the client and estate planning is now needed. That client could also be a referral partner by providing your name to others in need. Pro bono clients more often seem to express that gratitude and bring out that sense of satisfaction in those providing assistance.

As law students, many of us sought the law as a means of making a difference in the world and bettering the lives of others. Whether realistic in practice or not, that altruistic dream was there at one time. Pro bono representation may afford the opportunity to realize that dream. There is a sense of doing good and making an impact in the lives of others that comes from providing pro bono assistance. American lawyer Robert G. Ingersoll is quoted as saying that “[w]e rise by lifting others.” In sharing our talents and knowledge through providing pro bono service, we take a step forward in furthering that purpose. I applaud our members for their continued countless hours of service to our communities and for undertaking many efforts to provide discounted or free legal service to those in need. Please continue to reflect on your ability to increase your pro bono assistance and take action to do so when able. By assisting even just one additional person or organization, we can further lift up our community and rise to greater heights as an association. Lead on!

Lawrence W. Lobb

Lawrence W. Lobb is the President of the Kane County Bar Association and an associate with the firm of Drendel & Jansons. His areas of concentration are bankruptcy, commercial and residential real estate, foreclosure defense, family law, mediation, and estate planning. Larry holds a J.D. from the University of Toledo, an MBA from New York Institute of Technology, with distinction, and obtained his mediation certifications from Northwestern University. He serves as an arbitrator for the 16th Judicial Circuit Court’s mandatory arbitration program and as mediator for the 16th Judicial Circuit’s foreclosure mediation program. Larry can be reached at 630-406-5440 or by e-mail at lwl@batavialaw.com.
## 2016 Seminar & Event Schedule

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<tr>
<th>Date</th>
<th>Title</th>
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<tr>
<td>10/05/2016</td>
<td>Steer Roast</td>
<td>5:00 - 10:00 p.m.</td>
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<tr>
<td>9/28, 9/29 &amp; 9/30</td>
<td>40 Hour Family Law Mediation Training Program</td>
<td>8:30 a.m. to 5:00 p.m. (must attend all 5 sessions)</td>
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<td>10/06 &amp; 10/07</td>
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<td>10/21/2016</td>
<td>ROCKtoberfest (KCBF Fundraising Event)</td>
<td>6:00 - 10:00 p.m.</td>
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<tr>
<td>10/27/2016</td>
<td>Diversity Seminar</td>
<td>1:00 - 4:15 p.m.</td>
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<tr>
<td>10/28/2016</td>
<td>Long Range Planning Retreat</td>
<td>9:00 a.m. - 4:00 p.m.</td>
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<tr>
<td>11/03/2016</td>
<td>David Peskind Memorial Family Law Seminar</td>
<td>1:00 - 4:15 p.m.</td>
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<td>11/10/2016</td>
<td>OVC Membership Appreciation Happy Hour</td>
<td>5:30 - 7:30 p.m.</td>
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<tr>
<td>11/16/2016</td>
<td>Criminal Law Seminar</td>
<td>1:00 - 4:15 p.m.</td>
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<tr>
<td>12/06/2016</td>
<td>Residential Real Estate Seminar</td>
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<tr>
<td>12/14/2016</td>
<td>KCBA Holiday Party</td>
<td>5:00 - 8:00 p.m.</td>
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<tr>
<td>01/18/2017</td>
<td>Business Issues Seminar</td>
<td>1:00 - 4:15 p.m.</td>
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<tr>
<td>01/25/2017</td>
<td>Tax Law &amp; Estate, Probate and Elderlaw Seminar</td>
<td>1:00 - 4:15 p.m.</td>
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<tr>
<td>02/01/2017</td>
<td>Workers’ Compensation Seminar</td>
<td>1:00 - 4:15 p.m.</td>
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<tr>
<td>02/04/2017</td>
<td>Kane County Bar Foundation Gala</td>
<td>5:30 p.m.</td>
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<tr>
<td>02/09/2017</td>
<td>Appellate Law Seminar</td>
<td>1:00 - 4:15 p.m.</td>
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<tr>
<td>02/14/2017</td>
<td>Commercial Real Estate Seminar</td>
<td>1:00 - 4:15 p.m.</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!
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<table>
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<th>BASIC LISTING - $60</th>
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<td>- 4 practice areas</td>
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<th>ENHANCED LISTING - $225</th>
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<tr>
<td>- Priority search (enhanced and firm listing appear before basic listings)</td>
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<tr>
<td>- 15 practice areas</td>
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<td>- 500 Character Practice Description</td>
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<th>FIRM PRICING - $500</th>
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<td>- Up to 4 attorneys (enhanced listings) for one price</td>
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<tr>
<td>- Priority search (enhanced and firm listing appear before basic listings)</td>
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<td>- 15 Practice areas each per attorney</td>
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<td>- 500 Character Practice Description</td>
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<tr>
<td>- Additional attorneys in the firm can be added for $75 per attorney</td>
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**ADDITIONAL OPTIONS**

- Website Link - $100  (INCLUDES E-MAIL LINK)
- E-mail Link Only - $30.00
- 250 Character Practice Description - $50
- 500 Character Practice Description - $75
  
  (Purchase of Practice Description only available for basic listings.)
- Additional practice areas - $30 each

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The EEOC Enforcement Guidance on Retaliation:
The Commission’s Interpretation of the Law

By Ronald B. Kowalczyk, Esq.

I. Introduction

In 2015, retaliation claims were included in nearly 45% of all charges received by the Equal Employment Opportunity Commission (“EEOC”). Thus, for the first time in 18 years, the EEOC updated its Enforcement Guidance on retaliation claims brought under various anti-discrimination laws. The Enforcement Guidance provides a comprehensive summary of law regarding retaliation provisions in Title VII, the Americans with Disabilities Act (“Title VII”), the Age Discrimination in Employment Act (“the ADEA”), the Rehabilitation Act, the Equal Pay Act (“the EPA”), and the Genetic Information Nondiscrimination Act (“GINA”). Although not controlling law itself, the Enforcement Guidance contains citations to a plethora of controlling case law, including seven U.S. Supreme Court opinions issued since the EEOC released its 1998 Compliance Manual. More importantly, since this guide is used by EEOC investigators and litigators, it provides valuable insight to employers and attorneys attempting to navigate often-treacherous retaliation claims.

II. Elements of a Retaliation Claim

The federal discrimination laws enforced by the EEOC prohibit employers from taking adverse action against an employee or applicant because the individual engaged in a “protected activity.” Put another way, “[r]etaliation occurs when an employer takes a materially adverse action because an individual has engaged in, or may engage in, activity in furtherance of the EEO laws the Commission enforces.” Specifically, legal proof of retaliation requires evidence that:

1. The individual engaged in prior protected activity (i.e., “participation” in an EEO process or “opposition” to conduct made unlawful by an EEO law);
2. Materially adverse action taken by the employer; and
3. The requisite level of causal connection between the protected activity and the materially adverse action.

A. Protected Activity

The first question when analyzing a claim that a materially adverse action was retaliatory is whether the individual was engaged in a “protected activity.” Protected activity include both “participating” in an EEO process or “opposing” discrimination. Participation activity occurs when an individual “participates” in an EEO process. “An individual is protected from retaliation for having made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under Title VII, the ADEA, the EPA, the ADA, the Rehabilitation Act, or GINA.” For example, participation may include filing an administrative proceeding or lawsuit alleging discrimination or merely serving as a witness in a proceeding.

Opposition activity does not require a formal proceeding and protects a much broader range of conduct. Opposition activity is when an individual complains, questions or otherwise opposes any discriminatory practice in the workplace. Indeed, “protected ‘opposition’ activity broadly includes the many ways in which an individual may communicate explicitly or implicitly opposition to perceived employment discrimination.” Protected opposition includes actions such as complaining or threatening to complain about alleged discrimination against oneself or others; providing information during an investigation of an EEO matter; resisting sexual advances or intervening to protect others; and requesting reasonable accommodation for disability or religion. Although a broad range of activity is included, not every protest against perceived discrimination is protected. The manner of opposition must be reasonable so as to balance the right to oppose discrimination with an employer’s need to have a productive work environment.

Moreover, the opposition must be based on a reasonable good faith belief. The Enforcement Guidance provides the following two examples to distinguish good faith belief and the lack thereof:

EXAMPLE 1
Protected Opposition – Reasonable Good Faith Belief
An employee complains to her office manager that her supervi-
sor failed to promote her because of her sex after an apparently less qualified man was selected. Because the complaint was based on a reasonable good faith belief that discrimination occurred, she has engaged in protected opposition regardless of whether the promotion decision was in fact discriminatory.

EXAMPLE 2
Not Protected Opposition – Complaint Not Motivated By Reasonable Good Faith Belief
Same as above, except the job sought by the employee was in accounting and it required a CPA license, which she lacked and the selectee had. She knew that it was necessary to have a CPA license to perform this job. She has not engaged in protected opposition because she did not have a reasonable good faith belief that she was rejected because of sex discrimination.9

B. Materially Adverse Action

The second question when analyzing a retaliation claim is whether the employer’s action was “materially adverse.” “Retaliation expansively reaches any action that is “materially adverse,” meaning any action that might well deter a reasonable person from engaging in protected activity.”10 Generally, when thinking of an adverse action, most employers likely think of suspension, termination, reduction in pay, or demotion. While these actions certainly can be adverse, the EEOC continues to broaden the actions that in its view constitute “materially adverse actions.” Employer actions that may reasonably deter an employee from engaging in protected activity may now include work-related threats, warnings, reprisals, transfers, and negative or lowered evaluations.11

C. Causal Connection

The third and final requirement is that there must be a causal connection between the adverse action and the protected activity. “A materially adverse action does not violate the EEO laws unless there is a causal connection between the action and the protected activity.”12 In order to establish this connection, the employee must show that “but for” a retaliatory motive, the employer would not have taken the adverse action. However, the “but-for” standard does not require that retaliation be the “sole cause” of the adverse action. “There can be multiple ‘but-for’ causes, and retaliation need only be ‘a but-for’ cause of the materially adverse action in order for the employee to prevail.”13

The Enforcement Guidance cites as possible evidence of causation: suspicious timing, verbal or written statements, comparative evidence that a similarly situated employee was treated differently, falsity of the employer’s proffered reason for the adverse action, or any other pieces of evidence which, when viewed together, may permit an inference of retaliatory intent.14

The EEOC also created an entirely new section entitled, “Examples of Facts That May Defeat a Claim of Retaliation.” Here, the Enforcement Guidance lists legitimate non-retaliatory reasons employers may use to help defeat a claim of retaliation. Examples of non-retaliatory reasons include: poor performance, inadequate qualifications, inferior professional qualities, negative job references, misconduct, and downsizing.15

III. Promising Practices

In an attempt to minimize the likelihood of retaliation claims, the EEOC provided a list of “Promising Practices” for employers to consider implementing. The Enforcement Guidance recommends employers should: 1) maintain a written anti-retaliation policy with examples; 2) conduct mandatory training for managers, supervisors, and employees on the written policy; 3) conduct mandatory training on discrimination, harassment, and retaliation for all employees on a regular basis; 4) include an anti-retaliation policy in your employee handbook; and 5) require decision-makers to identify their reasons for taking actions of consequence (e.g., discipline) and ensure clear documentation of the employer’s legitimate, non-retaliatory reasons for taking the adverse action.16

Although most of these tips seem to be common sense, the Enforcement Guidance serves as a reminder to employers to review and update their discrimination policies. Indeed, it could prove advantageous for employers to be able to point to these specific practices if called upon to defend against a discrimination claim.

The EEOC has broadened its interpretation of retaliation which almost assuredly will result in a continued increase in the number of retaliation charges. As such, it is important for practitioners and employers alike to thoroughly read and understand the new EEOC Enforcement Guidance.

