



SENIOR LAWYERS

The newsletter of the Illinois State Bar Association's Senior Lawyers Section

Chairman's letter

By John J. Horeled

Welcome to the inaugural newsletter under the tutelage of Editor John Maville. The mission of our section council is to provide programming and benefits to our members.

Our focus will be on educating our members in areas of law critical to seniors, planning prac-

tice transitions to full or partial retirement, updating technology skills and providing information on retirement planning.

Any suggestions from our members are encouraged. ■

John J. Horeled

Protecting the assets of a retiring attorney

By Gary T. Rafool

Introduction

Having practiced bankruptcy law in the Central District of Illinois for over 46 years, and being a Chapter 7 bankruptcy trustee since 1995, a few observations and suggestions might be in order for any attorney contemplating retirement and supplementing one's retirement income with a business venture.

No one actually enters into a business with the intent of having it go bankrupt or of having to file a personal bankruptcy because of co-signed or personally guaranteed debt. However, it is becoming terrifyingly more common to see situations where an attorney retires from a successful legal practice or career, and then finds that playing golf, fishing, sailing, skiing or even traveling does not make good use of his/her business and other skills acquired from their years of practicing law.

This restlessness can become compounded if the retiring attorney is still physically and mentally healthy. It even becomes more tempting if he/she is approached by a child, relative or former client to get into an "exciting" and "potentially profitable" business venture with them.

You can rest assured that any such business venture undertaken will require the personal guaranty of the retiring attorney for any credit

line obtained by the business. Also, you can safely bet that the attorney will, in all likelihood, do due diligence of the finances of an existing business, or scrutinize a business plan of a startup business utilizing not only his/her legal skills and experience, but also the skills and advice of accountants, business or transactional attorneys, bankers and even insurance agents. Rarely, if ever, will such a scenario include the services of an experienced bankruptcy attorney.

Although great amounts of time and money are spent on income tax and estate planning, it is highly unlikely that any thought is given to what is sometimes referred to as "bankruptcy planning." At one time, it was even thought to be collusive to do any type of bankruptcy planning with a bankruptcy attorney; however, if no fraud, hidden assets or false statements are being planned or recommended, it should be perfectly alright to discuss, preferably before getting into a financial bind, as to what personal assets are protected against claims of creditors and/or bankruptcy trustees.

The Bankruptcy Code

On October 1, 1979, the present Bankruptcy Code became effective. Over the following years

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Protecting the assets of a retiring attorney

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it was considered by some as greatly weighted in favor of debtors, and that it encouraged their abuse of the bankruptcy system with multiple filings and liberal court interpretations making it more remedial than what some considered was intended by Congress.

Title 11 of the United States Code is the bankruptcy section and, originally Section 522 of Title 11 gave, for its time, liberal exemptions to individual debtors in bankruptcy. As a result, many states, including Illinois, opted out of the federal exemptions in favor of the State's statutory exemptions. This occurred in Illinois in the very early 1980s, because it was permitted by Congress when it enacted the Bankruptcy Code.

Thus, the exemption provisions of Section 522 of Title 11 has very little, if any, direct effect in Illinois.

After many complaints and examples of abuse given by credit card companies, banks and other creditors, Congress drastically amended the Bankruptcy Code, effective October 17, 2005, in an effort to lessen its abuse by debtors and their attorneys.

While these changes did limit the so-called "business as usual" bankruptcy filings by debtors, they did not eliminate the right to file bankruptcy. There are several changes that were intended to lessen these conceived abuses, which are beyond the scope of this discussion. Suffice it to say that personal bankruptcy filings have gradually increased since late 2005 to the point where they are now approaching the number of filings, at least in the Central District of Illinois, that existed before the amendments became effective.

As with every individual bankruptcy filing, debtors are permitted to claim certain amounts of their unencumbered assets as exempt from the claims of creditors and bankruptcy trustees. These exemptions can also extend to substantial equity in a debtor's homestead, vehicle, and certain encumbered personal property used primarily for personal (and not business) use.

Illinois exemptions

As stated earlier, Illinois, since the early 1980s, has allowed an individual debtor, even one in bankruptcy, to use only its exemption statutes.

On January 1, 2006, Illinois doubled its allowed exemptions for individual debtors.

These exemptions apply not only to bankruptcy debtors, but to judgment debtors outside of bankruptcy as well.

These allowed exemptions are found in 735 ILCS 5/12-901 with respect to a debtor's homestead, 735 ILCS 5/12-1001 with respect to personal property, and 735 ILCS 5/12-1006 with respect to retirement plans, as well as 215 ILCS 5/238 with respect to cash values and proceeds of life insurance, endowments and annuity contracts payable to a spouse and/or dependent(s).

