



LegalEase

March 2019

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

Message from the President

I want to thank all of the members of the Lincoln Memorial Banquet Committee – Chair Jeff Bach, Vice Chair – Hon. Thomas Perkins, Carol Perkins, Kerriane Waters, and our incredible staff, Linda and Stephanie, for creating a distinctly memorable evening. If you weren't there you missed not only a wonderful and humorous speech by Chief Justice Lloyd Karmeier, who took time out from meetings in Chicago just to be with us, but also the presentation of the PCBA Distinguished Community Service Award to Peoria County State's Attorney Jerry Brady, with a very moving introduction by John T. Brady. There was also recognition *in absentia* of retired Stark County Circuit Judge Tom Keith. It was a night that proves again that it is live events where the members of the Association can do just that – associate – and enjoy each other's company. *Above, left to right: Hon. James McCluskey (ISBA President), Jerry Brady Distinguished Community Service Award Recipient, Richard Zuckerman (PCBA President), Illinois Supreme Court Chief Justice Lloyd Karmeier, Hon. Michael McCuskey, 10th Circuit.*



March brings warm weather (we hope) and the Brown Bag seminars. Please attend on Wednesdays, beginning March 6, 2019, at noon. Additional information is available on the PCBA website.

Finally, you won't want to miss the final (re-scheduled) winter series CLE entitled, "New Private Investigator in Town – Google!" organized by Retired Judge Jerelyn Maher. This seminar will provide three hours of CLE credit, with one of those hours having been approved for ethics credit. This seminar will be beneficial for attorneys who practice in many areas of law. Sign up today by clicking [sign up](#).

Court News *By Chief Judge Paul P. Gilfillan*



1. The Administrative Office of Illinois Courts periodically releases e-filing statistics. The most recent report shows Peoria County has the fastest turn-around time for accepting e-filed documents, within a few hours, compared to the highest turnaround time, elsewhere in the state, of 44 hours. Peoria's rejection rate is 2.19 percent, compared to the high rate of 22.28 percent elsewhere. Peoria has set the trend in this regard thanks to the leadership of the Peoria County Circuit Clerk's office and the fact that our legal community has embraced e-filing as a whole. Good work all.

2. Congratulations to the PCBA staff, officers, directors, Lincoln Memorial Banquet Committee and members for your organization and support of the 111th annual Lincoln Memorial Banquet. It was a wonderful all-around evening consisting of: the comradery (i.e., the original social media), the dinner, the introduction of and comments by Distinguished Community Service Award Winner Jerry Brady, and the humorous and informative comments concerning the Illinois Courts in Lincoln's time by Illinois Supreme Court Chief Justice Lloyd Karmeier.

Nominating Committee

On October 15, the Nominating Committee met for the purpose of selecting an attorney who will fill the role of Secretary-Treasurer next year, and annually thereafter move into the offices of Second Vice President, President-Elect and President of the PCBA. The nominee should be someone from our association with past measurable involvement with the PCBA's committees and activities, someone with demonstrated legal experience and abilities, and someone who exemplifies the character of the membership sufficient to lead the association in furtherance of all the association's endeavors. The Nominating Committee is pleased to report that it has selected Michael Fleming as its nominee for the position of Secretary-Treasurer for the year 2019-2020. The committee has spoken with Mike who has agreed that if he is so nominated, he will accept the position.



The 2018-19 Nominating Committee Members: Michele A. Miller, 2017-18 Immediate Past President & Chair; Hon. Jerelyn D. Maher, 2016-17 President; Timothy J. Howard, 2015-16 President; Craig S. Young, 2014-15 President; James F. Kane, 2013-14 President; Two members under age 36 appointed by the chair: Kevin Day and Katherine Zogas

Schedule of Events & Court Holidays

MARCH

- 6 Commercial Law & Litigation Brown Bag Seminar – PCBA office, noon – 1:00 p.m.
- 8 The New Investigator in Town – GOOGLE – Spalding Pastoral Center, 1:00 – 4:30 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.

APRIL

- 3 Appellate Practice Brown Bag Seminar – PCBA office, noon – 1:00 p.m.
- 19 Good Friday – Courts and Courthouse Closed

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

March

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Committee Reports

Diversity

Peoria County Judicial Internship Opportunity Program



Judge lerulli is accepting applications for the Peoria County judicial summer internship opportunity program. Internships are open to current law students who are members of racial and ethnic groups that are traditionally underrepresented in the profession, students with disabilities, students who are economically disadvantaged, students who identify themselves as LGBTQ, and women. A small stipend will be awarded to interns who are accepted into the program. Please encourage eligible students to apply for this internship. Interested students may apply by sending a letter outlining their qualifications and interest along with their resume to Judge lerulli at ferulli@peoriacounty.org.

Entertainment – Annual Golf Outing

Save the date! Golf chair Shaun Cusack has announced that the Annual Golf Outing will be **Friday, August 9** at **Weaver Ridge Golf Club**. Mark your calendars now!



Fitness Health & Wellness

Softball Anyone?



Spring is here, so summer must be right around the corner! Part of the Fitness, Health & Wellness Committee's mission is to encourage all members of the Peoria County Bar Associate to get out and be active to stay healthy. The Bad News Barristers have already assembled again for this summer, but we are looking to take PCBA involvement a step further this year! We are putting together a 2nd PCBA softball team this summer for lawyers and legal staff to participate in through the Peoria Park District! If you are interested in playing, or have any suggestions about other sports and recreational activities (not just in the summer) that may be of interest to your

fellow members of the PCBA, please contact Kyle Tompkins (ktompkins@hgsuw.com).