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2 In addition to the Enforcement Guidance, the EEOC also released a user-friendly question and answer document as well as a fact sheet for small business. The documents offer additional insight into the EEOC’s treatment of retaliation cases.
3 Enforcement Guidance, p. 2.
4 Enforcement Guidance, pp. 5-6.
5 Enforcement Guidance, p. 6. It is important to note, the same conduct may qualify for protection as both “participation” and “opposition.”
6 Enforcement Guidance, p. 6. The “participation clause” in these statutes apply even if the underlying allegation lacks merit or was not timely filed.
7 Enforcement Guidance, p. 10.
8 Enforcement Guidance, p. 20.
Mr. Kowalczyk is a partner at Kowalczyk Law Offices where he concentrates his practice in the area of civil litigation with an emphasis on employment, business and corporate, and intellectual property law. He is also Of Counsel at Kelleher & Buckley in Barrington, and is an adjunct instructor at North Central College and the Illinois Institute of Technology, Stuart School of Business. Mr. Kowalczyk can be contacted at rkowalczyk@kowalczyklaw.com.

9 Enforcement Guidance, p. 16. The Enforcement Guidance provides many additional examples of opposition including complaining or threatening to complain about alleged discrimination against oneself or others; providing information in an employer’s internal investigation of an EEO matter; refusing to obey an order reasonably believed to be discriminatory; advising an employer on EEO compliance; resisting sexual advances or intervening to protect others; passive resistance (allowing others to express opposition); and requesting reasonable accommodation for disability or religion.


10 Enforcement Guidance, p. 31.

11 Enforcement Guidance, p. 33.

Importantly, a “materially adverse action” may also be one that has no tangible effect on employment. In fact, even an action that takes place exclusively outside of the workplace can be considered adverse as long as it could dissuade a reasonable person from engaging in protected activity.

12 Enforcement Guidance, p. 42.

13 Enforcement Guidance, p. 43 [citation omitted].

14 Enforcement Guidance, p. 47.

15 Enforcement Guidance, p. 51.

16 Enforcement Guidance, pp. 61-64.
58th ANNUAL

KCBA STEER ROAST

Wednesday, October 5, 2016 (Please note date change)
5:00 to 10:00 p.m.
$60 Per Person
Batavia V.F.W., 45 S. River Street (Route 25), Batavia

Judges are complimentary, but must register.
Registration on page 30.
Entrée choices: Steak or Chicken
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OCTOBER 5, 2016 | BATAVIA V.F.W.

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B
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KCBA Cares is a program of monthly service projects. KCBA members (and frequently their family members) volunteer at local non-profit organizations to provide them with needed manpower (or woman-power or kid-power) with various projects. Agencies we have helped include the Northern Illinois Food Bank, Food for Greater Elgin, Community Crisis Center of Elgin’s Holiday Toy Drive, Feed My Starving Children, Tri-Cities Corps Salvation Army (Easter Baskets, Holiday Toy Drive, general clean up), Lazarus House (preparing meals), Aurora Inter-faith Food Pantry, TriCity Family Services (poinsettia distribution), and Shop for the Troops (a collaborative program with Waubonsee Community College collecting food to ship overseas), and new last year, the Anderson Animal Shelter.

Upcoming KCBA Cares projects are:

October 10
Food for Greater Elgin

November 17
Feed My Starving Children

December TBA
Angel Tree Project, Toy Drives for the Community Crisis Center & Salvation Army

January 30
Lazarus House Dinner

February 23
Feed My Starving Children

March 13
Food for Greater Elgin 5:30 - 8:30, new volunteers at 5; 10-12 volunteers

April 20
Northern Illinois Food Bank

May 17
Anderson Animal Shelter 5-7 pm; 6-8 volunteers

June TBA
Project Needed – please contact me if you know of an agency who needs help.

The October project is helping pack food on October 10th at Food for Greater Elgin from 5:30 – 8:30 p.m. The November 17th project, at Feed My Starving Children, is to hand-pack meals specifically formulated for malnourished children, which are shipped to nearly 70 countries around the world. Volunteers can bring their children along to both projects; minimum age to help out for Food for Greater Elgin is 12 years old and for Feed My Starving Children is 5 years old. Please give me a call if you’d like to help at either of these events: 630.762.1915. Regarding the Angel Tree Project and Toy Drives in December, please watch for details in upcoming issues of the Bar Briefs and in the weekly Compass.

KCBA members seem to like to have a variety of ways to give back to the community, and KCBA Cares provides another outlet to do so. Our volunteers like to be able to bring their children or spouses along to share an experience with their colleagues while at the same time, providing a much needed service to a non-profit organization. We are always looking for new agencies to help, so if you have a suggestion, please let me know. You can also contact Vince Mancini, KCBA Cares Coordinator, at Ekl Williams & Provenzale, 630.654.0045, or by email at vmancini@eklw illiams.com.

One other item of note: The Kane County Bar Association Long Range Planning Retreat will be held on Friday, October 28th, at the NIU Conference Center in Hoffman Estates from 9:00 am - 4:00 pm. This event is open to all KCBA members and we encourage you to join us and help plan for our future. Our FREE CLE program was conceptualized at Long Range Planning, gulp, back in the late 90s! It’s time for something new! We need input from all of our members regarding the future of our organization. Who knows what we might think of this time that will become such an integral part of our association? If you have questions about the event, please contact me.

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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Illinois Legal Aid Online Assists Pro Bono and Low Bono Lawyers in Their Quest for Servitude

By Ellen Schmid and Cynthia Lorenzo, Kane County Law Library

“To the thousands of unsung lawyers who provide pro bono service to the public to further the cause of justice for all.”

Just in time for National Pro Bono Week, Illinois Legal Aid Online (Illinoislegalaid.org) has rolled out their newly enhanced web service supporting pro bono efforts. In a one-stop shop, Illinois legal professionals can use ILAO’s attorney portal to both locate and add volunteer positions as well as filter them to find the best fit for their pro bono efforts. Filters include selection by volunteer type, practice area, and primary responsibilities broken down to litigation, non-litigation and legal-related opportunities. There is even a filter to select if you want to serve volunteer hours remotely and if you want to volunteer with a group or in multiple hour time slots. And if you haven’t volunteered before, ILAO offers tips for pro bono volunteers on providing effective client assistance.

Using the new ILAO website offers more, however, than just a place to locate volunteer opportunities. By creating a free, online account, ILAO allows for attorneys to interact with a network of other legal professionals who can access discussion groups, find a place to seek and share information, and leave comments on ILAO’s robust collective resources. In the Practice Resources section of the website, attorneys can find form preparation programs, IICLE resources and information on professional responsibility, working with clients, and obtaining other lawyering skills. There is even an offering for professional advancement through webinars, seminars, workshops, and eLearning courses.

Finally, if you want to make a difference but time isn’t on your side, there is still a valuable way to contribute—Cash! Give to ILAO and make a difference. “Your gift empowers people who are forced to face the legal system on their own with reliable information and dependable, practical tools they need to gain independence from an unsafe living situation, a bad marriage, crushing debt, a petty criminal record, or other legal problems that cause instability and chaos in their lives.” What better way to celebrate National Pro Bono Week 2016!

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ROCKtoberfest
FRIDAY, OCTOBER 21, 6:00 p.m.
Hickory Knolls Discovery Center, 3795 Campton Hills Road, St. Charles, IL
Featuring the music of “Disbard”!

NEW THIS YEAR - BEER TASTING!
Craft Beers Donated By:
- Lagunitas Brewing Company
- Penrose Brewing Company

SPONSORED BY:
- DHJJ Public Accountants
- Structured Financial Associates

COST: $50 Per Person
Register on page 30 or online at www.kanecountybar.org.
In addition to the pig roast, the menu includes grilled boneless chicken breasts, 1/3 black angus burgers, jumbo angus hot dogs, veggie burgers, potato salad, corn on the cob, molasses baked beans, chips, watermelon, cookies, beer, wine and soft drinks!

SPONSORS NEEDED:
- “GOIN’ WHOLE HOG TO HELP” SPONSOR -- $500
- “RAISIN’ SOME BACON” SPONSOR -- $250
- “HAMMIN’ IT UP” SPONSOR -- $100

Proceeds benefit the many programs funded by the KCBF.
Get Your Slice

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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.

OCTOBER

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: Monday, October 10, 2016 • 5:30 p.m. to 8:30 p.m.
WHERE: Food for Greater Elgin, Inc., 1553 Commerce Drive, Elgin, IL 60123
WE NEED: 10-12 volunteers are needed to help pack and distribute food
CONTACT: Contact Jan Wade at director@kanecountybar.org if you can help.

NOVEMBER

WHAT: FEED MY STARVING CHILDREN

Feed My Starving Children is a non-profit Christian organization committed to feeding God’s children hungry in body and spirit. The approach is simple: children and adults hand-pack meals specifically formulated for malnourished children, and we ship the meals to nearly 70 countries around the world.

WHEN: Thursday, November 17, 2016 • 6:00 p.m. to 7:30 p.m.
WHERE: 555 Exchange Court, Aurora, IL 60504 • Phone: (630) 851-0404
WE NEED: 20 volunteers are needed to help pack food.
CONTACT: Contact Jan Wade at director@kanecountybar.org if you can help.

Thank you to the volunteers who help make KCBA Cares a success!
2016 DIVERSITY SEMINAR

Thursday, October 27, 2016

1:00 to 4:15 p.m.
Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva, IL 60134
1 General & 2 Professional Responsibility CLE Credits

MODERATORS:
Marzenia Chwistek-Van de Burgt, Esq., Kane County State’s Attorney’s Office, St. Charles, IL
Edward N. Druck, Esq., PwC, Chicago, IL

TOPICS & SPEAKERS:
Standing for Functional Parents Seeking Custody and Visitation (1:00 – 2:00 p.m.)
Kara N. Ingelhart, Esq., Skadden Fellow, Lambda Legal Defense & Education Fund, Chicago, IL

H2A & H2B Visas Relating to Human Trafficking (2:00 – 3:00 p.m.)
Miguel Keberlein Gutiérrez, Director of the Immigrants and Workers’ Rights Practice Group
and Client Support Services at LAF, Chicago, IL

BREAK 3:00 -3:15 p.m.
The Transgender Phenomenon—Timely, Relevant, and Leading-Edge (3:15 - 4:15 p.m.)
Vanessa Sheridan, Director of Transgender Relations & Community Engagement,
Center on Halsted, Chicago, IL

Register online at www.kanecountybar.org.

KCBA | 555 S. Randall Road, Suite 205, St. Charles, IL 60174 | (630) 762-1915
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.

Photos can be emailed to barbriefs@kanecountybar.org.

MUSICIANS - WE NEED YOUR PHOTOS:

Are you musically inclined? Send us a picture of you in your band, choir etc. Past or present - we want your photos!

Email photos and musical details to barbriefs@kanecountybar.org.

There’s More to Mike Clancy Than Med-Mal Mediation

Mike Clancy continues to successfully mediate MedMal, Nursing Home & Hospital disputes. But he is also helping Kane County Lawyers and their clients settle:

- Personal Injury Cases
- Probate Disputes
- Construction Defect Cases
- Real Estate Disputes
- Construction Accidents & Fatalities
- Property Damage & Subrogation

Call Mike at 630-584-7666 to schedule your next mediation or go to www.ClancyMediations.com

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255 38th Avenue, Suite G, St. Charles, IL 60174
Long before I entered academia, “Mindy” taught me something important to teach future lawyers. At the time we met, I was prosecuting mental health civil commitments, and Mindy was interning in the office where I worked. Almost daily, we were interviewing family members with mentally ill parents, siblings, spouses or children. To ensure that their loved ones received treatment, these family members had to testify about horrific incidents they witnessed. One afternoon, after a long trial involving a teenage girl who had threatened her sister with a knife, Mindy came back to our office. She sat down, turned to me and started sobbing. She proceeded to tell me how she could not stop thinking about the pain experienced by these families. It was becoming difficult for her to concentrate on anything else because she kept thinking that more could be done to help them. She was embarrassed to admit these feelings because she thought that lawyers were supposed to be unaffected by emotion. Mindy asked me, “Why aren’t we taught in law school how to deal with the emotional part of being a lawyer?”

Most attorneys have probably asked themselves the same question. We are trained to separate emotion from our work. Many attorneys perceive showing emotion as unprofessional so they choose not to address their responses to challenging cases and continue to bury stress. Additionally, many attorneys, in their primary practice or through pro-bono work, are representing clients who have been through traumatic events. Despite this, very few have been trained about trauma and how it impacts their clients as well as themselves. This article will describe the need for specialized training for attorneys who work with clients experiencing trauma. It will also discuss efforts to equip law students with the necessary tools to handle the emotional aspect of lawyering.

