



ILLINOIS STATE BAR ASSOCIATION

STANDING COMMITTEE ON GOVERNMENT LAWYERS

The newsletter of the Illinois State Bar Association's Standing Committee on Government Lawyers

From the Chair

By Lisle Stalter

At the writing of this column, I note that the groundhog saw his shadow earlier this week—six more weeks of winter. But, by the time you are reading this newsletter, parts of southern Illinois may already be seeing the early signs of spring. There is something about spring that makes the year seem new. I know the new year started on January 1st, but we are still in the midst of winter and it doesn't feel "new." That is one reason I love spring, with the budding of all that is green and flowery things seem so fresh and new.

Speaking of "new," I have been promising news of a project the Committee has undertaken. I am excited to tell you that we are in the process developing new ethics scenarios with the hope of presenting another ethics CLE program before 2010 is over. (I may get nixed on that from other Committee members, but hey, spring is a time for hope, right?) For those of you who have been to one of our ethics seminars, these scenarios will be along the same lines. But, these new scenarios cover issues related to communicating with represented persons, prosecutors, impairment,

and ethics. I want to specifically recognize Lynn Patton and Kate Kelly for taking the lead on this project. In addition, I extend my sincerest appreciation to Pat Driscoll, Sharon Eiseman, Melissa Olivero, and Ed Schoenbaum for their contributions to this effort. Sometimes you never fully appreciate how much work some things take until you actually try to do it yourself. Keep your eyes open for the new ethics program. We hope you can make it!

Finally, don't forget the CLE for Local Government Attorneys (cosponsored with the Local Government Law Section Council) is coming up in April. "Key Issues in Local Government Law: A Look at FOIA, OMA, Election Communications and Attorney Conflicts" will be presented in both Springfield (April 8, 2010) and Chicago (April 29, 2010). We look forward to seeing you at one of the seminars.

As the weather turns warmer and the days get longer, and hopefully the sun shines a little more, take advantage of each opportunity to enjoy each day. ■

Question: How is the legal profession responding to the challenges of the recession? Answer: Alternative billing practices

By Patrick T. Driscoll, Jr. and Patricia M. Fallon¹

Has the recent economic downturn affected the way firms bill? Are clients' expectations of law firms changing? Or are current billing practices outdated? These are just some of the questions the legal profession is forced to consider and answer due to the recent

recession and the reality of balancing a firm's budget when faced with reduced profitability. In a 2009 *Wall Street Journal* ("WSJ") article titled, "Billable Hour Under Attack—In Recession, Com-

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Save the Date

Key Issues in Local Government Law: A Look at FOIA, OMA, Election Communications and Attorney Conflicts

**April 8, 2010
in Springfield**

and

**April 29, 2010
in Chicago**

See page 7 of this issue for details

Question: How is the legal profession responding to the challenges of the recession?

Continued from page 1

panies Push Law Firms for Flat-Fee Contracts," it is apparent that a shift in billing practices has taken place and it is not temporary. Companies are abandoning the hourly rate billing system, which critics claim offers the opportunity to rack up a bigger bill, in favor of flat fee contracts. One survey quoted in the WSJ article maintained an increase of more than 50 percent in 2009 for corporate spending on alternatives to the traditional hourly rate billing practice. This shift affects all attorneys and areas of practice as billing is a universal issue.

Traditionally, the professional standard has been to bill clients at an hourly rate. The billable hour has been a staple of firm life. However, other payment options include flat fees, retainers or contingent fees.

Traditional hourly rate—An attorney is paid an agreed upon hourly rate for all work done and all hours expended on a client's case until the matter is resolved. The hourly rate does not distinguish between different tasks or the substance of the work performed; it is uniform for the most part and, therefore can add up very quickly.

Flat fee contracts—The flat fee contract is an alternative to hourly billing where the client can pay a flat fee at the inception of the litigation and the firm agrees to work toward the desired result efficiently for no additional fees regardless of how much time the lawyer spends on the case.

