



# LegalEase

January 2019

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

## Message from the President

HAPPY NEW YEAR!

January can mean only one thing for the PCBA - Live CLE. The opportunity to meet with your sisters and brothers of the Bar for meaningful information and real face time with each other. The PCBA Cold Weather Series begins on January 12, 2019, with Family Law and concludes on February 8, 2019, with Employment Law. Additional information is available on the PCBA website.



Thank you to all who attended the slice and dice, roast and toast of Joe Napoli at the Holiday Party on December 13. Congratulations to Entertainment Committee II, Chair, Tom Howard, for his hard work in planning the show, obtaining sponsorships and emceeding the event. Kudos to the members of the committee in finding a new venue and food purveyor. Of course, a big thank you to the entertainers: Matt Smith, John Pusey, Joey Napoli, Joe Napoli and all the 'roasters.'



Don't forget to mark down February 21, 2019, on your calendar for the Lincoln Memorial Banquet with Chief Justice Karmeier. It is another opportunity to spend time with your PCBA fellows in person - the Original Social Media.

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

1. I'm grateful for the confidence shown by our Circuit Judges in granting me a second two-year term as chief judge of the 10<sup>th</sup> Circuit.
2. Attention PCBA attorneys: The judicial branch is undergoing a major structural change in its strategic agenda and the Supreme Court wants to hear from you. Please take just a few minutes to complete the confidential survey below.



**Details:** The Illinois Supreme Court recently reconstituted the Illinois Judicial Conference (IJC) pursuant to modified Rule 41. The first task of the IJC is to develop a Strategic Agenda and priorities for the Illinois Judicial Branch that will be announced in October 2019. To inform the work of the IJC, the AOIC is conducting a short strategic planning survey. The purpose of the survey is to gather opinions and suggestions from judges, trial court administrators, clerks, the legal community, criminal justice community, and community/social service providers across Illinois. The survey results will help shape the future of the Illinois Judicial Branch. Please complete the survey now by clicking on the link below. Thank you in advance for your assistance.

<https://www.surveymonkey.com/r/JRPGW9Q>

Here's wishing you a happy, healthy, prosperous and civil New Year!

## Schedule of Events & Court Holidays

### JANUARY

- 1 New Year's Day - Courts & Courthouse closed
- 19 Estate Planning, Probate, Elder Law CLE – Spalding Center, 8:30 a.m. – noon
- 21 Martin Luther King, Jr. Day – Courts & Courthouse closed
- 26 Civil Practice CLE – Spalding Center, 8:30 a.m. - noon

### FEBRUARY

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

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

### January

8 Continuing Legal Education	14 Civil Practice Section	22 Communications & Technology
9 Lincoln Banquet 2020 Planning	15 Board of Directors	23 Commercial Law & Litigation
10 Young Lawyers	16 Federal Practice Section	24 Lincoln Banquet Committee
11 Public Relations	17 Diversity	30 Appellate Practice Section

## **Committee Reports**

### **Entertainment**

**Holiday Party** - Thank you to everyone who attended the Holiday Party this year! An even bigger thank you to Holiday Party Chair Tom Howard for putting it together and being a great MC. Joe Napoli, the Man of the Hour, joined in the fun with his own humor.

### **Fitness Health & Wellness** *By Jennifer Wolfe, Committee Member*

It's that time of year—New Year's Resolutions and promises to change an undesired trait or behavior and to accomplish a personal goal or otherwise improve your life. Most of us (that do a resolution), will seek to lose weight and/or get in better shape. These are realistic goals that can easily be kept when you stay committed and create healthy habits!! (YOU GOT THIS!!) Help hold yourself (and others) accountable by joining one of the many fitness groups in the area—whether it be a gym, pool, or hiking/running group.

### **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. Members will be receiving email invitations in several days.

### **Distinguished Community Service Award**

Distinguished Community Service Award Nominations are open for the 2019 Distinguished Community Service Award. The recipient will be announced at the Lincoln Memorial Banquet held on Thursday, February 21, 2019. If you know an attorney who deserves this award, please visit the website at [www.peoriabar.org](http://www.peoriabar.org) and click on DCSA under the members tab. Here, you can submit your nomination online or download the form and submit it to the PCBA office. Nomination deadline is 5:00 p.m. on Friday, January 4, 2019.

### **Local Continuing Legal Education**

#### **2019 Winter Series**

##### **Saturday mornings, 8:30 - noon:**

January 12 – Family Law, Kelly Giraudo, Chair

January 19 – Estate Planning, Probate & Elder Law, Susan Dawson-Tibbits, Chair (includes one hour of ethics credit)

January 26 – Civil Practice, J. Kevin Wolfe, Chair

##### **Friday afternoons, 1:00 – 4:30:**

February 1 – The New Private Investigator in Town - Google, Judge Maher, Chair (includes one hour of ethics credit)

February 8 – Employment Law, Mike Lied, Chair.

