



# LegalEase

February 2019

*Newsletter of the Peoria County Bar Association, an Accredited Provider of Continuing Legal Education.*

## **Message from the President**

It is my honor and pleasure to personally invite every lawyer, every member, every law firm, and every judge to attend the 111<sup>th</sup> Peoria County Bar Association Lincoln Memorial Banquet. We will be honored with remarks from the Chief Justice of the Illinois Supreme Court - the Honorable Lloyd Karmeier and celebrate the awarding of our Distinguished Community Service Award. See the announcement of this year's recipient that follows. We will also have the opportunity to eat, drink, and talk with our brothers and sisters of the Bar. PLEASE JOIN US February 21 at the Holiday Inn Grand Prairie. Please sign up online [here](#). I look forward to seeing everyone there.



## **Distinguished Community Service Award**



We are pleased to announce that **Gerald W. Brady, Jr.**, is the 2019 recipient of the Peoria County Bar Association Distinguished Community Service Award. Jerry has had a commitment to community service from his earliest years. As a young teenager, Jerry worked for the Peoria Park District as a lifeguard at Proctor Center Pool. While attending Bradley University, Jerry directed the boys' program at Guardian Angel Home while working for Catholic Social Services. He also served six years in an artillery unit in the U.S. Army Reserves. Jerry chose to serve the community by employment with the Peoria Park District after receiving his undergraduate degree, rather than seek a more lucrative employment in the private sector, another example of Jerry's devotion to community service. Once Jerry decided to go to law school, he resigned from his position at the Peoria Park District and attended school.

Upon graduation, he went into private practice while being involved in his church community at St. Mary's Church in Kickapoo. He is a former Assistant Director and Coach for Paul Reatherford's Peoria Youth Basketball Program, where he once again served as a friend and mentor to countless young men in the Peoria community. While serving as Peoria County State's Attorney he has strengthened partnerships with local police agencies and federal prosecutors, partnered with the "Elite" program, initiated the "Most Violent Offender" project, met frequently with neighborhood groups, promoted community awareness of the opioid crisis, and spearheaded the "Don't Shoot" program, among many other accomplishments, and all in the interest of protecting and serving the community. When he began serving as Peoria County State's Attorney, Jerry adopted as his motto "Honored to Serve." That phrase exemplifies Jerry's self-effacing commitment to the office, and to the concept of community service. He sees his role as being one who serves the public, and being honored to do so. Upon the death of Mr. Reatherford, Jerry moved from faithful supporter of the program to the role of dedicated leader and chief organizer for the Paul Reatherford Christmas Basket Drive. Under Jerry's leadership, the program no longer helps about 100 families each year, in fact, on December 22, 2018, approximately 500 baskets were delivered to 250 families throughout Peoria. If you would like to congratulate Jerry, join us at the Lincoln Memorial Banquet on February 21.

## **Court News** *By Chief Judge Paul P. Gilfillan*

1. The 10<sup>th</sup> Circuit was represented at the 2019 Illinois Inaugural Ceremony on January 14<sup>th</sup> in Springfield. Judge Michael P. McCuskey administered the oath of office to Illinois State Treasurer and Constitutional officer, Mike Frerichs.
2. JUDGES OUTSIDE THE COURTROOM. These judges of the 10<sup>th</sup> Circuit have recently given back to the profession in a variety of ways beyond their courtroom dockets: Frank Ierulli (TALC President), Alicia Washington, Kim Kelley, Lisa Wilson (Traffic/DUI AOIC seminar, new judge seminar teachers), John Vespa and Mike Risinger (host students for courthouse field trips), Jodi Hoos (TALC speaker), Kate Gorman (new judge seminar teacher), Suzanne Patton and Mark Gilles (PCBA CLE).
3. February 9-16 is National Court Reporter Week. The courts would like to recognize the outstanding work of these professionals and remind all bar members of our responsibility in contributing to a clear and accurate 'record.'
4. Hope to see you at the 111<sup>th</sup> annual PCBA Lincoln Memorial Banquet on February 21<sup>st</sup> with featured speaker, Illinois Supreme Court Chief Justice Lloyd A. Karmeier.