**Attorneys Need Trauma Training**

Many of our clients have experienced trauma. While some have been victims of violence or crimes, others have been injured in accidents. They do not seek out attorneys when things are going well. “Traumatizing experiences shake the foundation of our beliefs about safety, and shatter our assumptions about trust. Because they are so far outside what we would expect, these events provoke reactions that feel strange and ‘crazy’...these are normal responses to abnormal events.”

Working with clients coping with trauma can affect attorneys in different ways. Without proper self-care plans, attorneys may develop various conditions including compassion fatigue, secondary traumatic stress, and burnout. These conditions stem from the physical, emotional and psychological impact of constant exposure to traumatic events when working in a helping capacity. Symptoms of these conditions vary but frequently include anxiety, feelings of isolation, irritability, sleep disturbance, intrusive thoughts and apathy. People experiencing these conditions may also be questioning their views on society. Physical symptoms may include increased heart rate, shortness of breath and muscle tension.

Other professions who work with traumatized populations, such as medical providers, firefighters, emergency medical technicians and social workers receive training on how to handle working in traumatic environments. Attorneys historically have not received such training, and there is a cost to them. They have exhibited substantially higher levels of burnout and secondary traumatic stress than mental health providers and social service workers. A 2011 survey of 474 Wisconsin State Public Defender attorneys and administrative support staff confirmed that the lawyers’ heavy case-loads and exposure to the trauma of others were clearly related to symptoms of compassion fatigue. Other contributing factors included perceived lack of respect, lack of control in one’s work life and lack of time to process emotionally challenging cases.

**Equipping Law Students—**

Northern Illinois University College of Law Health Advocacy Clinic

Law school clinics are an ideal place to start training future attorneys on how to handle trauma. Medical-Legal Partnerships (MLPs), some of which are operated by law school legal clinics, are a type of clinic that can provide the necessary training. One such clinic is Northern Illinois University College of Law Health Advocacy Clinic. The clinic offers specialized training in trauma and compassion fatigue to law students. By providing this training, the clinic helps to equip future lawyers with the tools they need to handle the emotional aspects of their work.
which consist of attorneys, medical providers, social workers and other professionals who work together to remedy the non-medical sources of a client’s health problems. For example, health is impacted by food and income insecurity, absence of health insurance, lack of education or access to resources, and a lack of personal stability and safety. Medical professionals are trained to identify legal concerns and refer clients to an advocacy team consisting of attorneys and social workers. The goal is to promote the health and well-being of clients by addressing unmet social and legal needs.

Northern Illinois University’s Health Advocacy Clinic (HAC) is a medical-legal partnership between Northern Illinois University (NIU) College of Law, Aunt Martha’s Health and Outreach Center, and Hesed House, the second largest homeless shelter in Illinois. The clinic is located in Aurora at Hesed House. It focuses on securing income for clients through applying for and appealing the denial of public benefits such as Social Security, Medicaid, Medicare and SNAP (food stamps). HAC students, who attend NIU Law, also assist clients with advanced care planning such as completing powers of attorney for health care.

Students who participate in the HAC are in their second or third year of law school and spend at least eight hours a week on-site at the clinic in Aurora. Upon the start of the semester, most students have never worked with actual clients, especially clients experiencing poverty and homelessness. Homeless individuals face much trauma, including loss of their homes and communities. Additionally, many HAC clients have been victims of sexual assault and other crimes and must contend with diagnoses of post-traumatic stress disorder (PTSD) and depression. Clients frequently discuss with students the traumatic circumstances which led to these diagnoses as they are relevant to qualifying for Social Security.

Shortly after becoming the Director of the Health Advocacy Clinic in 2014, it became evident that HAC students need additional tools to effectively represent traumatized clients, as well as tools to care for themselves during their time in clinic and after graduation.

Fortunately, law students are not alone. The Illinois Lawyers’ Assistance Program (LAP) provides assistance to lawyers and law students with substance abuse, addiction and mental health concerns. LAP understands the stresses of being a law student and works with those impacted by a variety of mental health issues, including depression and anxiety. Students can contact LAP for themselves or on behalf of a classmate and receive a consultation and assessment with a LAP clinician. Based on the assessment, the LAP clinician will recommend participation in one of LAP’s therapy groups, individual counseling, and/or make a referral to a treatment center. All of LAP’s services are free and confidential. They also assist students with questions about character and fitness issues. By learning about LAP during law school, future lawyers will know resources that are available to them and their colleagues once they begin to practice.

In addition to helping individual students, LAP provides services at law schools throughout Illinois. LAP representatives hold office hours at various law schools in Chicago so that students can stop by. LAP staff members introduce law students to LAP and the services they provide during orientation and ethics/professionalism classes. LAP staff also educate law school faculty about the warning signs a student may exhibit who might benefit from their assistance.

In addition to educating the students about the services provided by the Lawyers’ Assistance Program, I developed a program to better equip them with necessary tools to represent traumatized clients. The program consists of three major categories: education, reflection and action.

**Education**

Recognizing that I am not a mental health professional, I requested help from the NIU Department of Psychology to assist me in explaining trauma to HAC students. Professor Michelle Lilly, Ph.D., is a strong ally in helping HAC students better understand the experiences of their clients. During class seminars, she explains the definitions of trauma, and the various ways it impacts individuals. She also emphasizes that people respond differently to trauma and then details the clinical definitions and symptoms of conditions such as PTSD, depression, and traumatic brain injury.

In addition to clinical definitions, Dr. Lilly describes to HAC students behaviors that traumatized clients frequently exhibit. For example, she explains that behaviors or statements that may seem apathetic are common, for clients experiencing trauma, including missing appointments. Also, behaviors or statements that seem extremely negative are typical. This information helps students recognize that missed appointments or negative comments from the clients may be due to causes other than concerns with their student representation.

Dr. Lilly also provides helpful advocacy tips for working with traumatized clients. They include the following:

- being sensitive to space and time, trying to meet in well-lit rooms and being patient if clients are late or missing appointments;
- paying close attention to how questions are phrased as trauma victims are keenly attuned to feeling blame;
- offering empathy that is genuine; and
- being aware of our own negative reactions.

Dr. Lilly ends the presentation by mentioning the importance of self-
care which HAC students revisit later in the semester.

**Reflection**

HAC students are required to reflect on their time in the clinic. This helps them become more self-aware of their responses to challenges. Six times throughout the semester, students write about experiences that impacted them. They discuss expectations they had going into the incidents as well as any surprising feelings or emotions that resulted. Students analyze why their reactions were unexpected and examine what they learned from the experiences, paying particular attention to how this knowledge may be beneficial in the future. All entries are only shared between the student and I which encourages honesty. Previous entries have focused on aspects of representing traumatized clients, such as interviewing a client who started to cry during an interview or reacting to a client who avoided discussing sensitive experiences.

**Action**

At mid semester, HAC students and I devote a seminar session to professional self-care. At this point, the students have learned about the clinical definitions of trauma and have likely worked with traumatized clients. It is a fitting time in the semester to turn to how this work can impact them emotionally and physically if they do not take care of themselves.

During the spring 2016 semester, Robin Belleau, LAP’s Executive Director, joined the class for an information session. Students learned from her about the high level of anxiety, depression, stress, alcoholism and other addictions facing attorneys. She also discussed barriers to receiving treatment. Particular attention was paid to compassion fatigue and the contributing factors. Prior to Ms. Belleau’s presentation, only one student had heard of LAP and the services provided. Now all of them are equipped with information to help themselves or a law school colleague who might be facing mental health or addiction issues.

During this class, students also start working on a self-care plan. As part of the plan, they are encouraged to set boundaries and prioritize work/life balance. We discuss the importance of healthy habits such as exercising and eating a balanced diet. Students are encouraged to find confidants who can help them during stressful times, especially ensuring that they take time for what is important to them in life.

Students spend time thinking about what activities bring them joy in life and help relieve stress. Some of their answers have included the following:

- reading “non-academic” books;
- watching favorite movies;
- indulging in “mindless” television shows “like the Kardashians;”
- going to the gym;
- cleaning because “I feel better if my house is clean;”
- spending time with children because although it is tiring, “it gives me purpose;” and
- baking because “it helps me create something and makes my roommates happy.”

A common theme that all students mention is the need for social support, having dinner with a law school classmate or going out with friends who know nothing about law school. As they share what activities bring them joy, they reminisce about their lives before law school when they had more time for work/life balance. Most students have been able to identify what activities help clear their head and permit them to continue the emotional task of working with traumatized clients.

At the end of the class, students are provided resources that can help them if they become overwhelmed with the emotional part of lawyering, including the contact information for the NIU Psychological Services Center and LAP.

A former Health Advocacy Clinic student describes her experience with the professional self-care training she received:

> **Working at the clinic truly taught me the importance of professional self-care. To me, professional self-care meant that I needed to take care of my own mental well-being so that I could more successfully help my clients. I learned that it was normal to worry about my clients and to think about them when I left work, but that I needed to have an outlet that would help me to escape and be able to put down the work when I needed. If I could come into work with a clear head, I could more effectively help my clients than if I was stressed or burned out from the emotional aspect. The holistic approach to lawyering taught by the clinic was the most beneficial information that I received in law school.**

**Conclusion**

Attorneys, like Mindy, should not be embarrassed to acknowledge that working with traumatized clients is hard. It is hard physically, and it is hard emotionally. Hopefully by educating them on resources such as the Lawyers’ Assistance Program as well as the need for professional self-care, more attorneys will have the tools to handle the emotional side of lawyering.

**The Illinois Lawyers Assistance Program can be located at http://illinoislap.org/**

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3 See Andrew P. Levin and Scott Greisburg, *Vicarious Trauma in Attorneys*, 24 Pace L. Rev. 245, 246 (Fall, 2005).


6 See Albert, supra.

7 Id.


9 Levin and Greisburg, supra at 251.


11 Id.


15 Id. at http://illinoislap.wpengine.com/services/law-students/ (last visited Feb. 25, 2016).

16 Id.

Full Retirement Age (FRA) for Lawyers

According to the Social Security Administration, I (Rick Law) reached Full Retirement Age (FRA) in August; for those born in 1950, that’s 66. FRA is the age at which a person is entitled to full Social Security benefits. From the creation of the Social Security retirement benefit, it has been the underlying assumption that the recipient has been disabled by old age. The same thing is true for those who qualify for a veteran’s benefit—those over 65 are presumptively disabled.

According to the American Bar Association, 13% of practicing attorneys are over 65. Of the 1,315,000 licensed practicing attorneys in the United States, I’m sure you can agree that 171,000 of them are not presumptively disabled because of their age.

Our practice is focused on estate and asset protection as it relates to the common issues of aging. Numerous studies have proven that mental acuity declines every year after the age of 55. More than 50% of those who reach 85 will have dementia.

If you’re interested in facts about longevity and other retirement issues, I highly recommend visiting www.socialsecurity.gov. For example: “The typical 65-year-old today will live to age 85; more than 1 in 3 will live to age 90; and more than 1 in 7 will live to age 95.”

Lawyers retire at different ages and for different reasons. Personally, I love the work we do, and I hope to be able to continue to helpfully engage with our clients—and our team—for a number of additional years. I’m deeply grateful that we have five outstanding young attorneys who are here to capably serve our more than 5,000 client families.

Look to us to help you or your clients as they deal with life’s transitions—both pre-retirement decision-making and other issues encountered during the aging years.

Rick L. Law, Esq.
This month the Bar Briefs HIGHLIGHTS KCBA Members who were College Athletes

- Kevin Drendel wrestled for Cornell College
- Laura (DeHaan) Haske played Division I tennis for Belmont University from 2001-2004
- Kristen Hoffman was a setter for the Northern Illinois University volleyball team
- Michael Huseman played basketball for St. Joseph’s College
- Jessica Briney pitched softball for Elmhurst College
- Guadalupe Machuca is a distance runner for Judson University
Fred Morelli wrestled for the University of Notre Dame 1959 to 1963

Glenn Sowa played baseball for Northern Illinois University from 1967 to 1970

Michael Rooney played football for North Park College. Mike is holding the ball in a 1967 game against Augustana.