Certain commonly used exemptions in Illinois are herein summarized as follows:

- A. Up to \$15,000 per debtor, but no more than \$30,000, in the debtor's homestead, which means up to \$30,000 for a husband and wife who are joint owners, per the deed, of their home (735 ILCS 5/12-901). Pursuant to 735 ILCS 5/12-902, a surviving or deserted spouse of a jointly owned homestead would be entitled to up to a \$30,000 exemption. Of course, if a joint owner is not a judgment debtor, or does not join in a bankruptcy filing, his/her equity in the homestead is not affected;
- B. With respect to personal property used for personal, rather than business use, the following commonly used individual exemptions are highlighted pursuant to 735 ILCS 5/12-1001:
 1. Up to \$2,400 in value in any one motor vehicle;
 2. Up to \$1,500 in value in tools of debtor's trade or business, including professional books;
 3. All social security, unemployment, public assistance and veteran's benefits;
 4. All maintenance and support;
 5. Up to \$15,000 in personal injury awards;
 6. Life insurance proceeds payable on the death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor or of a dependent of the debtor;
 7. Up to \$4,000 in value of all other personal property owned by the debtor, including, but not limited to, furniture, bank accounts, stocks, mutual funds which are not an IRA or a 401(k), income tax refunds, divorce property

settlements, and inheritances which were vested either before the bankruptcy filing or within 180 days after the bankruptcy filing.

- C. In addition, 735 ILCS 5/12-1006 exempts all retirement plans of an individual debtor, including voluntary plans such as an IRA or a 401(k) as long as they were established in good faith;
- D. The last two paragraphs of this personal property exemption should be read carefully, because it infers that if non-exempt property is converted to exempt property under Section 5/12-1001 or in fraud of creditors, that property will not be considered exempt, and that exempt property acquired within six months of the filing of a bankruptcy should be presumed to have been acquired in contemplation of bankruptcy; and
- E. 215 ILCS 5/238 exempts all death benefits and cash values of life insurance and endowment policies and annuity contracts payable to a spouse of the insured and/or to a dependant of the insured.

Finally, it should be noted that tenancy by the entirety was re-established in Illinois during the early 1990s, and it is an excellent means of insulating a debtor and his/her spouse's homestead if a creditor is attempting to collect against a debtor's homestead.

Obviously, if both spouses are obligated on a particular debt, or if they both file a bankruptcy, the tenancy by the entirety will not offer much protection for their home, except as provided by the above described homestead exemption.

Tenants by the entirety can only be created at this time in favor of a husband and a wife and only with respect to their one and only homestead, and it is suggested that the deed creating this type of tenancy specifically refers to the grantees as husband and wife, as tenants by the entirety, and not as joint tenants and not as tenants in common. It is further suggested that this wording should be used whether the deed is from a "straw man" or from the husband and wife conveying in each of his and her own right and as spouse of the other to themselves as tenants by the entirety. It would, of course, be very premature to speculate what standing, if any, the recognition of civil unions in Illinois will have with respect to creating tenants by en-

tirety on and after the effective date of this new law.

Having said all of this, and by way of caution, it is suggested that 735 ILCS 5/12-112 be reviewed before setting up a tenancy by the entirety because it allows a piercing of the tenancy by the entirety if it was created to avoid debts existing at the time of setting it up.

Also, the Illinois Fraudulent Transfer Act (740 ILCS 160/1 through 160/12) should be studied because there appears to be a four year statute of limitations created for bringing actions to void any conveyance determined to be fraudulent pursuant to Sections 160/5 and 160/6 of this Act.

In addition, Section 548 of the Bankruptcy Code (11 U.S.C. 548) has a look back of two years with respect to transfers made prior to bankruptcy which were either fraudulent or without adequate consideration.

Consequently, any transfers into a tenancy by the entirety would be subject to scrutiny by creditors and a bankruptcy trustee if it were made within four years before the bankruptcy or within four years after an obligation was incurred.

Protection of assets

Having given the above statutory outline of certain exemptions allowed individual debtors in Illinois, either in or outside of bankruptcy, this discussion will now focus on what can be done to preserve assets of a retiring individual contemplating investing and/or participating in an existing or a startup business.

It is highly recommended that the following be done as soon as possible so as to start the clock on the four-year look back on transfers:

- A. If married and if the marital home is not in tenancy by the entirety, transfer it into a tenancy by the entirety, particularly if only one of the owners is to be involved in the business (this is also recommended even if both spouses are involved in the business);
- B. Check all vehicle titles to make sure the ones owned free and clear or in which there is substantial equity are put into joint ownership so as to maximize the \$2,400 vehicle exemption per owner, or, if one debtor owns several vehicles in his/her sole name, transfer the title to one of the vehicles to the other person;
- C. Review all whole life insurance policies, endowments and annuity contracts to make sure a spouse and/or dependent

is/are named beneficiaries, even if the spouse is subject to being a co-debtor in a bankruptcy. There is Bankruptcy Court authority in the Peoria Division of the Central District which allows a debtor to change beneficiaries to a spouse and/or dependent even within the two year and four year look back periods.