## **Schedule of Events & Court Holidays**

### **FEBRUARY**

- 1 The New Private Investigator in Town – Google CLE – Spalding Pastoral Center, POSTPONED
- 8 Estate Planning, Probate & Elder Law 8:30 – noon and Employment Law CLE 1:00 – 4:30 p.m. - Spalding
- 12 Lincoln's Birthday – Courts Closed/Courthouse Open

- 15 **Family Law CLE (re-scheduled from January 12) – 8:30 – noon** - Spalding
- 18 Presidents' Day – Courts & Courthouse Closed
- 21 111<sup>th</sup> Annual Lincoln Memorial Banquet – Holiday Inn & Suites at Grand Prairie, begins at 5:30 p.m.

**MARCH**

- 6 Commercial Law & Litigation Brown Bag Seminar – PCBA office, noon – 1:00 p.m.
- 13 Federal Practice Brown Bag Seminar – PCBA office, noon – 1:00 p.m.
- 20 Real Estate Brown Bag Seminar – PCBA office, noon – 1:00 p.m.
- 27 Criminal Law Brown Bag Seminar – PCBA office, noon – 1:00 p.m.

**Committee Meetings** *Meetings are at noon at the PCBA office unless otherwise noted.*

February

---

5 Real Property	13 Appellate Practice Section	26 Diversity
7 Lincoln Banquet	14 YLC	27 Fitness Health & Wellness
12 Continuing Legal Education	19 Board of Directors	28 GPIL
13 Family Law Section	19 Foundation Trustees (12:30 p.m.)	

**Committee Reports**

**Fitness Health & Wellness** *By Mitch Gilfillan, Committee Member*

Effective January 1, 2019, a new Illinois law (HB 04275) removes the annual contract cap of \$2,500 per person (a 1965 law) for basic physical fitness service contracts, requires the fitness contract be in writing, and forbids gym owners from signing customers into contracts which last more than a year. Also, gym membership payment plans can no longer last more than three years. The new law promotes consumer flexibility and also protects businesses from having to create dozens of pricing schemes to meet customer requests.

**Lawyer Referral Service**

Thank you to **A. Lou Benassi** for returning a referral fee in the amount of \$9,900 to the bar association for a medical malpractice case that was referred to him from the lawyer referral service. All members of the referral service agree to send back to the PCBA 10% of fees generated over \$1,000. If you are interested in joining the referral service, contact Stephanie at [pcbaasst@mtco.com](mailto:pcbaasst@mtco.com).



**Lincoln Memorial Banquet**



The 111<sup>th</sup> Annual Lincoln Memorial Banquet will be held on **Thursday, February 21, 2019**, at the **Holiday Inn & Suites at Grand Prairie**. Illinois Supreme Court Chief Justice Lloyd A. Karmeier will be the keynote speaker and the 2019 recipient of the Distinguished Community Service Award will be announced. Tickets are \$100 or \$1,000 for a table of ten. Dinner options include: Duo plate (Braised steak tips, stuffed chicken breast with smoked gouda cheese & applewood bacon bits, oven roasted carrots and garlic mashed potatoes) or Vegetarian (potato onion pierogi) and includes a salad and dessert. Hors d'oeuvres will also be available during cocktail hour. Sign up for the banquet by clicking [here](#). **Registrations must be received by 5:00 p.m. on Wednesday, February 13, 2019.**

**Local Continuing Legal Education**

**2019 Winter Series**

Family Law Seminar has been rescheduled for Friday, February 15 from 8:30 – noon at the Spalding Pastoral Center. Check-in and continental breakfast begins at 8:00 a.m. To sign up, please click [here](#).