Deb Lang did high jump and javelin at the University of Illinois at Chicago

Sarah Seberger was a forward for Truman State University Women’s Basketball
Title: Kane County Bar Association 58th Annual Steer Roast
Date: Wednesday, October 5, 2016
Time: 5:00 to 10:00 p.m.
Location: Batavia VFW, 45 South River Street (Route 25), Batavia, IL
Cost: $60.00 Per Person  Please note: Judges are complimentary but must register.
Options: Please check your dinner option:  □ Steak  □ Chicken

Registration Deadline: 10/05/2016

Title: KCBF ROCKtoberfest
Date: Friday, October 21, 2016
Time: 6:00 p.m.
Location: Hickory Knolls Discovery Center, 3795 Campton Hills Road, St Charles, IL
Cost: $50.00 Per Person

Registration Deadline: 10/14/2016

Title: Diversity Seminar  (3.0 Credit Hours)
Date: Thursday, October 27, 2016
Time: 1:00 to 4:15 p.m.
Location: Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva, IL
Cost: FREE to KCBA members

Registration Deadline: 10/20/2016

Title: David Peskind Memorial Family Law Seminar  (3.0 Credit Hours)
Date: Thursday, November 3, 2016
Time: 1:00 to 4:15 p.m.
Location: Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva, IL
Cost: FREE to KCBA members

Registration Deadline: 10/27/2016

Title: Criminal Law Seminar  (3.0 Credit Hours)
Date: Wednesday, November 16, 2016
Time: 1:00 to 4:15 p.m.
Location: Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva, IL
Cost: FREE to KCBA members

Registration Deadline: 11/09/2016

Item: KCBA 2016 - 2017 Membership Directory
Cost: Directories are FREE to members and can be picked up at the KCBA office during business hours.
If you would like a directory mailed to you, there is a $7.00 charge per directory.

Item: 2017 Attorney Daily Diary
Cost: $25 per diary (If you would like a directory mailed to you, there is an additional $7.00 charge per directory)
See page 36 for details and order form.

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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NORTHERN ILLINOIS UNIVERSITY
LAW SCHOOL RECEPTION (09.07.2016)

L to R: NIU Director of Career Development Greg Anderson, Eleanora “Lee” Holmes, Anthony Scifo, IICLE Executive Director Michael Rooney

L to R: KCBA President Larry Lobb, NIU Law Student Krystal Judah, KCBA Vice President Carolyn Jansons

KCBA Director Michael Huseman (4th from left) talks to NIU Law Students about the profession of law.

Ryan Theriault (far right) entertains two NIU Law Students.

Mike Hoscheit, KCBA Director Judy Kullenberg, Honorable David Kliment, Claudia Kliment
THANK YOU TO THE NIU LAW STUDENTS WHO ATTENDED THE KCBA RECEPTION AT EDUARDO’S MEXICAN RESTAURANT & BAR IN DEKALB.

THANK YOU TO THE FOLLOWING ATTORNEYS & JUDGES WHO HELPED TO MAKE THE EVENING A SUCCESS:
Kirsten Casas, Jennifer Gelman, KCBA Director Lindsay Hatzis, Lee Holmes, Mike Hoscheit, KCBA Director Michael Huseman, KCBA Vice President Carolyn Jansons, Claudia Kliment, Honorable David Kliment, KCBA Director Judy Kullenberg, KCBA President Larry Lobb, Michael Rooney, Omar Salgado, Gladys Santana, Kelli Schmidt, Anthony Scifo, Ryan Theriault

ALSO IN ATTENDANCE:
Greg Anderson, NIU Director of Career Opportunities and Development

THANK YOU TO IICLE FOR CO-SPONSORING THIS EVENT.
KANE COUNTY BAR ASSOCIATION

LONG RANGE PLANNING

FRIDAY, OCTOBER 28, 2016
9:00 a.m to 4:00 p.m.

Northern Illinois University - Hoffman Estates
5555 Trillium Boulevard, Room 233
Hoffman Estates, IL

Please call the KCBA to register. (630) 762-1915
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- Phone, fax & e-mail addresses
- Circuit Clerk telephone numbers
- Federal and Appellate Court information
  - 2017 State Holiday dates
  - Special KCBA Events
- A place for telephone numbers
- Area codes, time zones & much more

ATTORNEY DAILY DIARY ORDER FORM

MAIL TO: KANE COUNTY BAR ASSOCIATION
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p. (630) 762-1915  f. (630) 762-9395  www.kanecountybar.org

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Please mail order form to: KCBA, 555 South Randall Road, Suite 205, St. Charles, IL 60174
p. 630.762.1915  f. 630.762.9395  www.kanecountybar.org
Happy Celebrate Pro Bono Week from Prairie State Legal Services! We are so grateful for the more than 70 Kane County attorneys who have worked on a pro bono matter through Prairie State’s Volunteer Lawyer Program in the past year. We also extend heartfelt congratulations to our pro bono partner Drendel & Jansons for receiving the prestigious 2016 Illinois State Bar Association John C. McAndrews Pro Bono Service Award.

Prairie State and our clients are fortunate to have the strong support of the local legal community. But with 1,159 ARDC registered attorneys in Kane County in 2015, there are still many attorneys who have yet to discover the rewards of pro bono. At a time when several recent studies show declining public confidence in our justice system, pro bono involvement is critical. An estimated 1.8 million Illinois residents live below the poverty line, and almost half of low income households in Illinois experience at least one legal problem each year. Yet nationwide there is only one legal aid attorney for every 6,415 low income residents. Pro bono attorneys can help close this justice gap by keeping tenants from being illegally evicted from their housing, helping protect survivors of domestic violence from their abusers, and empowering seniors by drafting advance directives and other planning documents.

If you have never handled a pro bono matter, it might seem intimidating. But we’re here to assure you that pro bono is easier than you think! Here are just a few of the reasons why you should consider pro bono work.

1. Retired, inactive, out-of-state, and in-house corporate attorneys can do pro bono!

Did you know that retired, inactive, out-of-state, and in-house corporate attorneys can perform pro bono services in Illinois?

Illinois Supreme Court Rule 756(k) (formerly 756(j)) allows retired, inactive, and out-of-state attorneys to perform pro bono services through a sponsoring entity like Prairie State, and Illinois Supreme Court Rule 716 allows in-house corporate counsel to perform pro bono services. These attorneys are a hugely valuable resource to the legal aid organizations and other agencies serving clients who cannot afford an attorney. Retired and inactive attorneys, in particular, bring a wealth of practice experience, valuable insight into the private bar and judiciary, and a different perspective on the legal issues legal aid attorneys see day in and day out.

Yet retired, inactive, out-of-state, and corporate attorneys are woefully underutilized. In 2015, over 11,000 Illinois attorneys registered as “inactive” with the ARDC, but only 47 of these attorneys were 756(k) pro bono authorized. That is less than 1% of inactive attorneys! Imagine the difference we could make if even 5% of inactive attorneys performed pro bono services in 2016.

2. Malpractice: we’ve got you covered.

All cases handled through Prairie State’s Volunteer Lawyer Program are covered by Prairie State’s malpractice insurance. In the unlikely event of a claim, Prairie State’s malpractice policy provides primary coverage, even if you have your own malpractice policy.

3. Free CLE!

If you think you can’t volunteer because you don’t have legal aid experience, you’re wrong. Many of the organizations serving low income clients, including Prairie State, offer free training and CLE credit to pro bono attorneys. In honor of Celebrate Pro Bono Week, Prairie State is offering a free webinar, Dealing with a Representative of a Client, to current and future pro bono attorneys on Wednesday, October 26 from 3:00pm-4:30pm. Attendees will receive 1.5 hours of MCLE professionalism credit (approval pending). Advance registration is required and more information is available at www.pslegal.org.

Each year, the Illinois State Bar Association’s Delivery of Legal Services Committee offers a free CLE to pro bono attorneys. This year’s CLE, Limited Scope Representation: When Less is More, will be held on Thursday, October 13 from 12:50pm-4:45pm. Participants may attend in person at the ISBA’s office in Chicago or via webinar. More information is available at www.isba.org/cle.

Many judges and practitioners are still unaware that the Illinois Supreme Court amended its rules three years ago to expand the ability of attorneys
to offer unbundled civil legal services. This CLE will address the mechanics of filing a limited scope appearance, and will feature attorneys discussing how they have incorporated limited scope representation into their practices. Which brings us to our next point...

4. Try out a new skill!

Is your daily routine getting a little stale? Pro bono work is a great way to incorporate a new skill into your practice. Have you entered a limited scope appearance yet? Have you drafted a parenting plan under the amended IMDMA? Pro bono work can help you put these skills into action.

We’d love to work with you! For more information about Prairie State’s Kane County pro bono opportunities, contact pro bono coordinator Marcy Heston at mheston@pslegal.org.
2016
DAVID PESKIND MEMORIAL
FAMILY LAW SEMINAR

THURSDAY, NOVEMBER 3, 2016
1:00 p.m. to 4:15 p.m.
Eagle Brook Country Club, 2288 Fargo Boulevard, Geneva
3.0 General Credit Hours

MODERATOR:
Lidia E. Serrano, Esq., Serrano Low & Hanson, Geneva, IL

SPEAKERS AND TOPICS:
TO BE ANNOUNCED.

Register today at: www.kanecountybar.org

SPONSORED BY: MINNESOTA LAWYERS MUTUAL INSURANCE COMPANY

KCBA, 555 S. Randall Road, Suite 205, St. Charles, IL 60174
p.630.762.1915 | www.kanecountybar.org
OFFICERS AND DIRECTORS PRESENT: Larry Lobb, Alice Sackett, Gregory Maksimuk, Lindsay Hatzis, Lidia Serrano, Michael Huseman, Katie Doyen

ALSO PRESENT: General Counsel Josh Rosenzweig and Executive Director Jan Wade

The minutes from July were amended to show that Michael Huseman was present and Greg Maksimuk was absent. The consent agenda was approved.

Executive Director’s Report/Items

A written report covering the golf outing, dues notices, softball game, long range planning, and the NIU student reception was included in the board packets. After discussion, the board declined to host new attorneys as guests at the Steer Roast.

Items for Discussion

Finance Committee Report: Jan presented the financial statements and indicated that the finances are on track for this point of the year.

Mentorship Program: Rick Law will come to next month’s board meeting to present his proposal and answer any questions.

Bylaw Changes: Josh Rosenzweig presented some bylaw changes. A short discussion ensued and the proposed changes will be further discussed at next month’s Board meeting, along with discussion regarding the membership categories at that time.

Judicial Evaluation: Larry Lobb discussed appointments to the Judicial Evaluation Committee. Dick Balog’s term will be extended one more year.

Andrew Smith’s appointment will be changed to reflect that he is serving his own term and not completing someone else’s.

New Business

Bar Briefs: Lindsay Hatzis discussed upcoming issues of the Bar Briefs.

Softball Game: Everyone was encouraged to attend the KCBA/DCBA Softball game on Wednesday, September 21st at Benedictine University. The KCBA is looking for sponsors for this event.

PRO BONO OPEN HOUSE
BRUNCH WITH THE BEST
HOSTED BY THE KCBA ACCESS TO LEGAL SERVICES COMMITTEE

The KCBA Access to Legal Services Committee is hosting a “Brunch with the Best” celebration in honor of National Pro Bono Week, to thank all those who have provided pro bono services in Kane County. The brunch is open to all KCBA members.

It will be held on Wednesday, October 26, 2016 from 10:30 a.m. to 1:00 p.m., at the Kane County Law Library.