If you receive the paper copy of this newsletter, the full list of topics and speakers is attached, or visit [www.peoriabar.org](http://www.peoriabar.org) to view the list and to register.

#### **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 DVD or 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, by J.D. Van Rheeden

**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 **Kayla Spencer** and an application for membership renewal from **Nargis Khokhar**. Kayla is an attorney with Heyl Royster Voelker & Allen and Nargis owns her own practice, NK Legal Solutions. Their applications will be presented to the Board of Directors for approval in February.

### **Memorials**

On December 25, 2018 a member of the Association, Honorable Stephen J. Covey passed away. Judge Covey graduated from the University of Illinois College of Law in 1953 and began practicing at Covey & Covey Law Firm from 1953-59 with his grandfather, Ira J. Covey. He was a United States Bankruptcy Referee for the Southern District of Illinois from 1959-74 and served as a Judge for the 10<sup>th</sup> Judicial Circuit from 1974-87, where he was Chief Judge from 1982-83. Contributions are being accepted by the Peoria County Bar Association Foundation in his memory. *The PCBA has made a \$100 contribution in memory of Honorable Stephen J. Covey*



### **Young Lawyers Committee**

The Young Lawyers Committee's Project Santa toy drive in support of the South Side Mission was a tremendous success again this year thanks to the outpouring of kindness and generosity from the Peoria County Bar Association. By the numbers, more than 100 attorneys, judges and legal staff volunteered to sponsor a child in need, and in many cases, more than one child, or contributed financially to help ensure a very merry holiday seasons for all those children involved in South Side Mission's programs. In addition to the abundance of toys, clothes and other gifts received by the South Side Mission, over \$2,000.00 was raised through either direct monetary donations or donated gift cards to support its many invaluable services.

Again, none of this would be possible without the overwhelming support of the PCBA membership so thank you! Special thanks to **Kyle Tompkins** and **Julie Hagen** for their work on this project.

### **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; Susan Dawson-Tibbits of Johnson, Bunce & Noble; Michelle Eggert of Westervelt, Johnson, Nicoll & Keller; Abigail Fleming of the Fleming Law Office; Kelly Giraudo of Butler, Giraudo & Meister; Blake Mishler of Black, Black and Brown; Jeff Neigel of the Law Office of Jeff Neigel; Rob Parker of Parker and Parker; and William Wombacher of The Law Office of William C. Wombacher.

We would also like to extend a HUGE thank you to Jeffrey Krump (right) of Miller, Hall & Triggs, who recently closed a pro bono case that he has been working on since 2016. Jeff put in an extraordinary 140 hours into this case and has made a significant impact on a client's life. Your pro bono service is greatly appreciated.



### **OPPORTUNITIES TO VOLUNTEER**

Our office is currently looking for attorneys interested in volunteering at our sealing and expungement summits. This is a great opportunity to learn a different area of the law and help members of our community. Please contact me if you would like more information.

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 that may not otherwise be able to afford legal representation.

### **Other News**

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

*Succession Planning and the Coming Senior Tsunami*, by LAP Volunteer Writer, Jon Cesario, Senior Counsel, IL ARDC., LAP Contributing Author. This article can be read by clicking [here](#).

## **Directory Changes**

**Lynch, David** – Westervelt, Johnson, Nicoll & Keller, LLC, of Counsel, 411 Hamilton Blvd., Suite 1400, Peoria, 61602.

Fax: 309-671-3588, All other information remains the same.

**Nicoara, John** – 301 SW Adams St., Suite 700, 61602. Phone and email remain the same.

**Riley, Yolanda** – Kavanagh, Scully, Sudow, White & Frederick, 301 SW Adams St., Suite 700, 61601. Phone: 309-676-1381

Fax: 309-676-0324. [yolandariley@ksswf.com](mailto:yolandariley@ksswf.com)

**Springer, James** – 833 N. Rebecca Place, Peoria, IL 61606 Phone: 309-674-8439 Email: [jamespringer833@gmail.com](mailto:jamespringer833@gmail.com)

2018-2019 Attorneys' Directory Error: Page 26 - Cathy Geier, Sam Perkins and Ron Timmons should have phone number 309-671-4238.

## **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)

**ISO-** We are looking for a used but working standard cassette transcriber to purchase. Please contact Diane at the office of Chester C. Fuller at (309) 673-4090 or [fullerlaw@hotmail.com](mailto:fullerlaw@hotmail.com).

**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**

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Ambrose V. McCall – Second Vice President

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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**

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