Retainer—A fee paid up front before legal representation commences. In some cases, a retainer is a non-refundable fee paid for the privilege of retaining the lawyer, especially if it is a high profile lawyer or firm. In other instances, the remainder of a retainer fund could be refundable to the client at the conclusion of the case.

Contingency fee—An arrangement where an attorney is paid a portion (usually a percentage) of any recovery on a legal matter he/she handles. In most contingency fee arrangements, the client does not pay anything to the attorney unless there is a recovery.

Of course, some attorneys and clients may agree to an arrangement which combines one or more of the above-listed billing practices. For example, an attorney may agree to be paid at a reduced hourly rate with the understanding that an additional contingency fee (or a higher percentage) will

be paid upon recovery.

How has the recent economic downturn affected the way firms bill?

In almost every industry, employers are being forced to reduce their workforce by laying people off or instituting mandatory furloughs. Companies and individuals are filing for bankruptcy on a daily basis all across the country. Unfortunately, the legal profession is not exempt from this recession; in fact, quite the opposite is true. Large law firms have instituted programs whereby they are deferring the hiring of new associates for at least one year in an effort to cut costs. Law firms have endured massive reductions, specifically the attorney workforce. In a 2010 article on <www.law.com> titled, "Revenue and Profits Fall at Mayer Brown," the revelation that in April 2009 the firm laid off 45 attorneys and 90 staff in the United States in response to the economic downturn was shocking. Additionally, the overall attorney head count to date at Mayer Brown is down by 144 with most of that number, 96 attorneys, coming from the firm's U.S. offices. Mayer Brown saw a dramatic decrease in profits in 2008 when its net income fell by 19 percent. According to *Crain's Chicago Business* February 15, 2010 issue, the number of attorneys who lost their jobs nationwide in 2008 was cited at approximately 5000 compared with less than 1,000 in 2008. Moreover, revenue at 50 of the 100 largest law firms fell 4 percent last year, following a 7 percent rise in 2008 and an average gain of 12 percent during each of the previous seven years, according to Citi Private Bank, a unit of Citigroup Inc. in New York.

Law firms have also reduced their hourly rates in an effort to retain clients who are unable to pay last year's high hourly rates. In a recent Chicago Tribune article, Natalie Spears, a litigation partner at Sonnenschein Nath & Rosenthal was quoted as saying, "Clients are challenging their law firms to take a fresh look at the legal service model in order to deliver greater value." Spears headed the Sonnenschein committee that revamped associate pay in 2008, basing that process on core concepts of business development. Spears was also interviewed for the *Crain's* article and she did not believe this change

in hourly rates was temporary or that any assumptions could be made about when or if firms would return to pre-2008 billable practices. According to Spears, "At the end of the day, it's how corporate America has been doing business for a long time. And law firms are now taking a page out of that book."

Obviously, the recession has made a significant impact on the ways in which lawyers bill their clients. One of the most notable changes to the traditional business model in the legal profession is the sharp increase in flat fee contracts or "value billing" as opposed to the traditional hourly fee model. Flat fee contracts were once used primarily for specific legal matters such as a Standard Lease, Simple Marital Agreement or Simple Will, just to name a few. However, the considerable increase in this alternative billing arrangement was borne out of the combination of a shrinking corporate legal budget as well as clients demanding greater value for legal services and more certainty about their legal billing. A flat fee arrangement is a wonderful tool that can be used to control a firm's budget and limit the amount of time spent reviewing invoices or creating fee petitions. These tough economic times have forced law firms to restructure their business practices or face reduced profitability. Thomas Fitzgerald, Managing Partner at Winston & Strawn LLP, Chicago's 4th largest law firm, noted that he expects alternative billing practices, including monthly retainers and flat fee arrangements, to approach 20 percent of assignments this year, according to the *Crain's* article.