- D. Make timely 401(k) and/or IRA contributions keeping in mind that 2010 contributions, for example, can be made on or before April 15, 2011, and that 2011 contributions can also be made anytime during 2011, and until April 16, 2012;
- E. If a homestead is sold but a new home has not been purchased, segregate the net sale proceeds until a final decision has been made with respect to purchasing a new homestead, because 735 ILCS 5/12-906 allows up to \$15,000 per owner to remain exempt for one year after the proceeds are received, and if that amount is reinvested in a homestead during that year, this \$15,000 exemption will carry into the new homestead; and
- F. If a spouse is not going to be a principal or an active participant in the business, do not encourage him/her to co-sign or guarantee any debt of that business even if a lender requires it. In that case, a different lender should be sought or a decision should be made to avoid this business venture entirely.

Conclusion

While owning or investing in a new business is still the American dream, it can easily turn into a worst nightmare situation if, in addition to the usual due diligence expended, assets are not property protected. The protection of those assets should preferably start before financial difficulties arise so that maximum allowed exemptions are not challenged.

Obviously, what has been presented in the above discussion simply scratches the surface of this complex area of the law. It is not meant to be a substitute for sound business or bankruptcy advice, which, as we all should know, comes after presenting and discussing in detail all of the intricacies of a particular venture with an appropriate professional adviser. On the other hand, this discussion is meant to raise some cautionary red flags which should be carefully considered and weighed before entering into a new business after retiring from one's law practice. ■

SENIOR LAWYERS

Learn more about this section at
<<http://www.isba.org/sections/seniorlawyers>>.

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The articles in this newsletter are not intended to be used and may not be relied on for penalty avoidance.

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Senior lawyers at the Bar

By Leonard F. Amari

As we age, we are visited with things in our life that are not pleasant—the sore knees, the fading memory, and for many of us, the loss of hair, etc. With the baggage that comes with aging, we should be entitled to some benefits. The organized bar does provide certain positive opportunities simply because of age. This article will discuss special provisions for senior lawyers within the Illinois State Bar Association, as well as accommodations on registration fees and dues with the Attorney Registration and Disciplinary Commission.

There are various categories of membership with the Illinois State Bar Association, all of which track the registration status a licensed attorney has with the Attorney Registration and Disciplinary Commission.

There are four ISBA membership categories that will most likely be of interest to senior lawyers and these categories are: Active members, privileged members, retired members, and inactive members.

Active members, pursuant to the by-laws of the ISBA [1.1 (a)], are members of the legal profession licensed to practice law, who either reside in the state or practice in the state.

Privileged members [1.1 (c)] are those who have paid dues to the ISBA continuously, without interruption, for 25 years and who have reached the age of 75 years.

Retired members [1.1 (d)] are those former active ISBA members of at least five consecutive years who have elected to be treated as retired status by the ARDC.

Inactive members [1.1 (e)] are former active members of at least two consecutive years who are designated as holding inactive status by the ARDC.

Active members, by definition, pay membership dues on a scale based on years in practice. For example, members in practice 20 or more years are currently set at \$320 per year.

Privileged members, respectfully to our senior status, pay no dues whatsoever and receive full membership privileges.

Retired members, excluding judges, law school faculty, and otherwise gainfully employed lawyers of the profession have an annual dues obligation of \$50.

Inactive members pay \$55 in dues.

Also, and because of the sensitivity of

the governance of the Illinois State Bar Association over the years towards senior counselors, lawyers in extremis, lawyers with handicaps and disabilities, etc., our wonderful state-wide bar association has a program dealing with dues reduction for senior lawyer ISBA members. This dues reduction program applies to all lawyers. The implementing resolution of the by-laws [A.5.] states as follows:

At the discretion of the executive director, a dues waiver may be granted for severe financial hardship upon verified written request by the member applicant satisfactorily providing the following information:

- (a) current financial status;
- (b) current state of health;
- (c) current employment status;
- (d) date of admission to the bar;
- (e) any other relevant material information.

If granted, the term of such dues waiver shall be for no more than one year at a time. A request for dues waiver may be renewed. Section fees may not be waived or reduced. Receipt of a waiver will have no effect on the recipient's eligibility to fully participate as an ISBA member. Any member granted a dues waiver will be provided with a certificate to attend up to three ISBA-sponsored Law Ed programs free of charge.

As to the registration fees with the Attorney Registration and Disciplinary Commission and relative to senior lawyers, the following should be enlightening:

Fees are excused for a lawyer who has reached age 75 at the start of the registration year (Supreme Court Rule 7569a)(3)).

Any attorney may elect inactive status or retirement status by written request to the ARDC. Attorneys on retirement status for the entire year pay no annual registration fee; similarly, attorneys on inactive status for the entire year pay a reduced \$105 annual fee, as opposed to the full \$289 fee. (Supreme Court Rule 756(a)(5)). Retired attorneys are relieved of the annual registration obligation; inactive status lawyers continue to register annually.