**2019 Brown Bag Series**

Registration is now open for our Brown Bag Series. This series provides 5 hours free CLE and includes lunch; PCBA members only. Seating is limited and you must register online. The seminars are recorded so members may earn FREE CLE by viewing the recorded series on on-demand. These seminars take place on five consecutive Wednesdays beginning **March 6, 2019**. The lineup is as follows:  
**March 6 - Commercial Law & Litigation:** Commercial Bankruptcy & Foreclosure, using the Pere Marquette case for illustration, by Sumner Bourne and Brad Barber

**March 13 - Federal Practice:** Pre-trial discovery procedures by Katherine Zogas and a topic to be determined.

**March 20 - Real Estate:** For Sale by Owner, by Kenny Eathington

**March 27 - Criminal Law:** Court Costs, Fines & Rising Financial Costs to the Public by Jeffrey Hall. Attorney Jeff Hall discusses the rising financial costs and burdens to the public when citizens are prosecuted. New laws continue to raise the cost of fees, assessments and fines in criminal court and many times can leave a defendant with a suspended driver's license, canceled passport, or incarcerated for non-payment. This seminar provides examples of how practitioners can assist clients by reducing the amount owed, along with

discussions on the rising costs, case law interpretations of fees, assessments and fines, and the growing movement to allow defendants some financial relief from the burdens of unpaid financial obligations to the court.

**April 3 - Appellate Practice:** Administrative Reviews, David Wentworth discusses the review of administrative action to the circuit court and to the appellate court; basis for jurisdiction of reviews; and the scope and standards of review in administrative cases. Michael Fleming also discusses appeals in divorce and parenting cases. Divorce and parentage cases often have multiple post-judgment proceedings at the same time dealing with enforcement or modification of the judgment and other orders, or relocation of the child. Brad Elward will discuss appeal bonds. This often-neglected appellate topic has application across a number of substantive appeal areas and will help attendees understand how bond amounts are set, what substitutes are available to the old style "appeal bond," how to use an insurance policy in lieu of a bond, and other issues that commonly arise during this narrow window of time.

### **Membership**

We have received an application for membership from **Megan Yentes** and applications for renewal from **Kevin Eack** and **Brian Lutz**. Megan is with Miller, Hall & Triggs, LLC, Kevin owns his own practice and Brian is with Murphy & Dunn, P.C. Their applications will be presented to the Board of Directors for approval in March.

### **Young Lawyers Committee**

**Save the date!** The 2019 Law Day Luncheon will be held on Thursday, May 2, 2019 at the Spalding Pastoral Center at noon! This year's speaker is Dean Vikram David Amar from the University of Illinois College of Law.

### **Prairie State Legal Services** *By Myraida Melendez*

Prairie State Legal Services would like to thank the following attorneys who have provided free legal assistance to low income persons and recently closed their pro bono cases Judge Michael Brandt; Spencer Daniels of The Law Office of Spencer L. Daniels; Kelly Giraudo of Butler, Giraudo & Meister; John R. Pusey; and Syed Ahmad and Seth Tebeest of Heyl, Royster, Voelker & Allen.

### **JANUARY SEALING AND EXPUNGEMENT CLINIC**

We would like to give a special thank you to Mitch Gilfillan of Quinn, Johnston, Henderson, Pretorius & Cerulo; Kerriane Waters of Westervelt, Johnson, Nicoll & Keller; Louis Meyer of Meyer & Kiss; and Chris Crawford, also of Quinn, Johnston, Henderson, Pretorius & Cerulo for providing our client with free legal advice at our most recent sealing and expungement clinic. Our clients were very appreciative of your help and the feedback we received from them was extremely positive. By helping our clients at the clinic, you are helping them obtain employment, professional licenses and facilitate many other areas in their lives. Congratulations on truly making a difference.



Prairie State Legal Services would also like to thank your firms for supporting the community by encouraging attorneys to donate their time to pro bono work.