The economic downturn is creating more demanding clients, and in turn, pushing forward thinking law firms to re-think the way they do business. A client expects to pay a fee that corresponds, at least somewhat, to the amount of time spent by the attorney. Unfortunately, one of the problems with the billable hours system is that it makes no distinction between the hour spent on trivial activities and the hour spent on substantive matters. Further, it affords the opportunity for the worst kinds of excess, such as padding hours, thereby increasing revenue without supplying value. The days of lofty hourly rates and automatic raises at large law firms appear to be over as clients are looking for certainty in fees and placing efficiency at a

premium; hence, the sharp increase in flat fee arrangements.

How else are Alternative Billing Practices being implemented?

One way the change in billing practice is being felt in the City of Chicago's Law Department is the relatively new procedure of sending cases out to private attorneys for a flat fee, as opposed to an hourly rate, in order to reduce the cost of defending the case. Additionally, that flat fee arrangement is sometimes contingent on the private attorney seeing the case through to trial. According to Law Department spokesperson, Jennifer Hoyle, who has been quoted in the Chicago Tribune recently, there has been a significant increase recently in the number of "small-value lawsuits," defined as under \$100,000, being filed against the Chicago Police Department. Upon a directive by Jody Weis, Chicago Police Department Superintendent, the Law Department was directed to litigate those cases, in an attempt to deter additional meritless lawsuits against the Police Department. In other words, if plaintiffs know that their complaint will in fact be litigated, they will be more concerned with the factual validity of the complaints filed. As a result, Hoyle stated that the City Law Department is invoking even more flat fee arrangements in order to cut costs as well as ensure that cases are not quickly settled but in the alternative, vigorously defended. It is an attempt by the City to continue farming out cases when necessary but, at the same time, save money because the billing practice is "value-billing" in the form of a flat fee contract.

In 2010, the Office of the Cook County State's Attorney created an internal Conflicts Counsel Unit to handle any litigation involving potential conflicts with the State's Attorney's Office. The past practice was to send the aforementioned cases out to outside counsel due to antagonistic defenses between a Cook County entity and an individual. However, with the deficit in the County Budget increasing, the Office created this Conflicts Counsel Unit in order to save money by reducing the need for outside counsel when such conflicts arise. This cost cutting measure could potentially save the County millions, which was paid for cases sent to outside counsel in prior years.

It is well-known that taxpayers are routinely paying attorney fees for private firm litigation against government entities. Notwithstanding, it is also known that the lofty hourly rates of private attorneys can be dif-

icult to fight. Just this month, U.S. District Court Judge Wayne R. Andersen reduced the fee request of several Chicago law firms in the *Shakman* litigation involving the City of Chicago. In a unique twist, Judge Andersen's ruling noted that this litigation involves "public service work, and the city has faced substantial budget problems since 2008." Judge Andersen reduced plaintiffs' counsels' fees from \$600 hourly to \$400 and from \$491 hourly to \$350 per hour which was significant given the fact that plaintiffs' counsels have argued successfully for their current hourly rates for years in this decades-long litigation. Interestingly, Jennifer Hoyle stated that the City was not satisfied with Judge Andersen's ruling which denied plaintiffs' counsels approximately \$100,000 in fees and she indicated a possible appeal of that decision.

In short, times are changing and attorneys are being forced to change with them in order to stay viable. The shift in billing practices will affect all attorneys from private lawyers to attorneys representing governments, regardless of whether they are in house or paid outside counsel. ■

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Postmaster: Please send address changes to the Illinois State Bar Association, 424 S. 2nd St., Springfield, IL 62701-1779.

News you can use

Modification of Federal Court's Rules

On February 4, 2010, the United States District Court for the Northern District of Illinois issued General Order 10-0001 which modified Local Rule 5.2. This Rule governs the form of documents filed with the Court. Most significantly, the Court now requires all documents to be double-spaced (2.0 line spacing) instead of the previous 1.5 line spacing. The Court also clarified that all paper copies delivered to judges' chambers must comply with the requirements of L.R. 5.2 or are subject to being stricken by the Court. The changes went into effect immediately. The newly-modified L.R. 5.2 may be found on the Court's Web site, <www.ilnd.uscourts.gov/home/>.