Attorneys on inactive or retired status may be exempt from MCLE requirements. (Supreme Court Rule 791(a & b)). Deferred MCLE

requirements may pertain upon resumption of active status. (Supreme Court Rule 791(e)). Contact the MCLE Board for more complete MCLE information.

Retired or inactive status attorneys may nonetheless provide pro bono services under defined prerequisites, which include delivery of services without charge under the auspices of a qualified sponsoring entity and compliance with its training requirements. (Supreme Court Rule 756(j)). ■

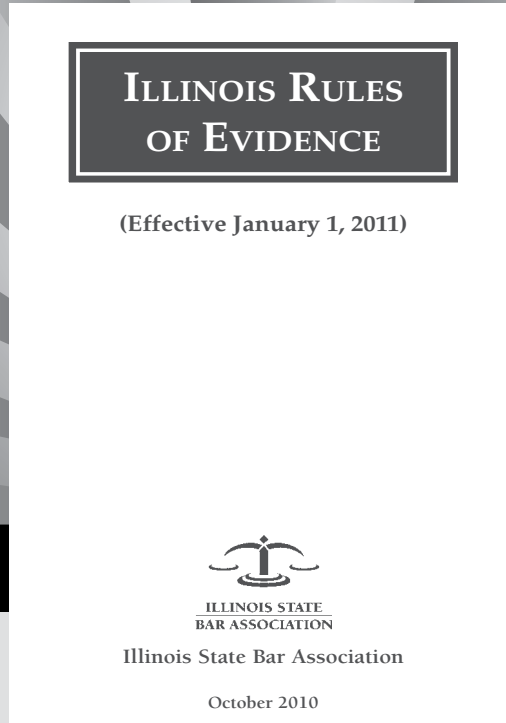
The basis of the information contained in this article was garnered from the ISBA, and more specifically, Melinda Bentley, First Assistant Counsel and Assistant Director of Legislative Affairs (and an extraordinary professional) and from Jerry Larkin, (a most competent) Administrator at the Attorney Registration and Disciplinary Commission. Both of these offices are available to answer questions of any lawyer, especially senior lawyers, with questions regarding his or her status and variables that are of interest to those of us long in the tooth.

Wondering whether a case has been covered in an ISBA newsletter? Just curious to see what's been published recently?

Check out the indexes of every article the ISBA has produced since 1993 at <www.isba.org/publications/sectionnewsletters>.

And if you want to order a copy of any article, just call or e-mail Janice Ishmael at 217-525-1760 (ext. 1456) or jishmael@isba.org

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American Bar Association Senior Lawyer Division

By Hon. Edward J. Schoenbaum, ALJ (retired) and Vice-chair ABA Senior Lawyer Division.

The ABA Senior Lawyers Division has a variety of resources for senior lawyers. Financial and retirement planning, pro bono opportunities, information regarding advance healthcare directives, senior housing options, and advice to help you in closing or selling your practice, among many other

subjects of importance to older lawyers, including tools for achieving work/life balance.

Check out our homepage, with links to Experience Magazine, Voice of Experience newsletter, and the monthly Elder Law E-news. The Division publishes many books to help with both personal planning and for use

with clients, including: The ABA Checklist for Family Heirs; ERISA and Employment Benefit Law: The Essentials; and Turning Points: New Paths and Second Careers for Lawyers. ■

For more information about the ABA Senior Lawyers Division go to http://www.americanbar.org/portals/senior_lawyers.html.

Seniors, don't sell your law practice. Have fun!

By John W. Damisch, Class of 1950.

Many bar publications, and even the Illinois Supreme Court Rules, have addressed the sale of law practices. This article reviews keeping your law practice alive and having some FUN. I will get back to the fun part.

The first advice to the class of 2011 is to marry the right person and have several children. One or more of your children will join your law practice after law school and a stint with a high volume public defender, states attorney or insurance defense firm. Your young lawyer will have had trial, jury, court and disappointment experience. Before we talk more about your children joining your law firm, make sure you are satisfied with your chosen career. Think back to your teenage years. When did you decide to become a lawyer?

I made the decision when I was a high school freshman. We were dairy farmers and we milked cows before and after school. A cow would switch its wet tail across your face, as you sat on a three legged stool listening to the Sears Silvertone radio. You would dream about a better career. Most of the Class of 1950 had difficult jobs and dreamed of a better life. My friend and co-worker, the late John Polales, drove a taxi cab. Polales kept a picture of himself, standing beside his cab, on his law office wall to remind him of his prior career. Think how much better the practice of law has been, over a career of milking cows or driving a cab.