EVENT SPONSORS:
Administer Justice, Kane County Bar Association, Kane County Law Library, Prairie State Legal Services
The KCBA Criminal Law Committee Presents

THE 2016 CRIMINAL LAW SEMINAR

WEDNESDAY NOVEMBER 16, 2014
1:00 p.m. to 4:15 p.m.
Eagle Brook Country Club
2288 Fargo Boulevard, Geneva

3.0 General Credit Hours

MODERATORS:
William Engerman, Esq.,
Kane County States’ Attorneys’ Office,
St. Charles, IL

Honorable D.J. Tegeler
Kane County Branch Court,
St. Charles, IL

SPEAKERS & TOPICS
TO BE ANNOUNCED

Register today at: www.kanecountybar.org

Watch your weekly Compass for speaker & topic details.
SAVE THE DATE FOR THE
2016 REAL ESTATE SEMINAR

TUESDAY, DECEMBER 6, 2016
1:00 to 4:15 p.m.
Eagle Brook Country Club
2288 Fargo Boulevard, Geneva

Speakers & Topics To Be Announced

Moderator: Stephanie L. Butler
Attorney at Law, Elburn, IL

WE HAVE AN ANNOUNCEMENT!
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KCBA Announcement Advertising Bundle
SPOTLIGHT your practice/firms latest business news to 1200+ KCBA legal professionals for ONLY $300!

ADVERTISING BUNDLE INCLUDES:
- One full page advertisement in the BarBriefs. Please submit camera-ready artwork. Design Fee: Additional $100
- Three months of posting on the new “Announcement” page on the KCBA website.

Call (630) 762-1915 to find out how to use this opportunity to your advantage.

Contact: BarBriefs@kanecountybar.org | Deadline: 10th of the month, preceding month of publication.
The Odyssey Continues

Modern Case Management for the Kane County Justice Community

by Robert Enright

As most of you know, the Illinois Supreme Court is pretty serious about e-filing and has mandated that all civil cases be filed electronically by January 1st, 2018. No more over the counter filings. No more paper.

The State has provided the funding and hired an organization to implement e-filing throughout Illinois. The organization contracted to implement the state wide e-file system is Tyler Technologies. You may have heard of Tyler Technologies. Tyler is the organization that is also providing the new court case management system, Odyssey, for the Circuit Clerk, Judges, States Attorney and Public Defender in Kane County.

County Officials from across the state participated in several meetings with State of Illinois Court Officials and staff from Tyler Technologies. Leadership from Kane County's Justice Community participated in several of these meetings discussing the implementation and rollout strategy for electronic case filings in Illinois.

The implementation plan that the State Courts and the e-file vendor have created includes Kane County in phase one of the statewide rollout. As a result Kane County will be one of the first counties in Illinois to implement the new statewide e-file system called eFileIL. (http://efile.illinoiscourts.gov)

Remember, the mandate does not go into effect until 2018. Kane will be an early adopter. This only means Kane County will have the capability to accept cases filed electronically, so please don’t buy a computer, yet. As part of the project, equipment and technical support will be provided at the local court facilities for attorney and public use as well as instructional webinars.

The new eFileIL system will work in conjunction with the Odyssey Court Case Management System, which is scheduled for go-live December 5th. This will prove to be a huge benefit for Kane County because configuration of the eFileIL system will require a minimal amount of time and effort. The reason is that similar work has been completed during the configuration phase of the Odyssey Court Case Management System.

An eFileIL project schedule is being developed within Kane County that will include;

- An information dissemination strategy.
- Drafting of local court rules for eFileIL.
- A training plan that includes the Kane County Bar Association, the public and mass filers.
- A rollout timeline.
- Initial case types to be e-filed.
- Webinars.

The Odyssey Court Case Management System includes an online portal. Attorneys of record in cases are able to view all documents comprising the entire court’s record electronically through the portal.

Between the new eFileIL system and the new online portal available with Odyssey it will be like having the courthouse at your fingertips. Full case information will be available immediately to attorneys, case participants, law enforcement and the general public through the internet, including the ability to view the full text of all filed documents. Attorneys and their clients will have 24/7 access to the courts.

Registered attorneys can file case documents from their offices or homes right up to the filing deadline without worrying about postage, messenger services or traffic congestion.

For the courts, the advantages are numerous. Clerks will see reductions in the time spent on data entry, imaging, moving and storing files, and mailing, to name just a few. Reduced paper document storage needs are going to be a tremendous benefit to Kane County. Early every morning staff from the Circuit Clerks Office load thousands of pounds of paper case files in county vans and transport them back and forth to the court locations throughout the county. The automation coming to Kane County will provide an efficient and cost-effective way to receive filings while improving the management of records.

Remember, Kane is in the preliminary stages of preparing an eFileIL roll out plan. In the following months additional information will be available.
Remember, nothing is mandatory until 2018.

It is very exciting to be part of helping our judicial system move into the 21st century and watching it evolve. By joining the electronic age the groundwork for a paperless court in Kane County is in the very near future. Stay tuned.

Bob Enright

Bob Enright has been working with court technology systems for 15 years. He is currently a Project Manager in the Kane County Information Technology Department. He can be reached at enrightbob@countyofkane.org.

KCBA ONLINE SEMINARS

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

SEMINARS CURRENTLY AVAILABLE FOR VIEWING:

- Legal Ethics Seminar
  ( Recorded 3/22/2016; 2.50 Professional Responsibility Credit Hours)

- Workers’ Compensation Seminar
  ( Recorded 2/11/2016; 2.0 General Credit Hours)

- Commercial Real Estate Seminar
  ( Recorded 1/26/2016; 1.75 General Credit Hours)

- David Peskind Memorial Family Law Seminar
  ( Recorded 11/5/2015; 6.0 General Credit Hours; in two parts)

- Post-Traumatic Stress Disorder: A Clinical and Legal Perspective
  ( Recorded 5/27/2015; 3.0 Professional Responsibility Credit Hours)

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

- Women in the Law Seminar
  ( Recorded 4/7/2015; 2.5 General Credit Hours)

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

- 2015 Civil Court Practice Seminar
  ( Recorded 2/19/2015; 2.0 General & 1 Professional Responsibility Credit Hours)
Illinois’ Threat to Equal Access to Justice

By Judith Miller, Esq.

“Skyrocketing fees in civil cases in recent years have effectively priced many of our state’s most economically vulnerable citizens out of the opportunity to participate in the court system,” stated the Statutory Court Fee Task Force (“Task Force”) in its June 1, 2016 report.1

The Task Force was created by the Illinois Access to Justice Act to “conduct a thorough review of the various statutory fees imposed or assessed on criminal defendants and civil litigants.2 The Act states that “[t]he justice system in this State can only function fairly and effectively when there is meaningful access to legal information, resources, and assistance for all litigants, regardless of their income or circumstances.”3

After one year of intensive study, the 15 members of the Task Force found that Illinois has a byzantine system with constantly increasing fines and fees that are outpacing inflation, vary greatly across the state, and impose severe and disproportionate impacts on those with low and moderate incomes.4

These findings led the Task Force to adopt five core principals. One of these core principals states that the courts “should be substantially funded from general government sources,” and another tasks the General Assembly with periodically reviewing all assessments. A third principal addresses the relationship between court fees and fines, and the rationale underlying them. In this principal, the Task Force asserts that assessments “should be directly related to the operation of the court system.” More specifically, “[a]ssessments imposed for a particular purpose should be limited to the types of court proceedings that are related to that purpose. Monies raised by assessment intended for a specific purpose should be used only for that purpose.”5

While these aforementioned three principals warrant discussion, it is the remaining two that caught my eye. These two remaining principals outline goals for how assessments should be set. They state that assessments “should not impede access to the court and should be waived, to the extent possible, for indigent litigants and the working poor,” and that they “should be simple, easy to understand, and uniform to the extent possible.”6

As the legal services director for Administer Justice, I am regularly engaged in the process of securing and requesting fee waivers. Administer Justice is one of two legal aids in Kane County, (along with Prairie State Legal Services), and provides legal assistance to those with civil legal matters in Kane County and whose household income is below 250% of the federal poverty guidelines. For those with incomes between 250% and 125% of the federal poverty line, the State of Illinois allows the possibility of pro bono representation.7

What does 125% of the federal poverty line look like? For the year 2016, the federal government has drawn the poverty line at an annual income of $11,880 for a household of one. This means that an individual in a one-person household must make less than $14,750 per year to qualify for a pro bono attorney. For a household of two, it is $20,025; for three it is $25,200. At 125% of the federal poverty line, a family of five must bring in no more than $35,500 per year to qualify for a pro bono attorney.8 In Kane County, more than ten percent (10.7%) of the residents live at or below the poverty line.9

The strict income criteria for pro bono representation in Illinois is set forth in a statute titled “Leave to Sue or Defend as an Indigent Person.”10 While the statute defines an indigent person as one whose available income is 125% or less of the current poverty level, it allows a person to hold a certain amount of assets as long as those assets do not exceed statutory exemptions.11 Therefore, one can own a home and still be considered indigent, if that person’s equity in the home is not more than the allowed $15,000 homestead exemption.12 Likewise, a person can own up to $4,000 in personal property — be it in a bank account or household goods — and still be deemed indigent.13

Once the court makes a finding of indigency, it is required to grant a waiver of all court fees. As stated in the statute, “a court, on finding that the applicant is an indigent person, shall grant the applicant leave to sue or defend the action without payment of the fees, costs, and charges of the action.”14
However, this definition of indigency is not the only definition stated in the statute. There are three others, of which a person need meet only one to qualify. One of the easier ways for a court to determine whether a person is indigent is by simply finding that the person is receiving public assistance. A third definition gives the court discretion, by allowing the court to waive fees and costs if it finds an individual “is unable to proceed in an action without payment of fees, costs, and charges and whose payment of those fees, costs, and charges would result in substantial hardship to the person or his or her family.

The final definition defers to civil legal service providers, like Administer Justice and Prairie State Legal Services, to certify a person as indigent. In certifying individuals, civil legal service providers are expected to follow the standard definition of indigency. The legal services provider issues a certificate when a party is represented in a civil action by that provider or by a pro bono attorney who has accepted a case through that provider. This certificate allows for the waiver of all fees and costs relating to filing, appearing, transcripts on appeal and service of process, without the need to motion the court for waiver.

Of course, not all those who qualify as indigent receive pro bono representation and the benefit of the streamlined waiver process afforded by the Civil Legal Service Provider Certificate. These are individuals whose lack of income compels them to represent themselves, pro se. For them, the Illinois Supreme Court Access to Justice Commission has created a standardized form pursuant to Rule 298, called the “Application For Waiver Of Court Fees.” Use of this form is not optional; all pro se litigants seeking a fee waiver must use this specific form.

For the poor, jumping over the fee waiver hurdle equates to jumping over the line that divides those with and those without access justice. The Task Force noted that across Illinois there is a “complex web of filing fees, fines, surcharges, and other costs levied against civil litigants and criminal defendants.” As such, the Task Force found that “these assessments undermine the state’s commitment to provide its citizens with access to the courts in civil proceedings, while distorting and unduly increasing the financial repercussions associated with criminal and traffic charges.”

It is not just court fees that create barriers, it is the plethora of costs associated with participation. As the Task Force stated:

“It should also be recognized that, in addition to court assessments, court users may incur other significant costs in connection with judicial proceedings. Such hidden costs may relate to transportation to and from court, parking, time off work, and child care obligations. In addition, court-ordered fees may be incurred after the filing of a civil action or sentencing in a criminal action, such as fees for service of process, court-ordered mediation, court-ordered parenting classes, or probation costs. Defendants found guilty of a DUI or domestic battery are required to pay for treatment which can cost several thousand dollars. And of course, litigants who can afford to retain an attorney can incur significant additional expense if they choose to do so.”

Assessments imposed on parties to court proceedings have experienced tremendous growth, according to the Task Force. Moreover, the Task Force noted:

“The trend shows no sign of abating, as each new legislative session brings with it fresh proposals for increased or additional assessments. At a time when many wages are stagnant, these additional assessments are creating further financial strain on low- and moderate-income litigants.”

Recognizing the price tag of participating in the rights afforded by our democracy’s third branch, the Task Force recommended expanding the existing civil fee waiver statute “by creating a sliding scale waiver that offers a partial waiver of assessments to individuals earning between 125% and 200% of the federal poverty level.”