Court upholds admissibility of LIDAR evidence in absence of Frye hearing

In *People v. Mann*, case No. 2-08-1006 (2nd Dist., January 15, 2010), the Illinois Appellate Court, Second District, upheld the trial court's decision that the State could introduce evidence resulting from the use of a Light Detection and Ranging device (LIDAR) without conducting a hearing under *Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923). The

court took judicial notice of judicial decisions from other jurisdictions regarding the reliability of LIDAR devices to measure the speed of a moving motor vehicle.

State civil commitment standard declared unconstitutional

In *In Re Torski C.*, 395 Ill. App. 3d 1010 (2009), the Illinois Appellate Court, Fourth District, declared Illinois' modified civil commitment standard unconstitutional. With the passage of Public Act 95-602, effective June 1, 2008, the Illinois General Assembly lowered the threshold for involuntary commitment. In finding the revision unconstitutional, the Appellate Court held that the new standard allowed for a deprivation of liberty without a sufficiently compelling state interest.

The modified statute allowed for commitment when a person with a mental illness could be reasonably expected to deteriorate to the point that he would engage in "dangerous conduct," defined as threatening behavior or conduct that places another individual in reasonable expectation of harm. The Appellate Court found the standard to be "impermissibly vague" in a manner that violates standards of due process, finding that the new standard would seem to allow commitment for virtually any conceivable harm,

be it "psychological, emotional or financial harm, regardless of severity."

The new commitment standard was enacted by the legislature after family members of persons with mental illness were unable to obtain help for their loved ones. Opponents of the legislation, including the Illinois Guardianship and Advocacy Commission's Legal Advocacy Service (LAS), argued that the modified standard was unconstitutionally vague. LAS and other advocates believed that the change violated the United State's Supreme Court's decision in *O'Connor v. Donaldson*, 422 U.S. 563 (1975), which made clear that the state cannot constitutionally confine a person who is dangerous to no one and who can survive safely in freedom. In addition, opponents argued that the difficulty in obtaining help was attributable to other forces such as a lack of available services and a general misunderstanding of the previous commitment standard. The prior standard also resulted in large numbers of involuntary civil commitments and the focus on lowering the standard ignored other serious systemic problems in the Illinois mental health system.

The Legal Advocacy Service of the Guardianship and Advocacy Commission has also filed appeals in the Second and Third Appellate Districts challenging the law. ■

In-Sites

By Lisle Stalter

I have to admit that I am all about saving money. So, I thought that I would share a few things that I have found about saving money on-line. Be cautioned that many of these sites require registration. This inevitably means you are subject to more e-mails. But, sometimes the savings can be worth what little it costs (just think how easy it is to set up a free shopping-specific e-mail address).

One of the areas in which we spend a significant amount of money is at the grocery store. A couple of great, related Web sites to help you get started in this area are <<http://www.jillcataldo.com>> and <<http://www.supercouponing.com>>. Although sections

are restricted by password, these Web sites lead to many on-line coupon sources. Another source is your grocery store shopper card. A couple of Web sites to find printable coupons include <<http://www.couponmom.com>> and <<http://coupons.com>>. Some stores will let you register your store card on-line, and, if you visit their Web site, they will give you special coupons or savings. A few stores to check out are: <<http://www.Jewel-Osco.com>> (Avenu savings), <<http://www.kroger.com/Pages/default.aspx>> (under the "In Store" tab), <<http://www.dominicks.com>>, and <<http://www.safewa.com>> (for these sites look for the link to load coupons onto your store card).

For general household stuff, check out <<http://www.overstock.com>> or <<http://www.buy.com>> sometimes you can come across that great deal. And, to get discounts on store specific on-line purchases check out <<http://www.couponcabin.com>>.

One final tip, if you are wondering if there are any coupons for a store you are going to visit (either brick and mortar or electronically), in your Web browser, type in "coupon + [store name]" and you may be surprised at what you find. One word of caution, you need to check expiration dates on these.