As a high school freshman, my father had me attend a complete jury trial. It was a dramshop case tried at the Kane County Court House. The plaintiff's attorneys were

working on a contingent fee basis. The award was large enough that the plaintiff's attorneys would be able to buy two new Buicks. Trying a jury case beat milking cows and the goal of being a trial lawyer was born for me at that moment. Twenty-five years ago, my son Mark joined our law firm after being with the United States Attorney's and States Attorney's offices. There are dozens of Illinois law firms that have generational law practices. The lawyers in these offices have the pleasure of working with their children (and some with grandchildren) on a daily basis. This is the first and best reason not to sell your practice.

Even if you have no child to step into your office, working with young, recently admitted lawyers is fun, keeps you mentally active and is a personal pleasure. Because of your years of experience, the young lawyers come to you for your insight and advice. It is up to you to keep up on the law; read the daily ISBA clips, the Law Bulletin, newsletters and *Illinois Bar Journal* articles. Seldom does a week go by that there is not some article that directly affects a case in our office. The internet and ISBA discussion groups bring interaction on important (and sometimes not so important) current topics that relate to your law practice. To sell your practice and sit home is the biggest mistake of your life. Find some young people and keep working. If you cannot associate with a young lawyer, put your legal skills to work with CARPLS, Land of Lincoln, Prairie State or some other legal service organization.

Now for the fun part. With the keys to the corner office turned over to my son Mark,

my wife and I have time to spend on some fun things. Many of the articles directed at seniors deal with estate planning, tax avoidance, and ways to keep the government from sharing in your estate. Work on spending your money and having fun. Your children will not truly appreciate your sacrifices building up an estate. Your children will probably spend your estate foolishly as soon as you are gone. Consider the following instead:

Travel. You can go to Starved Rock or Ulan Bator. We chose Ulan Bator in a round the world trip—not with a tour group but on our own. The most fascinating part of the trip was from Beijing, China to Irkutsk, Siberia, Russia by train. It was not a fancy tourist train. On this trip, we bought our rail tickets at the ticket window in Beijing, and boarded the train with the locals. We took a suitcase half filled with food. Ulan Bator is in Mongolia and just about on the opposite side of the world from Illinois. The big cost of our trip was airfare from Chicago to Beijing and from Paris to Chicago. (If you go, take along a bike cable and lock so you can lock your compartment door at night).

If a trip around the world is not on your radar, go to countries where there is some unrest. Tourists avoid these places and you will have no trouble getting a hotel room and meals. The ISBA had a combination trip to Greece and Turkey some years ago. By the time the plane lifted off from O'Hare, half the ISBA travelers had cancelled because a war had erupted between Greece and Turkey. Many of the remaining passengers deplaned in Dubrovnik. My wife and I and two other couples went on to Athens and we had

Greece all to ourselves, free of tourists.

Traveling to eastern Europe (before the wall came down), Israel and South American countries, where there was unrest, left us with great memories and very little risk. Now tourists are avoiding Mexico. Ixtapa is free of gunfire and a condo there overlooking a Pacific sunset is a beautiful travel destination with perfect weather.

Rome is an historical as well a religious center. Of our five trips to Rome, the best was when we rented an apartment on the internet for two weeks. My wife gave me a book that listed 25 places not to miss in Rome. Every day we visited at least two sites until we had covered 24 of the 25 suggestions.

Our son (and my boss) Mark does charitable classic overseas concert tours every summer. We have followed him to Russia, Austria, France, Israel and other equally fascinating places. These tours, like ISBA trips, often have themes that add fun to the trip.

If the budget is limited, or you are determined to leave a few dollars for your children to share with the IRS, consider local travel. For many years, we have attended the ISBA meeting at Lake Geneva. We have camped with our Airstream at Big Foot State Park in Lake Geneva and traveled to Fontana for the ISBA meetings (and the cocktail receptions). This is an inexpensive and fun short holiday. For longer trips, we have gone with the Airstream on several Civil War tours and other camping trips throughout the United States. The people you meet, and the places you see, are fun and interesting.

Bar Association Activities. In the early years of practice, attention was directed at trying cases and paying bills. Little attention was given bar association activities except paying dues. One day Mark said he was going to run for the ISBA Assembly. Even though I had joined the ISBA on June 19, 1950, I had to ask: what is the Assembly? I decided to run against Mark for the Assembly. The loser had to buy lunch. Mark won by six votes and my interest in ISBA activities began. My regret is that I did not become involved much earlier in my career. I joined ISBA committees, wrote for newsletters, and even wrote some chapters for IICLE books. The highlight of my ISBA career was being chosen as a member of the Illinois Bar Foundation. The IBF supports dozens of charitable organizations that are related to the provision of legal services. We secured over \$200,000 from farm aid funds to be used for agriculturally-related legal services. We teamed with the University of Il-

linois and Land of Lincoln to continue to support the legal needs of farmers. Many statewide friendships were developed through the ISBA. It is part of the "fun" of the practice of law.