### **OPPORTUNITIES TO VOLUNTEER**

We are still in need of volunteers for our February Sealing and Expungement Clinic. Please call or email me if you are interested in donating some of your time to assist our clients. Prairie State Legal Services does all of the legal work involved before the date of the clinic. Our volunteer attorneys read the documentation we provide to the client and obtain the client's signatures. Our Managing Attorney, Denise Conklin, is available during the clinic to answer any questions the client or attorneys may have.

If you would like to receive additional training in other areas of law or are willing to give 15-30 minute phone consultations in your area of expertise, please call me at 309-621-4005 or email me at [mmelendez@pslegal.org](mailto:mmelendez@pslegal.org). You will receive a Google Form, which you can use to send us your information. Your pro bono service will help PSLS provide legal assistance to individuals within our community who may not otherwise be able to afford legal representation.

### **Other News**

#### **Lawyers' Assistance Program**

*What can you buy for \$10* by LAP Clinical Director, Tony Pacione. This article can be read by clicking [here](#).

#### **Directory Changes**

Casey, Gabriel – 415 Hamilton Blvd., Peoria, 61602. Phone: 309-677-7758, Fax: 309-637-5788, Email: [casey@clopeoria.com](mailto:casey@clopeoria.com).

2018-2019 Attorneys' Directory Error: Page 26 - Cathy Geier, Sam Perkins and Ron Timmons should have phone number 309-671-4227.

### **Job Openings | Office Space Available | Misc.**

Job openings and office space available can be found on the homepage of our website or by clicking the following links:

[Job Openings](#) and [Office Space](#) (office space section includes property for sale)

**For sale:** Vintage Stow & Davis solid mahogany executive desk with credenza. \$2500 for both. Desk 72w x 29h x 36d. Credenza 72w x 29h x 24d. Very good condition. Pulls are polished aluminum. Glass tops available. Desk has three very deep file drawers and three smaller drawers. Credenza has two very large file drawers and a two-door cabinet. Contact Theresa Hardesty at 309-253-1087 or [trhadopt@comcast.net](mailto:trhadopt@comcast.net).

**For sale:** Artwork; furniture, including conference room table and chairs, reception area chairs and tables, secretarial desks, upright safe, file cabinets, refrigerator, library shelving, library books and miscellaneous items. Contact Philip Jaeger at 309-397-7016.

### **2018-19 Board of Directors**

Richard W. Zuckerman – President  
Michael D. Gifford – President-Elect & Budget  
Ambrose V. McCall – Second Vice President  
Emily H. Wilburn – Secretary-Treasurer  
Michele M. Miller – Past President & Nominating Chair  
Norman L. McGill – By-Laws  
Hon. Jodi M. Hoos – Communications & Technology  
Peter R. Jennetten - Diversity  
Shaun D. Cusack – Entertainment (Golf)  
Thomas E. Howard – Entertainment (Holiday Party)  
J. Logan Block – Fitness, Health & Wellness  
Katherine A. Zogas – Government & Public Interest Law  
William C. Wombacher – Lawyer Referral Service

Jeffrey R. Bach – Lincoln Memorial Banquet  
Dustin R. Jensen – Local Continuing Legal Education  
Patricia Redman & David B. Mueller –  
Membership & Memorials  
Kerriane L. Waters – Pro Bono  
Mitch Gilfillan – Public Relations  
Kenny Eathington – Real Property  
Janaki H. Nair – Substantive Law  
Kevin D. Day – Young Lawyers  
Joshua D. Herman – Director at Large  
John P. Nicoara – Director at Large  
Thomas W. O'Neal – Director at Large  
Christopher D. Oswald – Director at Large

### **2018-19 Foundation Trustees**

Richard W. Zuckerman – President  
Michael D. Gifford – President-Elect & Budget  
Ambrose V. McCall – Second Vice President  
Emily H. Wilburn – Secretary-Treasurer

Honorable Paul P. Gilfillan, Chief Judge  
Rex K. Linder, At-Large Trustee  
Karen M. Stumpe, At-Large Trustee  
David B. Wiest, At-Large Trustee