Happy Savings! ■

Attorney General issues opinions

By Lynn Patton

Under section 4 of the Attorney General Act (15 ILCS 205/4 (West 2008)), the Attorney General is authorized, upon request, to furnish written legal opinions to State officers and State's Attorneys on matters relating to their official duties. The following is a summary of official opinion Nos. 09-003 through 09-006 and informal opinion Nos. I-09-012 through I-09-020 that may be of interest to the government bar.

Copies of an opinion may be requested by contacting the Opinions Bureau in the Attorney General's Springfield office at (217) 782-9070. Copies of official opinions may also be found on the internet at <<http://www.illinoisattorneygeneral.gov/opinions/index.html>>.

Opinion No. 09-003 Issued December 17, 2009

<http://www.illinoisattorneygeneral.gov/opinions/2009/09-003.pdf>

Sale of the Thomson Correctional Center

The sale of the Thomson Correctional Center is subject to the State Property Control Act and the State Facilities Closure Act. 30 ILCS 605/7.1 (West 2008), as amended by Public Act 96-660, effective August 25, 2009; 30 ILCS 608/5-10 (West 2008).

Opinion No. 09-004 Issued December 21, 2009

<http://www.illinoisattorneygeneral.gov/opinions/2009/09-004.pdf>

Felony Forfeiture of Pension Benefits

The felony convictions of Matthew Robinson, an employee with the State of Illinois, for the offenses of official misconduct and possession of child pornography related to or arose out of or in connection with his employment as an emergency telecommunicator with the Illinois Emergency Management Agency, thereby requiring the forfeiture of his pension benefits. 40 ILCS 5/14-149 (West 2008).

Opinion No. 09-005 Issued December 21, 2009

<http://www.illinoisattorneygeneral.gov/opinions/2009/09-005.pdf>

Felony Forfeiture of Pension Benefits

The felony convictions of Keith E. Cham-

bers, an employee with the State of Illinois, for the offenses of possessing and distributing child pornography related to or arose out of or in connection with his employment as the Program Manager/Earthquake Coordinator for the Illinois Emergency Management Agency, thereby requiring the forfeiture of his pension benefits. 40 ILCS 5/14-149 (West 2008).

Opinion No. 09-006 Issued December 30, 2009

<http://www.illinoisattorneygeneral.gov/opinions/2009/09-006.pdf>

Illinois Clean Energy Community Foundation as a "State Agency" under the State Officials and Employees Ethics Act

Electric utility, Commonwealth Edison, created the Illinois Clean Energy Community Foundation (the Foundation) pursuant to the express authority granted under section 16-111.1 of the Public Utilities Act. Because the Foundation is a private, charitable organization that was not created by the State, operates independently of the State, and was not established to further the interests or welfare of the State, the Foundation is not a "corporate outgrowth of the State government" and, thus, is not a "State agency," as that term is defined in section 1-5 of the State Officials and Employees Ethics Act. 5 ILCS 430/1-5 (West 2008); 30 ILCS 5/1-7 (West 2008); 220 ILCS 5/16-111.1 (West 2008).

Informal Opinion No. I-09-012 Issued August 13, 2009

Applicability of the Smoke Free Illinois Act to Unenclosed Outdoor Areas Adjacent to a Public Housing Unit

Section 30 of the Smoke Free Illinois Act authorizes any person in control of a public place to designate other non-enclosed areas, including outdoor areas, as places where smoking is prohibited. An unenclosed cement area located immediately adjacent to the front door of a family unit in a housing development owned and operated by a city housing authority generally constitutes a "public place" as that term is defined in the Smoke Free Illinois Act. 410 ILCS 82/10, 30 (West 2008).