Other Interests. Having another interest, outside the field of law, will increase your life expectancy. Many lawyers have another hobby that takes their minds off the law. Illinois lawyers have as many outside interests as there are businesses in the Yellow Pages. My son Mark spends his time on charitable classic international piano concerts. My outside fun is farming. I am a grain farmer in Kane and DeKalb Counties. As a grain farmer, I buy seed, fertilizer and everything else needed for the crop. We plant, watch the grain market, forward sell, harvest and arrange to have the crop trucked to the elevator. All this activity keeps my wife and I on our toes. An operation this size may not be for every attorney, but a garden plot where you can raise everything from tomatoes to zucchini is a fun substitute that is good for the soul.

Support Your Law School. Northwestern Law School was good to me. When my GI Bill ended, Northwestern gave me the last semester of law school free. I have tried to pay it back. One of the fun "pay backs" is interviewing students and being a Moot Court judge.


A connection with your law school can provide great rewards. You can help the school and the students at the same time. For me this has been fun.

Writing. As time-consuming as it is, writing is "fun" in a different way. Once your topic is identified, it is up to you to develop your thesis in such a way that the reader will find your writing interesting and topical, and (sometimes) persuasive. As a senior in your law firm, you have more time to write an article for the *Journal*, a newsletter article, or a CLE chapter. You need not be Shakespeare to write. It does take time to do the research for any writing but, when the writing is finished and published, there is great personal pride in the publication. To see that writing in print with your by-line is "fun."

Each of you has a lot of miles left on your odometer. Do not sell your law practice. Those miles can be "fun." In my case, and probably yours, the practice of law has been a lot more fun than being hit in the face twice a day with a wet cow tail. ■

John Damisch is a 60-year member of the ISBA. He is an active lawyer as a principal with the law firm of Damisch & Damisch, Ltd., Chicago. He is a member of the Assembly; Agricultural and Senior Law Section Councils, and a past board member of the Illinois Bar Foundation. He is also an active grain farmer in northern Illinois.

Are you
CONCERNED
about a *Colleague?*



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Program

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Musings of an old country lawyer

By John H. Maville

I am as puzzled as the rest of you about my senior years in the practice of law. Because you are reading this newsletter and *participating*, I suspect you too have had my experience: I have enjoyed the practice of law. I don't want to give it up! On the other hand, I am a little envious of my brethren (sisteren?) who have given it up, wholly or partially, and have leisure time on their hands.

If you are ready to give it up entirely, more power to you. Do it. Move to a warmer climate. Take up golf, or gardening, or volunteering, or reading (or writing), or the Internet. (That does sound good!)

But if you're not ready to give it up entirely, what can you do? I'm going to try this: I'm going to take off another afternoon (I already take Thursday afternoons off). I'll have to look at the court schedule and see what works best for what I do (Tuesdays look good!). I'm not giving up Saturday mornings

(it's the only time I can get big projects done). I may even try going home earlier in the afternoon, particularly in the nice weather. My golf game could use it and I'm just not as effective as I used to be as the day goes on. My friend Curt told me that was true of him too.

I've never been good about taking vacations (the "amen" was from my wife) but long weekends seem pretty appealing. They even publish a magazine to inspire you, called (not surprisingly) Long Weekends. I believe it is published several times a year by Great Lakes Publishing. It provides you with a calendar of events in the Great Lakes and Ohio River Valley area, complete with maps, photographs and motivating articles. Buy it; perhaps you will be inspired. Midwest Living (also a magazine) also regularly features great destinations in the Midwest (I'm not much of a flyer either).

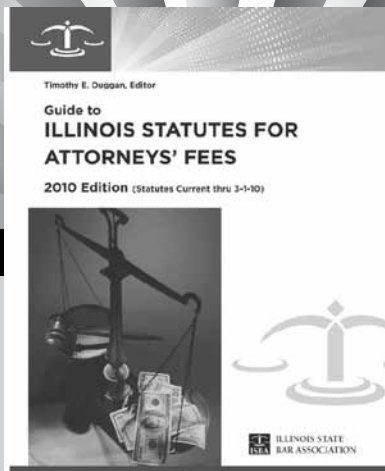
Admittedly, it's hard to get from the "I'm

going to try" to the doing. I know from experience that I have to tell my secretary to mark the time off (no exceptions) and don't even ask me if I'm willing to make an exception for my wealthiest client. Don't even tell me about the call. It's easier if you do actually schedule something, a tee time, lunch with your wife or girlfriend (never both), or a movie. Speaking of movies, have you seen "RED"? Cindy and I saw it in the theater and both enjoyed it a lot. It's a story about retired spies (retired—extremely dangerous) and we thought it was great fun. (It's worth the price of admission just to see Helen Mirren (Queen Elizabeth) operating a .50 caliber machine gun (I don't want to get calls from you people who know these things telling me that it wasn't a .50 caliber machine gun)). I think it's no longer in theaters but it should be available as a DVD.