Organized sports and activities are an easy and fun way to get involved with the PCBA, socialize with peers and be physically active. We hope that you will join us!

Local Continuing Legal Education

2019 Winter Series

The New Investigator in Town – GOOGLE – Friday, March 8, 2019, at the Spalding Pastoral Center from 1:00 to 4:30 p.m. Topics include: Fundamentals on how to use the Internet to Investigate by Scott Walden, Ethics of using the Internet for "Discovery" by Peter Rotskoff, Now that you've Found it, how do you get it into Evidence? by Robert Tenney, and a panel discussion. To register, click [here](#). Civil Practice, Estate Planning, Probate & Elder Law, Employment Law and Family Law are all available on DVD and VIMEO. Contact Stephanie at pccaasst@mtco.com for more information.

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 Removal to Federal Court by Michael Lied.

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.

Memorial Service



The Annual Memorial Service will be Thursday, May 23, 2019, at 3:00 p.m. in Courtroom 210 of the Peoria County Courthouse. A reception will immediately follow at the Heyl Royster Learning Center. Chief Judge Paul Gilfillan will preside and Memorial Chair David Mueller is coordinating the presenters. This annual event is yet another unique long-standing initiative of the PCBA, for the purpose of remembering and honoring our members. The Memorial Resolutions are filed in the Circuit Clerk's office and become a part of the public record for all time. Several years ago, the Foundation felt it was important to

have time set aside after the formal courtroom presentations, for members to reminisce with heartwarming memories of their colleagues being remembered. We hope you will mark your calendar for May 23.

Real Property

The March 5 meeting of the Real Property Committee will feature a speaker from Morton Community Bank and the April 2 meeting will be sponsored by The Neff Valuation Group. If you are not a member of this committee but would like to attend, email Linda at pcba@mtco.com.

Substantive Law Committee

We thank Michael Lied for agreeing to step in to chair the Federal Practice Section of this committee after Sam Perkins sadly found it necessary to step down. Mike has also agreed to present a portion of the March 13 Federal Practice Brown Bag Seminar, speaking about Removal to Federal Court. Keep an eye out for the next Substantive Law Newsletter, which will be sent at the end of the month.

Young Lawyers Committee

The **2019 Law Day Luncheon** will be held on **Thursday, May 2, 2019** at the Spalding Pastoral Center at noon! This year's theme is Free Speech, Free Press, Free Society. Our keynote speaker is Dean Vikram David Amar from the University of Illinois College of Law. We will be welcoming our newest 10th Circuit Judge, Honorable Bruce P. Fehrenbacher, to the Bench and honoring the following 50-year members: Patricia C. Benassi, James D. Broadway, Bradley W. Dunham, Richard N. Gentry, Donald M. Hartshorn, R. Michael Henderson, J. Phillip Krajewski and John R. Pusey. Our Law Day Essay Contest winners will also be announced. Cost is \$40 per person, or \$400 for a table of 10. The lunch buffet will begin at 11:30 a.m. The deadline to register is Monday, April 29, at noon and can be completed by **clicking [here](#)**. Thanks go to our Law Day Subcommittee: Kevin Day, Chair, Kyle Tompkins, Speaker Chair, Beverly Jones, School Speaker Chair, and Julie Hagan, Essay Contest Chair.



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; Chris Crawford of Quinn, Johnston, Henderson, Pretorius & Cerulo; Spencer Daniels of The Law Office of Spencer L. Daniels; Angela Evans of Angela Evans Law; and John R. Pusey.

FEBRUARY SEALING AND EXPUNGEMENT CLINIC

We would like to give a special thank you to Elizabeth Jensen; Kerriane Waters of Westervelt, Johnson, Nicoll & Keller; Cathy Molchin of Heyl, Royster, Voelker & Allen; Walter Prescott, volunteer attorney with Prairie State Legal Services; and James M. Rooney of Caterpillar, Inc. for providing our clients 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 March 20, 2019 Sealing and Expungement Clinic. Please call or email me if you are interested in donating some of your time to assist our clients or sign up using the following link: <http://signup.com/login/entry/725747266071>. Prairie State Legal Services does all of the legal work involved before the date of the clinic. Our volunteer attorneys simply read the client the documentation we provide 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 volunteer services, 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. 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

The Lawyers' Assistance Program Joseph Bartylak Dinner is Thursday, April 4 2019 at 5:30 p.m. at the Sangamo Club, 227 East Adams in Springfield. Keynote speaker is Former Lieutenant Governor Honorable Sheila Simon. The Joseph R. Bartylak Award will be awarded to Honorable James McCluskey, ISBA President, and the Executive Director Award will be given to Cecelia Blue. For more information visit <https://bartylakdinner.eventbrite.com>

Will Search

If you know the whereabouts of the last will for Michael J. Biga (DOB: 10/8/54 DOD: 2/26/19), please contact Lisa McClarey at office@MSandLegal.com

Directory Changes

Dundas, John – 456 Fulton, Suite 203, Peoria, IL 61602; Phone: 309-740-7880, email jdundas@dundaslawoffice.com

Evans, Angela – Suite number changed to 500. All other information remains the same.

Harrod, Sam – New Phone & Email - 309 - 467-9248 Sam.G.Harrod3@gmail.com All other info remains the same.

Martin, Cecille - Hexagon Positioning Intelligence, c/o AutonomouStuff, 306 Erie Avenue, Morton IL 61550

Email: Cecille.Martin@hexagon.com Phone: 309-291-0966

Phillips, Jonathan L.A.- P.O. Box 6323, Peoria, IL 61601. Email: jon@jlaplaw.com Phone: 309-643 -9016

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.

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.

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