Informal Opinion No. I-09-013 Issued August 14, 2009

Scope of Property Tax Abatement under Subsection 18-165(a)(1)(C) of the Property Tax Code

The plain language of subsection 18-165(a)(1)(C) of the Property Tax Code provides an abatement procedure for a commercial firm which expands its facility. When a commercial firm expands its facility by constructing new structures adjacent to its existing structures, the abatement that is authorized by this provision may include the value of the existing structures in addition to the value of the new structures, subject only to the limitation that the aggregate abatement for all taxing districts not exceed 10 years or \$4,000,000. A non-home-rule unit may only abate its taxes pursuant to a statutory grant of authority. 35 ILCS 200/18-165(a)(1)(C) (West 2008).

Informal Opinion No. I-09-014 Issued September 3, 2009

Use of Proceeds from Regional Transportation Authority Taxes Paid Directly to Counties Other Than Cook

Proceeds of taxes paid directly to specified counties under section 4.03 of the Regional Transportation Authority Act (RTA Act) must be used exclusively for qualifying transportation or public safety purposes enumerated in subsection 4.03.3(e) of the RTA Act. Therefore, RTA tax proceeds paid directly to the specified counties may be used to fund qualifying transportation or public safety expenses of a county highway department, regardless of whether the costs were previously paid from other county funds. 70 ILCS 3615/4.03.3(e) (West 2008).

Informal Opinion No. I-09-015 Issued September 17, 2009

Expenditure of Emergency Telephone System Funds

Under subsection 15.4(c)(7) of the Emergency Telephone System Act, emergency telephone system funds may only be expended for costs specifically associated with the communications equipment required to produce a response by a public safety agency as a result of an emergency call being placed

to 9-1-1. Emergency telephone system funds may not be expended for access to computerized criminal history databases such as LEADS or *Offender Trak* whether for emergency or non-emergency purposes; nor may such funds be expended for the installation, maintenance, and operation of electronic information management systems such as *NetRMS* or *Firehouse*. 50 ILCS 750/15.4(c)(7) (West 2008).

**Informal Opinion No. I-09-016
Issued September 24, 2009**

Teachers' Retirement System's Payment of Survivors' and Health Insurance Benefits to the Surviving Spouse of a Teacher who Underwent Sex Reassignment Surgery

Absent a declaration of invalidity by a court of competent jurisdiction, the Teachers' Retirement System must provide survivors' and health insurance benefits to the surviving spouse of a retired teacher who was lawfully married but subsequently underwent

male-to-female sex reassignment surgery. 40 ILCS 5/16-142 (West 2008); 750 ILCS 5/302 (West 2008).

**Informal Opinion No. I-09-017
Issued October 1, 2009**

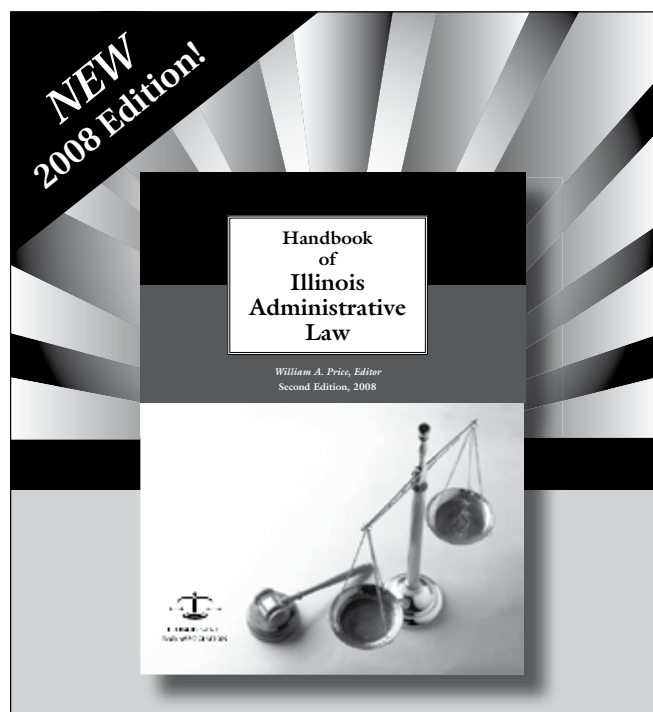
Operation of All-Terrain Vehicles on County Roads