Make a resolution. Begin—the rest comes easy. ■

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Upcoming CLE programs

July

Wednesday, 7/6/11- Webinar—Conducting Legal Research on FastCase. Presented by the Illinois State Bar Association. 12-1.

Thursday, 7/7/11- Teleseminar—MD & DDS Practice Update, Part 1. Presented by the Illinois State Bar Association. 12-1.

Friday, 7/8/11- Teleseminar—MD & DDS Practice Update, Part 2. Presented by the Illinois State Bar Association. 12-1.

Tuesday, 7/12/11- Teleseminar—Employment and Labor Issues for Nonprofits. Presented by the Illinois State Bar Association. 12-1.

Thursday, 7/14/11- Teleseminar—Attorney Ethics in Advertising in a Digital Age. Presented by the Illinois State Bar Association. 12-1.

Tuesday, 7/19/11- Teleseminar—Estate Planning for Real Estate, Part 1. Presented by the Illinois State Bar Association. 12-1.

Friday, 7/20/11- Teleseminar—Estate Planning for Real Estate, Part 2. Presented by the Illinois State Bar Association. 12-1.

Wednesday, 7/20/11- Webinar—Conducting Legal Research on FastCase. Presented by the Illinois State Bar Association. 12-1.

Thursday, 7/28/11- Teleseminar—Tax Planning Issues in Divorce. Presented by the Illinois State Bar Association. 12-1.

August

Tuesday, 8/9/11- Teleseminar—Business Torts, Part 1. Presented by the Illinois State Bar Association. 12-1.

Wednesday, 8/10/11- Teleseminar—Business Torts, Part 2. Presented by the Illinois State Bar Association. 12-1.

Tuesday, 8/23/11- Teleseminar—Drafting Employee Handbooks. Presented by the Illinois State Bar Association. 12-1.

Tuesday, 8/30/11- Teleseminar—Buying, Selling & Exchanging LLC and Partnership Interests. Presented by the Illinois State Bar Association. 12-1.

September

Tuesday, 9/6/11- Teleseminar—Social

Media Issues and Employer Liability in the Workplace. Presented by the Illinois State Bar Association. 12-1.

Tuesday, 9/13/11- Teleseminar—Joint Venture Agreements in Business, Part 1. Presented by the Illinois State Bar Association. 12-1.

Wednesday, 9/14/11- Teleseminar—Joint Venture Agreements in Business, Part 2. Presented by the Illinois State Bar Association. 12-1.

Friday, 9/16/11- Webcast—ThaIP 101: An Intellectual Property Primer for In-House Attorneys. Presented by the ISBA Corporate Law Section. 12-2.

Friday, 9/16/11- Galena, Eagle Ridge Resort and Spa—Hot Topics in Consumer Collection. Presented by the ISBA Commercial Banking, Collections and Bankruptcy Section; co-sponsored by the ISBA Young Lawyers Division. 8:45-4:30.

Tuesday, 9/20/11- Teleseminar—Franchise Law: What You Need to Know Before Your Client Buys. Presented by the Illinois State Bar Association. 12-1.

Thursday, 9/22/11- Teleseminar—Generation Transfer Tax Planning. Presented by the Illinois State Bar Association. 12-1.

Friday, 9/23/11- Fairview Heights, Four Points Sheraton—Current DUI, Traffic and Secretary of State Related Issues- Fall 2011. Presented by the ISBA Traffic Laws/Courts Section. 9-4.

Tuesday, 9/27/11- Teleseminar—Metadata: The Hidden Digital World of Client Files in Litigation. Presented by the Illinois State Bar Association. 12-1.

October

Tuesday, 10/4/11- Teleseminar—Fixing Broken Trusts. Presented by the Illinois State Bar Association. 12-1.

Thursday, 10/6/11- Teleseminar—Environmental Liability in Real Estate Transactions. Presented by the Illinois State Bar Association. 12-1.

Tuesday, 10/11/11- Teleseminar—Drafting LLC Operating Agreements, Part 1.

Presented by the Illinois State Bar Association. 12-1.

Wednesday, 10/12/11- Teleseminar—Drafting LLC Operating Agreements, Part 2. Presented by the Illinois State Bar Association. 12-1.

Friday, 10/14/11- Springfield, INB Conference Center—Divorce Basics for Pro Bono Attorneys. Presented by the ISBA Delivery of Legal Services Council. 1:00-4:45.

Friday, 10/14/11- Chicago, ISBA Chicago Regional Office—Family Law Nuts and Bolts Chicago 2011. Presented by the ISBA Family Law Section. 8-5.

Monday, 10/17/11- Chicago, ISBA Chicago Regional Office—Hot Topics in Consumer Collection. Presented by the ISBA Commercial Banking, Collections and Bankruptcy Section; co-sponsored by the ISBA Young Lawyers Division. 8:45-4:30.

Tuesday, 10/18/11- Teleseminar—2011 Americans With Disabilities Act Update. Presented by the Illinois State Bar Association. 12-1.