This article addresses only one of the many important issues studied by the Task Force and described in its Report. The Task Force, comprised of legislators, judges, lawyers and court clerks, reported:

“Historically, court fees were intended simply to offset a portion of the cost of the services being provided. … However, they are now required to cover many additional costs, including, but not limited to, those associated with court security, law libraries, and children’s waiting rooms, as well as programs completely unrelated to the administration of justice like roadside memorials and after-school programs. Over the years, more and more costs have been passed on to court patrons through an elaborate web of fees and fines that are next to impossible to decipher and severely lacking in uniformity and transparency.”

With an historic perspective and county-by-county comparative data, the Task Force produced four key findings, five core principals, and six recommendations. But it is one bold statement in the Report’s introduction that stood out for me. It reads:

“Today, Illinois is facing a serious threat to the[e] fundamental right of equal access to justice.”
5 Statutory Court Fee Task Force, Illinois Court Assessments, at 2 (June 1, 2016).
6 Id.
7 735 Ill. Comp. Stat. 5/5-105.
8 U.S. Dept. of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, Poverty Guidelines (Jan. 25, 2016).
10 735 Ill. Comp. Stat. 5/5-105.
12 735 Ill. Comp. Stat. 5/5-105(a)(2).
13 735 Ill. Comp. Stat. 5/12-1001(b).
14 735 Ill. Comp. Stat. 5/5-105(b).
17 735 Ill. Comp. Stat. 5/5-105.5.
18 735 Ill. Comp. Stat. 5/5-105.5(a).
19 735 Ill. Comp. Stat. 5/5-105.5(b).
21 Id.
22 Statutory Court Fee Task Force, Illinois Court Assessments, at 1 (June 1, 2016).
23 Id. at 21.
24 Id. at 1, 2.
25 Id. at 3.
26 Id. at 7.
27 Id.

Judith Miller is the legal services director at Administer Justice. She currently serves as the chair of the KCBA Access to Legal Services Committee.

2017 SECURITY PASSES

Kane County Security Pass:
Cost $15.00
Your ARDC card will be used for this Security Pass. This card can be used in Kane County only.

DuPage County Security Pass: Cost $30 (new)
$20 (renewal)
Renewals will be processed immediately and new cards will be mailed to you in 5-7 business days.
This card can be used in both Kane and DuPage Counties.

NOTE:
Your 2017 ARDC Card must be presented at the time of receiving both your new DuPage Pass or your Kane Pass.

COURTHOUSE DATES & TIMES

Security passes will be available at the KCBA Office located at 555 S. Randall Road, Suite 205, St. Charles, between 8:45 a.m. and 4:45 p.m. with the exception of the two times below:

3rd Street Courthouse, Room 210 (Arbitration Room)
Tuesday, January 17, 2017 (9:00 a.m. to 1:00 p.m.)

Kane County Judicial Center, Law Library
Thursday, January 19, 2017 (9:00 a.m. to 1:00 p.m.)
NOTE: KCBA Board of Managers
Proposed Amendments to the Bylaws

The Kane County Bar Association Board of Managers has proposed the following By-Laws revisions. The Bylaws were re-written to clarify policies and procedures. A current version of the KCBA Bylaws is published on the KCBA website as well as this proposed revision. Members are encouraged to review this revised Bylaws and to vote on them. The vote will take place prior to the Family Law seminar on Thursday, November 3 at 1:00 p.m. You do not need to register for the seminar if you are only attending to vote on the Bylaws revision.

ARTICLE I - NAME
This Association shall be known as the "KANE COUNTY BAR ASSOCIATION."

ARTICLE II - PURPOSE
The Association is established to maintain the honor and dignity of the profession of law, to facilitate and promote the administration of justice, to encourage continuing legal education, to assist in the delivery of legal services to the public, and to cultivate social and professional interrelationships among its members.

ARTICLE III - MEMBERSHIP

Section 1: Active. Upon proper application, any person currently registered and listed on the master roll of attorneys entitled to practice law in the State of Illinois may become an active member of the Association upon payment of the dues, as hereinafter set forth.

Section 2: Life. A member of the Association in good standing, upon attaining the forty-fifth (45th) anniversary of being licensed to practice law, shall be entitled to life membership in the Association. If the life member has been an active member of this Association for at least ten (10) years, immediately preceding the forty-fifth (45th) anniversary, the payment of all future membership dues shall be waived. Any members that have attained “Life Member” status as of the date of adoption of this amendment (May 2013), shall remain Life Members and their obligation to pay dues will still be waived.

Section 3: Student. Upon proper application, any person currently attending an accredited law school may become a nonvoting member of the Association upon payment of the dues, as hereinafter set forth and shall not be entitled to hold office.

Section 4: Honorary. Distinguished persons who may by reason of their standing in the profession or their contribution to the profession or to public service is deemed to be worthy of the honor, may be elected to honorary membership in the Association by a three-fourths (3/4) vote of the entire Board of Managers and shall not be entitled to hold office.

All honorary members shall be nonvoting members and shall be exempted from dues.

Section 5: Paralegal Affiliate Membership. Any paralegal, as defined in 5 ILCS 70/1.35, sponsored by an active member of the Association, may be a non-voting member of the KCBA and shall not be entitled to hold office. The individual sponsored must be an active employee of a law firm or otherwise hold a valid paralegal certificate from an accredited program.

Section 6: Membership List. A current list of members of the Association in good standing shall be kept by the Executive Director at the Association office.

ARTICLE IV - DUES

Section 1. Annual dues for all classes of membership of the Association shall be in such amount and payable in such manner as may be determined by the Board of Managers.

Section 2. The statement for dues will be sent to each member. In the event any member shall be delinquent in the payment of their dues, forty-five (45) days after the due date, the Board of Managers, upon notice from the Secretary-Treasurer, shall without further notice strike the name of the delinquent member from the roll of the Association.

A member dropped for nonpayment of dues may be reinstated upon payment of all his delinquent dues.

ARTICLE V - OFFICERS AND DIRECTORS

The officers of this Association shall consist of a President, Vice President, Immediate Past President, and a Secretary-Treasurer.

Section 1: Term of Office and Succession. The term of office for each officer shall be one (1) year beginning on the first day of July in the year an election is held. The Secretary-Treasurer shall be elected annually by the voting members as hereinafter provided. The President, at the conclusion of his/her term, shall automatically succeed to the office of President. The Secretary-Treasurer, at the conclusion of his/her term, shall automatically succeed to the office of Vice President. The Immediate Past President shall be ex officio and shall not be entitled to a vote and shall not be considered in the determination of whether a sufficient number of board members are present to establish a quorum.

In the event of a vacancy in the office of Secretary-Treasurer before May 1, that office shall be filled by a special election, in accordance with the meeting provisions of these Bylaws. In the event of a vacancy in the office of Secretary-Treasurer after May 1, that office shall remain vacant until the next general election. Except as otherwise herein provided, all vacancies in any office of the Association shall be filled by a majority vote in a duly constituted meeting of the Board of Managers.

Section 2: President. The President shall preside at all Board and Membership meetings and shall act as Chairman of the Board of Managers, and shall be the Executive Officer of the Association and shall have such other powers and duties as provided or as set forth.

Section 3: Vice President. The Vice President shall serve subject to the direction of the President and the Board of Managers.

Section 4: Secretary-Treasurer. The Secretary-Treasurer shall maintain a written record of the proceedings of the Board of Managers and of all other matters of which a record shall be deemed advisable by the Association, which records shall be kept at the Association office. The Secretary-Treasurer shall also work in conjunction with the Executive Director and shall keep a complete record of all funds received and disbursed, and ensure the preparation and filing of all tax returns required by law. At least quarterly, said Secretary-Treasurer, or its designee, shall submit a written report of the financial condition of the Association to the Board of Managers.

Section 5: Directors. The Directors of this Association shall consist of six (6) members.

ARTICLE VI - BOARD OF MANAGERS

The Board of Managers shall consist of the Officers and the Directors.

Section 1. The Board of Managers shall be the governing board of the Association and shall establish the policies of the Association.

Section 2. All actions taken by the Board of Managers under these Bylaws shall be by a majority vote of those members present at a Board meeting where a quorum exists unless otherwise provided herein. A “quorum” exists where five or more members of the Board of Managers are present at a Board meeting.

Section 3. The Board of Managers shall meet monthly unless the Board of Managers determines otherwise.

Section 4. Special meetings of the Board of Managers may be held as the President directs,
or upon written request, delivered to the Executive Director, of a majority of all of the members of the Board of Managers.

Section 5. The current volume of Robert’s Rules of Order shall govern the conduct of all meetings of the Board of Managers.

Section 6. If two members of the Board of Managers, regardless of whether they be Officers or Directors of the Association, are from the same law firm, then no other member of that law firm shall be eligible to run for Secretary-Treasurer / Director until the end of the term of service of either current member of the Board of Managers.

Section 7. Excluding the President of the Association, only two other members of the Board of Managers may be members of the Board of Directors of the Kane County Bar Foundation.

ARTICLE VII - EXECUTIVE DIRECTOR
An Executive Director shall be appointed by the Board of Managers and shall perform such duties as determined by them.

The Executive Director shall be the Registered Agent of the Association.

ARTICLE VIII - GENERAL COUNSEL
A General Counsel shall be appointed by the President, subject to the approval of the Board of Managers, and shall serve at the pleasure of the President. The General Counsel shall provide legal advice and shall represent the Association in such matters as shall be assigned.

ARTICLE IX - REMOVAL FROM OFFICE
Any officer or director shall be removed as follows:
(1) Upon the effective date of the surrender or revocation of his or her license to practice law in the State of Illinois; or
(2) Upon a two-thirds (2/3) majority vote of all of the members of the Board of Managers.

ARTICLE X - ELECTIONS
Section 1: Annual Election
Before March 1 of each year, each of those persons, being active members of the Association, desiring to serve as a Director of the Association or as the Secretary-Treasurer of the Association shall file his or her nominating petition with the Association in the form specified below. Any member in good standing of the Association, may also nominate any other member of the Association in good standing, to serve in the position of Director or Secretary-Treasurer. The member nominated for the position of Secretary-Treasurer must have previously served as a Director of the Association or General Counsel for the Association.

In addition to the above paragraph, there shall be a nominating committee which shall consist of the President and the two most immediate, active Past Presidents of the Association. The nominating committee, by a majority vote, may nominate any member or members in good standing for the positions of Secretary-Treasurer or Director.

Section 2: Election Procedures
If there is only one candidate for a single Director’s position or the position of Secretary-Treasurer, by Petition or by the nomination of another member of the Association, election of the candidate(s) shall occur at the Annual Meeting.

In the event of multiple candidates for Director or Secretary-Treasurer, then at the next regular meeting of the Board of Managers following March 1st, the Board shall schedule an election to be conducted in accordance with the rules and procedures established by the Board. Said election shall occur before the Annual Meeting.

Section 3: Petition Form
3. (A.) [when nominating oneself]:
I, ______________________________, file my Nominating Petition for the Office of (Secretary-Treasurer) (Director of the Kane County Bar Association), and affirmatively state I am a member of the Kane County Bar Association in good standing and eligible to hold office.

Candidate Signature

3. (B.) [when nominating another member of the Kane County Bar Association]:
I, ___________________________, nominate __________________ for the Office of (Secretary-Treasurer / Director) of the Kane County Bar Association, and affirmatively state said candidate is a member of the Kane County Bar Association in good standing and eligible to hold office.

In support of this Petition, the undersigned members in good standing of the Kane County Bar Association nominate the above-cited candidate for the office of (Secretary-Treasurer / Director) of the Kane County Bar Association. (Signatures of 20 members required):

Signatures: Name and Address

Section 4: Contested Elections
The Board of Managers shall act as the Election Committee to conduct the election. The most immediate Past President shall act as Chairperson. Elections shall be conducted in accordance with Article X, Section 2.

Section 5: Voting and Nominating Privileges
No member in default in payment of dues or other charges owed to the Association shall nominate, stand as a candidate for office or vote upon any matter submitted to the Association. Honorary, student and paralegal members may nominate candidates for office and submit matters for consideration to the Board of Managers, but shall not be entitled to stand as a candidate or vote on any matter concerning the Association._

Section 6: Special
In the event of a vacancy in the office of Secretary-Treasurer or Director occurring prior to May 1, the majority of the Board of Managers shall nominate a member of the Association to take the vacant office until the next annual election.