Under the current language of section 11-1426 of the Illinois Vehicle Code, a county board may not adopt an ordinance that generally permits the operation of all-terrain vehicles on county roads. Pursuant to subsection 11-1426(d) of the Code, counties may only authorize the operation of all-terrain vehicles on county roads where necessary to cross a bridge or culvert or if it is impracticable to gain immediate access to an area adjacent to a highway where an all-terrain vehicle is to be operated. 625 ILCS 5/11-1426 (West 2008); Public Act 96-279, effective January 1, 2010.

**Informal Opinion No. I-09-018
Issued October 8, 2009**

Composition of a Forest Preserve District's Board of Commissioners; Disconnection of a Township from a Forest Preserve District

Under the Downstate Forest Preserve District Act, if the boundaries of a forest preserve district are coextensive with the boundaries of a county, the county board serves as the board of commissioners for the forest preserve district. Townships may petition to disconnect from a forest preserve district if the county in which the district lies has a population of less than 125,000. If a township successfully disconnects from a forest preserve district that previously had boundaries that were coextensive with the boundaries of the county, the boundaries of the county and the forest preserve district cease to be coextensive. As a result, the county board chairman will appoint a board of five commissioners for the forest preserve district with the advice and consent of the county board. 70 ILCS



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805/3a (West 2008), as amended by Public Act 96-239, effective August 11, 2009; 70 ILCS 805/14.1 (West 2008).

**Informal Opinion No. I-09-019
Issued October 29, 2009**

**Compatibility of Offices – Assistant
State’s Attorney and Township
Supervisor in Same County**

Because of a potential conflict in duties, the offices of Assistant State’s Attorney and township supervisor in the same county are incompatible. 55 ILCS 5/3-9005 (West 2008), as amended by Public Act 96-431, effective August 13, 2009; 55 ILCS 5/3-9006 (West

2008).

**Informal Opinion No. I-09-020
Issued November 5, 2009**

**Temporary Transfer of County Landfill
Fee Funds**

Because the monies generated pursuant to subsection 22.15(j) of the Illinois Environmental Protection Act and section 5-1047 of the Counties Code are not derived from a special levy, a county board may authorize the temporary transfer of idle monies collected pursuant to either of those sections to another county fund for the purpose of providing a down payment for the purchase or

construction of a new courthouse, provided the borrowing fund has sufficient income to repay the amount borrowed, and the borrowed monies are returned within the same fiscal year. With regard to the procedures to be followed to effectuate a temporary transfer of monies, there are generally no additional formalities or procedures, other than county board approval and compliance with the Open Meetings Act, that must be satisfied to effectuate the temporary transfer of monies between county funds. 55 ILCS 5/5-1047 (West 2008); 415 ILCS 5/22.15(j) (West 2008). ■

Save the Date!

Key Issues in Local Government Law: A Look at FOIA, OMA, Election Communications and Attorney Conflicts

Sponsored by the ISBA Standing Committee on Government Lawyers
and Local Government Law Section

**Springfield
April 8, 2010**

**Illinois National Bank Building
307 E. Jackson
12:25 - 4:30 p.m.**

Chicago

April 29, 2010

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20 S. Clark Street, Suite 900
12:25 - 4:30 p.m.**

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This half-day seminar covers three areas of interest and relevance for attorneys who represent local governmental bodies: sunshine laws, elections, and attorney conflicts! The first segment provides an overview and legislative update on the Open Meetings Act and Freedom of Information Act, as well as a close examination of the implementation reality for these two statutes. The second segment focuses on electioneering, prohibited political activity, local political committee status, and the Campaign Finance Act. The final segment examines the ethical issues an attorney must consider when representing governmental bodies, especially in light of the recently amended Rules of Professional Conduct. This program is designed for government lawyers and other attorneys who represent cities, villages, municipalities, townships, schools and special districts with all levels of practice experience.

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