Thursday, 10/20/11- Chicago, ISBA Chicago Regional Office—The IMDMA and the Welfare of Pets. Presented by the ISBA Animal Law Section; co-sponsored by the ISBA Family Law Section and the ISBA Human Rights Section. 1:00-4:30 p.m.

Thursday, 10/20/11- Live Webcast—The IMDMA and the Welfare of Pets. Presented by the ISBA Animal Law Section; co-sponsored by the ISBA Family Law Section and the ISBA Human Rights Section. 1:00-4:30 p.m.

Friday, 10/21/11- Chicago, ISBA Chicago Regional Office—Pre-Trial Considerations. Presented by the ISBA Tort Law Section. TBD.

Monday, 10/24/11-Friday, 10/28/11- Chicago, ISBA Chicago Regional Office—40-Hour Mediation/Arbitration Training. Presented by the Illinois State Bar Association. 8-5 daily.

Tuesday, 10/25/11- Teleseminar—Corporate Governance for Nonprofit Organization. Presented by the Illinois State Bar Association. 12-1.

Thursday, 10/27- Saturday, 10/29/11- Springfield, Hilton Hotel—7th Annual Solo & Small Firm Conference. Presented by the Illinois State Bar Association. TBD.

Monday, 10/31/11- Chicago, ISBA Chicago Regional Office—Environmental Law for Non-Environmental Lawyers—Session 1: Permitting and Due Diligence Issues (STUDIO TAPING- DNP). Presented by the ISBA Environmental Law Section. 9:30-11:30.

November

Tuesday, 11/1/11- Teleseminar—Middle Market M&A, Part 1. Presented by the Illinois State Bar Association. 12-1.

Wednesday, 11/2/11- Teleseminar—Middle Market M&A, Part 2. Presented by the Illinois State Bar Association. 12-1.

Friday, 11/4/11- Chicago, ISBA Chicago Regional Office—2011 Fed Tax Conference. Presented by the ISBA Federal Taxation Section. TBD.

Tuesday, 11/8/11- Teleseminar—Title Insurance in Real Estate. Presented by the Illinois State Bar Association. 12-1.

Thursday, 11/10/11- Teleseminar—Ethics of Working with Experts. Presented by the

Illinois State Bar Association. 12-1.

Tuesday, 11/15/11- Teleseminar—UCC Article 9/Foreclosure of Personal Property Part 1. Presented by the Illinois State Bar Association. 12-1.

Wednesday, 11/16/11- Teleseminar—UCC Article 9/Foreclosure of Personal Property Part 2. Presented by the Illinois State Bar Association. 12-1.

Tuesday, 11/22/11- Teleseminar—Estate Planning for Farms and Ranchland. Presented by the Illinois State Bar Association. 12-1.

Tuesday, 11/29/11- Teleseminar—Trust Alternatives. Presented by the Illinois State Bar Association. 12-1.

Wednesday, 11/30/11- Teleseminar—Employment Tax Planning Across Entities. Presented by the Illinois State Bar Association. 12-1.

December

Thursday, 12/1/11- Teleseminar—Business Planning with S Corps, Part 1. Presented by the Illinois State Bar Association. 12-1.

Friday, 12/2/11- Teleseminar—Business

Planning with S Corps, Part 2. Presented by the Illinois State Bar Association. 12-1.

Friday, 12/2/11- Chicago, ISBA Chicago Regional Office—Motion Practice- From Pleadings through Post-Trial. Presented by the ISBA Civil Practice & Procedure Section. 8:50-2:15.

Thursday, 12/6/11- Teleseminar—Estate Planning for Retirement Benefits. Presented by the Illinois State Bar Association. 12-1.

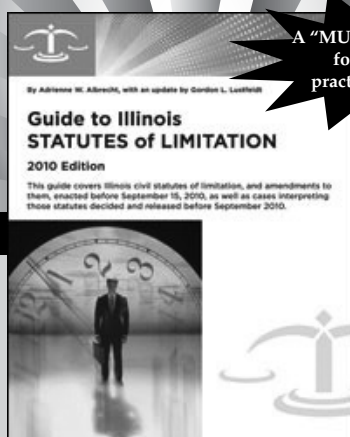
Tuesday, 12/13/11- Teleseminar—Individual Liability for Corporate Obligations: Piercing the Corporate Veil. Presented by the Illinois State Bar Association. 12-1.

Thursday, 12/15/11- Teleseminar—UCC Issues in Real Estate Transactions. Presented by the Illinois State Bar Association. 12-1.

Tuesday, 12/20/11- Teleseminar—Asset Protection Strategies for Real Estate. Presented by the Illinois State Bar Association. 12-1.

Wednesday, 12/21/11- Teleseminar—Tax Efficient Methods of Getting Money out of a Business. Presented by the Illinois State Bar Association. 12-1. ■

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