ARTICLE XI - ASSOCIATION MEETINGS
Section 1: Annual Meeting
There shall be an annual meeting of the Association on a date during the month of May of each year, the time and place thereof to be designated by the Board of Managers.

Members who desire to submit matters for the consideration of the annual meeting shall put the same in the form of a resolution signed by the proposer and his or her second and deliver same to the Secretary-Treasurer or the Executive Director. Such matters must be delivered at least thirty (30) days before the date of the annual meeting. Notice of the proposed resolution shall be given to the members of the Association at least three (3) days before the meeting date.

No matter shall be submitted for action at an annual meeting without the consent of three-fourths (3/4) of the members of the Association present except (1) for action on the resolutions by the Board of Managers and the reports of officers and committees, and the recommendations therein contained, or (2) for the resolutions of members submitted as aforesaid.

Section 2: Special Meetings
Special Meetings may be held at such time as the President or a majority of the Board of Managers may direct, or upon the filing of a petition with the Secretary-Treasurer or Executive Director signed by not less than five (5) voting members requesting a Special Meeting for a particular purpose. In the event that the purpose of said meeting is to amend the Bylaws, the notice shall be accompanied with a written draft of the proposed amendment to the Bylaws.

Section 3: Notice
Notice stating the time and place of the annual meeting shall be given in the newsletter of the prior month, or by mail to the membership not less than fourteen (14) days in advance of said meeting. Notice of any special meeting shall be given by mail not less than five (5) days in advance of said meeting. Notice shall be deemed given upon date of mailing.

Section 4: Quorum
Twenty (20) voting members shall constitute a quorum for the transaction of business at any meeting.

Section 5: Conduct of Meeting
Unless otherwise specified by the Board of Managers, the current volume of Robert’s Rules of Order shall govern the conduct of all meetings.

ARTICLE XII - POLITICAL ACTIVITY
Except for the evaluation of candidates for nomination, election, retention or appointment for Judicial positions, the Association shall not take partisan political action or endorse any person for any elective position.
ARTICLE XIII - COMMITTEES OF THE ASSOCIATION
Section 1. The Association shall have the following standing committees: (1) Admissions & Membership; (2) Continuing Legal Education; (3) Access to Legal Services; (4) Finance; and (5) Public Relations.

Section 2. Committees Defined.
(1) The committee on Admissions & Membership shall consist of at least three (3) members, one of which shall be the Vice President of the Association. This committee shall seek to obtain as members all persons qualified and deemed suitable for membership as members of the Association.

(2) The committee on Continuing Legal Education shall coordinate programs to educate the members of this Association of the developments, trends and matters of interest at such times as the committee shall deem appropriate.

(3) The committee on Access to Legal Services champions and consistently seeks innovative opportunities to expand access to legal services for the underserved low income population of Kane County. Activities include but are not limited to: encouraging pro bono legal services through hosting of legal education seminars for attorneys; seeking partnerships with existing community outreach programs; and creating, updating and expanding multi-media legal information resources.

(4) The committee on Finance shall consist of the President, Vice President and such additional members from the Board of Managers or general membership at large that the President may appoint to serve, but such committee shall not exceed a total of seven (7) members. The chairperson of the Finance Committee shall be selected by the President. The purpose of the Finance Committee is as follows:

(a.) To propose the annual budget for approval of the Board of Managers each fiscal year, and conduct periodic reviews of the budget, income and expenses.

(b.) To establish the office accounting methods, practices and procedures and the preparation of necessary reports, tax returns and conduct periodic reviews thereof and establish audit procedures and requirements.

(c.) To establish fiscal policy for the management of programs, investments, savings, fund raising projects, long range planning, and other financial goals.

(d.) To establish the financial plan for the purchase or replacement, maintenance and repair of office equipment and office space, including the purchase and sale of any real estate or other rental property.

(e.) To establish and review insurance requirements for the property and events.

(f.) To review and maintain corporate records, minute book, resolutions.

(g.) To advise and assist the Board of Managers in making financial decisions on any matters requested by the Board of Managers.

(5) The committee on Public Relations shall initiate and carry on a program designed to educate and inform the public as to the law, the lawyer, and the administration of justice. It shall be in charge of the press relations of the Association and shall bring to the attention of the public the activities of the Association and its committee of interest. All press releases of the Association shall be approved by the President.

Section 3. Each of the committee chairpersons, except the Access to Legal Services Committee, shall be appointed annually by the President of the Association. Such chairperson shall continue in office until the new President appoints a new chairperson. A member of the Board of Managers shall be appointed by the President as liaison to each committee, except for the Access to Legal Services Committee.

Section 4. The President may from time to time establish such ad hoc committees as said President deems necessary.

ARTICLE XIV - INTERPRETATION
The Board of Managers shall decide all questions concerning the construction, interpretation and application of these Bylaws.

ARTICLE XV - AMENDMENTS OF BYLAWS
Section 1. These Bylaws may be amended, or repealed and new bylaws adopted, at any meeting of the Association by a vote of two-thirds (2/3) of the members present and qualified to vote, provided that written notice in accordance with Section 3 of Article XI be given of the time and place of the meeting, and of the fact that one of the objects of the meeting is the adoption of the proposed amendment to the bylaws of the Association. Unless otherwise provided in the adopting resolution, any amendment to these Bylaws shall be effective immediately upon adoption.

Section 2. Any amendment to these Bylaws may be proposed by the Board of Managers or by any five (5) members of the Association. Such proposed amendments shall be submitted in the form of a written resolution and shall be mailed to the membership with the notice required by Section 1 of this Article.

ARTICLE XVI - BORROWING AND SPECIAL ASSESSMENTS
Section 1. The Board of Managers, by majority vote, may from time to time borrow monies in the name of this corporation and thereby obligate this corporation for the repayment of the same and/or specially assess the dues-paying membership of this corporation for legitimate corporate purposes.

Section 2. At no time shall the cumulative outstanding principal balances of all loan obligations incurred under this Article exceed a sum equal to seventy-five percent (75%) of the then current annual membership dues revenue of this corporation; provided, however, that the aggregate total of loan obligations secured by real estate may exceed the aforesaid limitation if such aggregate total does not exceed the appraised value of such real estate.

Section 3. No special assessment authorized under the provisions of this Article shall exceed a sum equal to fifty percent (50%) of a member's annual dues in this corporation, and no more than one (1) special assessment shall be made in any one (1) fiscal year.

ARTICLE XVII - INDEMNIFICATION
This Association shall indemnify its directors, officers, employees, or such other person who is serving or has served at the request of the Association, and may indemnify any former directors, officers, or employees, or other person who has acted on its behalf, to the fullest extent from time to time permitted by the laws of the State of Illinois in the event any such person shall be made, or threatened to be made, a party to any action, suit or proceeding, whether criminal, civil, administrative or investigative. Notwithstanding the foregoing, the Board of Managers shall approve all of the terms and conditions of any individual indemnification.

ARTICLE XVIII - DISMISSAL OF MEMBER
If any member of the Association engages in conduct unbecoming to the Association, then that member may be dismissed from the Association. A member that is dismissed from the Association will lose all benefits of membership and will not be considered a member of the Association. A member dismissed from the Association may apply for reinstatement to the Association by submitting an application for membership, which shall also include a letter from the dismissed member explaining why reinstatement should be allowed. Reinstatement of member shall be determined by the Board of Managers on a case-by-case basis.
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.

KCBA PLAQUE ORDER FORM

MAIL TO: KANE COUNTY BAR ASSOCIATION
555 South Randall Road, Suite 205, St. Charles, IL 60174

NAME OF PERSON PLACING ORDER:

NAME OF PERSON BEING HONORED:

TITLE OF PERSON BEING HONORED:

YEAR THAT HONOREE WAS ADMITTED:

BIRTHDATE AND DEATH DATE:

CHECK / CASH PAYMENT
☐ Check Enclosed Check # ________ Amount $ ________

CREDIT CARD PAYMENT
☐ Visa ☐ MasterCard ☐ Discover Amount $ ________
☐ Please charge my credit card $ ________

(ALL BELOW INFORMATION IS REQUIRED)

Card # ____________________________
Expiration Date ___________ 3-Digit Code (on back) ______
Name on Credit Card ____________________________
Cardholder Billing Address (including zip code) ____________________________________________________________
MARK YOUR CALENDAR!

COME AND ENJOY SOME HOLIDAY CHEER AT
THE KCBA HOLIDAY HAPPY HOUR & TOY DRIVE!

WEDNESDAY, DECEMBER 14, 2016
5:00 p.m. to 7:30 p.m.
The Turf Room, 1033 Kilbery Lane, North Aurora, IL 60542
Registration will begin in November.
Diana Bidawid is an attorney at INSPIRE Clinic CHSD 218 located at 10701 S. Kilpatrick Avenue, Oak Lawn, IL 60453. Phone: 708-424-200, ext. 2908. Diana received her Political Science Degree and German Degree from the University of Illinois Urbana-Champaign. She received her Law Degree from Pepperdine University School of Law. Diana is also a licensed Clinical Psychologist and Sex Offender Evaluator in the State of Illinois. Diana can be reached by email at duchi03@gmail.com.

Nicole Breslaw is an attorney with Speers Reuland & Cibulskis, P.C., 1981 West Downer Place, Suite 401, Aurora, IL 60506. Phone: 630-264-2626. She received her B.A. in English from the University of Missouri - Columbia and her Law Degree from The John Marshall Law School. Her concentration of practice is Personal Injury. Nicole can be reached by email at nb@auroralawfirm.com.

John W. Burnett is an attorney with the firm of Motherway & Napleton, 140 S. Dearborn Street, Suite 1500, Chicago, IL 60603. John received his Bachelors Degree from Knox College and his Law Degree from Case Western Reserve University School of Law. His concentration of practice is in Personal Injury and Medical Malpractice. John can be reached by email at jburnett@mnlawoffice.com.

Georgina Jenkins is an attorney with Prairie State Legal Services, 1024 West Main Street, St. Charles, IL 60174. Georgina received her Law Degree from Notre Dame Law School. Georgina is a volunteer in-house staff attorney. She can be reached by email at georginadj@gmail.com.

Gary Leonard is a retired attorney. He received his undergrad degree in Political Science from the University of Massachusetts, Amherst. Gary received his Law Degree from The Catholic University of America /Georgetown. Gary's concentration is in Veterans Benefits and Government Law. He can be reached by email at ndogdad@gmail.com.

Ryan M. Mahoney is an attorney at Administer Justice, 1750 Grandstand Place, Suite 15, Elgin, IL 60123. Ryan received his Bachelor of Science Degrees in both History and Education from Taylor University. He attended law school at The John Marsahll Law School. His concentration of practice is pro bono. He can be reached by email at rmahoney@administerjustice.org.

Reed Nixon is an attorney with the DeKalb County Public Defender's Office, 133 West State Street, Sycamore, IL 60178. Reed received his undergrad degrees in both Economics and History from Occidental College and his Law Degree from Vanderbilt Law School. Reed can be reached by email at rnxon@dekalbcounty.org.

Victoria Skyles received her B.A. in Psychology from Blackburn College and her Law Degree from The John Marsahll Law School. She can be reached by email at victoria.skyles@yahoo.com.

Jason L. Traub is an attorney with the firm of Colosimo, Ewing and Smith, LLC located at 11000 E. Route 34, Plano, IL 60545. Jason received both his undergrad degree and his Law Degree from Northern Illinois University. Jason can be reached by email at jason@ceslaw.com.

Christina Webb is an attorney for the Batavia Park District, 327 W. Wilson Street, Batavia, IL 60510. She attended Law School at Chicago-Kent College of Law. She can be reached by email at jacksocm@hotmail.com.
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 AUGUST VOLUNTEERS WERE......

Hon. Allen Anderson - 2
Robert Gilmartin - 5
John Walters - 2

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

PRAIRIE STATE LEGAL SERVICES

would like to thank the following KCBA members for providing services in

AUGUST

KANE COUNTY
Mark Brent
Frank Giampoli
Charles Petersen
Julio Cesar Valdez
Nils von Keudell

DEKALB COUNTY
Anthony Scifo
J. Brick Van Der Snick

In addition to Family Law attorneys, we are looking for Pro Bono Attorneys who are willing to accept cases in other areas of the law.

Please contact Marcy Heston at Prairie State Legal Services if you can assist us.
(630) 232-9415
THANK YOU!

ADMINISTER JUSTICE

Thank you to the following KCBA members who volunteered to serve our low income clients during the month of AUGUST 2016:

SERVED AT ONE OF OUR CLINICS
Theresa Buskey
Marzenia Chwistek-Van de Burgt
Kevin Drendel
Robert Gilmartin
Joseph Lovelace
Elizabeth McGuan
Pamela Miller
Victoria Skyles

ACCEP TED PRO BONO CASE(S):
Kevin Drendel
Patrick Edgerton
Claudia Kliment
Pamela Miller
Lisa Nyuli
Roman Seckel
Victoria Skyles
C. David Ward

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 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

**THANK YOU TO OUR SEPTEMBER VOLUNTEERS!**

Dick Balog           Jim Jensen
Bob Brouch           Mike Lenert
Gabrielle Gosselin  Monica Patankar
John Harp            Tom St. Jules
Jim James            John Steffen

"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”. Twenty-five callers were helped during the three hour session on September 10, 2016.

**SEPTEMBER VOLUNTEERS:**
Ray Agrella           Jon Ehrenstrom
Gail Anstett-Patrick  Bruce Strom
Denise Devitt         Kevin Wright

Make them turn away those who desperately need legal assistance for no other reason than a language barrier.

The Kane County Law Library & Self Help Legal Center's "Lawyer in the Library" program is desperately seeking Spanish speaking attorneys to volunteer one three hour shift a month, or to take appointments on an as needed basis.

So please help mend broken hearts and volunteer for "Lawyer in the Library".

Contact Cynthia Lorenzo by email at LorenzoCynthia@co.kane-il.us or by phone at 630.406.7126 to schedule your shift today.
HELP WANTED

FAMILY LAW ATTORNEY WANTED: Opportunity for family law attorney with two to six years experience. We are seeking a high quality individual for high quality and exclusive family law practice in St. Charles, Kane County, Illinois. Top benefits and pay. Please mail or email your resume to: Goostree Law Group, P.C., Attn: Hiring Partner, 555 S. Randall Road, Suite 200, St. Charles, Illinois 60174. Email: tricia@familydivorce-law.com. All inquiries are strictly confidential.

REAL ESTATE PARALEGAL/ASSISTANT WANTED: To “work up” residential real estate files on a part-time, as needed basis. Flexible hours; can work from home. Some real estate experience necessary. Call Jim or Jean at (630) 232-6000.

PART TIME LEGAL ASSISTANT WANTED: Small family law firm seeking energetic legal assistant for part time (30 hours) work. Prior experience required. Must be comfortable with client contact, Word and WordPerfect, and collection work. Hourly salary to commensurate with experience. Please email cover letter and resume to btabor@kaneountydivorce.com.

SERVICES AVAILABLE

FAMILY LAW MEDIATOR: Attorney Pamela Miller, a certified Family Law Mediator, concentrates her practice in divorce mediation and is accepting referrals. Will also draft QDROs and QILDROs in connection with divorce cases. She also handles residential real estate, a variety of transactional and leasing matters. Pamela graduated from John Marshall Law School in 1993 and would enjoy the opportunity to work with other KCBA members. Please contact her at Law Office of Pamela Miller, pamela@pamelmillerlaw@gmail.com or (630) 659-6254.

SECRETARY OF STATE HEARING ATTORNEY: Attorney James Patrick Geocaris, a Former Hearing Officer with the Secretary of State concentrates his practice in serving revoked and suspended drivers at Formal and Informal Hearings with the Illinois Secretary of State. Clients enjoy personal attention, “house calls”, a detailed prep-process and experienced representation at the hearing. The firm enjoys a high rate of first-hearing success and seeks to work with more attorneys and firms that do not handle these cases. Please contact Attorney James P. Geocaris, The Geocaris Law Firm, at (312) 848-4494 and geolawyers@hotmail.com. Website is GeocarisLaw.com.

BANKRUPTCY REFERRALS ACCEPTED: Bankruptcy referrals accepted. Dreyer, Foote, Streit, Furgason & Slocum P.A. accepts creditor and debtor bankruptcy referrals. Dreyer Foote represents creditors and debtors in adversary proceedings and contested matters, including objections to discharge, preference litigation, motions to modify stay, etc. Dreyer Foote is also a debt relief agency that files cases under Chapters 7 and 13. Please contact Mike Huseman at (630) 897-8764 (mhuseman@dreyerfoote.com).

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, fcalabrese@comcast.net, www.FrankLCalabreseAttorney.com.
SPACE FOR RENT IN ELGIN: West side office building at 85 Market Street has Single Office (200sf) with shared conference and secretarial, all furnished, utilities included, space available immediately; Office suite with two offices, conference room and secretarial (approx. 1600sf) area available in January of 2017. Call Dan Compton at (847) 742-6100 or (224) 639-3652.

OFFICE SPACE FOR LEASE: Premier office space for lease. Includes private double office, two secretarial stations and access to kitchenette. Located on Aurora's west side near Orchard Rd and Galena Blvd. 2 miles from I-88/Orchard Road interchange. For information and pricing call (630) 624-5123.

OFFICE SPACE: Lisle Class A Building, Fully furnished 11’ x 11’ office available in beautiful Class A office suite and building in Lisle, seconds from I-88 and I-355. Includes secretarial cubicle immediately outside office. Rental includes use of kitchen, conference room, utilities and office equipment. Contact mwoodard@spydavlaw.com or (630) 810-9026.


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 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.

2017 SECURITY PASSES

COURTHOUSE DATES & TIMES

Security passes will be available at the KCBA Office located at 555 S. Randall Rd., Suite 205, St. Charles, between 8:45 a.m. & 4:45 p.m. with the exception of the two times below:

3rd Street Courthouse,
Room 210 (Arbitration Room)
Tuesday, January 17, 2017
(9:00 a.m. to 1:00 p.m.)

Kane County Judicial Center,
Law Library
Thursday, January 19, 2017
(9:00 a.m. to 1:00 p.m.)

SEE PAGE 47 FOR MORE DETAILS!
This Calendar was created on 09/20/2016
Please call (630) 762-1915 to confirm date, time and location of event before you attend.

### OCTOBER 2016

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Time</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/05</td>
<td>Real Estate Comm. Mtg.</td>
<td>8:00 a.m.</td>
<td>Chicago Title, Geneva</td>
</tr>
<tr>
<td>10/05</td>
<td>Paralegal Comm. Mtg.</td>
<td>Noon</td>
<td>KCBA Office</td>
</tr>
<tr>
<td>10/05</td>
<td>58th Annual Steer Roast</td>
<td>5:00 - 10:00 p.m.</td>
<td>Batavia V.F.W.</td>
</tr>
<tr>
<td>10/06</td>
<td>Family Law Mediation Training</td>
<td>8:30 a.m. - 5:00 p.m.</td>
<td>Eagle Brook Country Club, Geneva</td>
</tr>
<tr>
<td>10/06</td>
<td>Civil Court Practice Comm. Mtg.</td>
<td>Noon</td>
<td>Third Street Courthouse, Jury Room</td>
</tr>
<tr>
<td>10/07</td>
<td>Family Law Mediation Training</td>
<td>8:30 a.m. - 5:00 p.m.</td>
<td>Eagle Brook Country Club, Geneva</td>
</tr>
<tr>
<td>10/10</td>
<td>KCBA Cares</td>
<td>5:30 - 8:30 p.m.</td>
<td>Food for Greater Elgin, Elgin</td>
</tr>
<tr>
<td>10/11</td>
<td>KCBF Board of Directors Meeting</td>
<td>5:00 p.m.</td>
<td>KCBA Office</td>
</tr>
<tr>
<td>10/12</td>
<td>Estate, Probate &amp; Elder Law Comm. Mtg.</td>
<td>Noon</td>
<td>KCBA Office</td>
</tr>
<tr>
<td>10/12</td>
<td>Family Law Comm. Mtg.</td>
<td>Noon</td>
<td>KCJC, Jury Lounge</td>
</tr>
<tr>
<td>10/12</td>
<td>Access to Legal Services Comm. Mtg.</td>
<td>4:00 p.m.</td>
<td>KCJC, Law Library</td>
</tr>
<tr>
<td>10/18</td>
<td>Appellate Law Committee Meeting</td>
<td>Noon</td>
<td>Goostree Law Group, St. Charles</td>
</tr>
<tr>
<td>10/19</td>
<td>Estate &amp; Probate Collegium</td>
<td>8:00 a.m.</td>
<td>KCBA Office</td>
</tr>
<tr>
<td>10/20</td>
<td>Women in the Law Comm. Mtg.</td>
<td>12:15 p.m.</td>
<td>KCBA Office</td>
</tr>
<tr>
<td>10/20</td>
<td>Workers’ Compensation Comm. Mtg.</td>
<td>4:00 p.m.</td>
<td>KCBA Office</td>
</tr>
<tr>
<td>10/21</td>
<td>KCBF ROCKtoberfest</td>
<td>6:00 p.m.</td>
<td>Hickory Knolls Discovery Center</td>
</tr>
<tr>
<td>10/26</td>
<td>Pro Bono Brunch</td>
<td>10:30 a.m. - 1:00 p.m.</td>
<td>KCJC, Law Library</td>
</tr>
<tr>
<td>10/27</td>
<td>Diversity Seminar</td>
<td>1:00 - 4:15 p.m.</td>
<td>Eagle Brook Country Club, Geneva</td>
</tr>
<tr>
<td>10/28</td>
<td>KCBF Board of Managers Meeting</td>
<td>8:00 a.m.</td>
<td>NIU / Hoffman Estates, Room 233</td>
</tr>
<tr>
<td>10/28</td>
<td>Long Range Planning</td>
<td>9:00 a.m. - 4:00 p.m.</td>
<td>NIU / Hoffman Estates, Room 233</td>
</tr>
</tbody>
</table>

### NOVEMBER 2016

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Time</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/02</td>
<td>Real Estate Comm. Mtg.</td>
<td>8:00 a.m.</td>
<td>Chicago Title, Geneva</td>
</tr>
<tr>
<td>11/03</td>
<td>Family Law Seminar</td>
<td>1:00 - 4:15 p.m.</td>
<td>Eagle Brook Country Club, Geneva</td>
</tr>
<tr>
<td>11/08</td>
<td>KCBF Board of Directors Meeting</td>
<td>5:00 p.m.</td>
<td>KCBA Office</td>
</tr>
<tr>
<td>11/09</td>
<td>Access to Legal Services Comm. Mtg.</td>
<td>4:00 p.m.</td>
<td>KCJC, Law Library</td>
</tr>
<tr>
<td>11/10</td>
<td>Membership Appreciation Happy Hour</td>
<td>5:30 - 7:30 p.m.</td>
<td>To be determined.</td>
</tr>
<tr>
<td>11/16</td>
<td>Estate &amp; Probate Collegium</td>
<td>8:00 a.m.</td>
<td>KCBA Office</td>
</tr>
<tr>
<td>11/16</td>
<td>Criminal Law Seminar</td>
<td>1:00 - 4:15 p.m.</td>
<td>Eagle Brook Country Club, Geneva</td>
</tr>
<tr>
<td>11/17</td>
<td>Civil Court Practice Comm. Mtg.</td>
<td>Noon</td>
<td>Third Street Courthouse, Jury Room</td>
</tr>
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<td>11/17</td>
<td>Women in the Law Comm. Mtg.</td>
<td>12:15 p.m.</td>
<td>KCBA Office</td>
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<tr>
<td>11/17</td>
<td>KCBF Board of Managers Meeting</td>
<td>4:30 p.m.</td>
<td>KCBA Office</td>
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<tr>
<td>11/24</td>
<td>Court Holiday - KCBF Office Closed</td>
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</tr>
<tr>
<td>11/25</td>
<td>Court Holiday - KCBF Office Closed</td>
<td></td>
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</tbody>
</table>
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