

# Senior Lawyers

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

## Chair's column

BY HON. EDWARD J. SCHOENBAUM

We hope you enjoy this newsletter for experienced senior lawyers. We encourage our readers to become writers to share your experiences with other seniors. We learn so much from each other.

I want to start by asking you to do what John Damisch shared in his short article on "HOW TO STAY YOUNG." On March 10, 2016, his 90th birthday, he went skiing in Telluride, Colorado. (See picture on page 8).

This issue again has another excellent technology article by John T. Phipps, "IPAD PRO – EXPENSIVE BUT WORTH IT IF IT MEETS YOUR NEEDS!" The iPad Pro 12.9 that came out at the end of last

year has a number of advantages but some disadvantages. John does his usual great job of writing about technology. He covers the pros and cons of the new iPad Pros.

Don Mateer has also written another excellent article on technology. His article "TECH TIPS" shares his recent experience with two PC computer crashes. His laptop became infected due to a lapse of protective software and his desktop became corrupted to the point of no return. There was a solution.

In "ANOTHER FAVORITE APP" Bill Austin quotes from *PC Magazine*, in a February 9, 2016 article, "The Best

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## IPad Pro – expensive but worth it if it meets your needs!

BY JOHN T. PHIPPS

The iPad Pro 12.9 that came out at the end of last year has a number of advantages but some disadvantages. Its size can be either an advantage or a disadvantage depending on what you need. Because of its size issues, it becomes a specific choice based on what the iPad Pro can and can't do for you. They have just released the iPad Pro 9.7, which is essentially a smaller version and is

the same size as the iPad Air 2. It is my understanding from most of the comments about both-sized versions that other than the size-related comments I'm making, comments regarding the iPad Pro 12.9 will also apply to the smaller iPad Pro 9.7.

The pros for the iPad Pro 12.9 larger size are as follows:

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## Chair's column

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Password Managers for 2016,” where the author says “[...]reating one strong password that you can remember is hard enough; doing it for every website is just about impossible—unless you use a password manager...” Bill writes an excellent article on LastPass 4.0 Premium, a password management app or browser plug-in. With a password manager, you reduce the number of passwords that you need to remember to just one, which is the password for the app itself.

Mike Maslanka wrote a very interesting article: “IT DOESN’T HURT TO ASK, AND IT MAY HURT NOT TO ASK!” A client taking care of his father received two separate premium notices from a national health insurer with different amounts. The client contacted and asked the insurer about the different amounts and was told a mistake had been made and, unfortunately, the higher premium was correct. What would you do? Read Mike’s article for his suggestion.

Gary Rafool has done another excellent book review. *Schwerpunkt: From D-Day to the Fall of the Third Reich*, available in soft cover (341 pages) and electronically, was written by Susan Gunty, who practices law in Chicago. She is a World War II historian

and wrote this historical novel in 2015. Gary’s book review is fascinating and you will be surprised at many of the details.

John Damisch completes a double header with his book review of *Operation Graylord*, co-authored by one of the lawyers who worked with the FBI on the operation. John’s perspective, that of a lawyer who was practicing law in Cook County during that period (but never in traffic or criminal court he is quick to point out) is equally fascinating.

I also want to highlight an article I read this morning by Rebecca Love Kourlis, a former justice of the Colorado Supreme Court, who is now executive director of the Institute for the Advancement of the American Legal System. 10 ways to reform the civil justice system by changing the culture of the courts. <[http://maestro.abanet.org/trk/click?ref=zpqr74vj\\_4-2b006x335258x0127179&>](http://maestro.abanet.org/trk/click?ref=zpqr74vj_4-2b006x335258x0127179&>). She suggests that “culture is the collation of individual choices of members of the group. To that end, challenge yourselves to make different choices—and to change the culture.” I hope many of you will read her brief “10 Ways to Reform . . .” It also has a link to a larger article that you will learn a lot from: “Change the Culture, Change the System.” ■

## Senior Lawyers

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## iPad Pro – expensive but worth it if it meets your needs!

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1. The larger screen size makes e-edition versions of actual newspapers easy to read. The e-editions have the same format as the actual newspaper with some reading enhancements depending on the paper. I take the *Chicago Tribune*, *USA Today* and the Champaign Urbana's *News-Gazette* in the electronic versions (e-Editions). With the larger size display, these newspapers are easy to read on the larger iPad Pro. Because of the high quality display, the type is clear and the pictures are excellent. It is almost like reading a tabloid edition of the actual paper. This is an advantage to senior lawyers and others with vision problems.
  2. The camera is improved and the quality of the pictures on the iPad Pro are extremely clear and very striking. From what I can see of the smaller 9.7 version, the quality of the pictures may be even better. The larger size and weight does sometimes make taking pictures a challenge.
  3. The larger iPad Pro is the size of a full sheet of paper, which allows you to edit a document right on the screen using apps such as *Dropbox* and *Annotate* and the new iPad Pro pencil. I have my assistant email me documents. I edit them and email them back with the edits. This really works well as I like to be able to look at the actual page when making edits.
  4. If you turn the iPad Pro 12.9 to the landscape view (on the side), there is an e-mail strip on the left side that displays an email index and the actual email is open and displayed in the adjoining larger side. Both are much easier to read than with the smaller iPads. I also have the iPad Pro keyboard. I can open the iPad in the morning at the coffee shop and go through and reply to all my emails very quickly. As a result, I start the day before I get to the office. When I get to the office, all my e-mails are already caught up. This can also be done with the other iPads but the larger display coupled with the iPad Pro keyboard really works well. They keyboard is an add-on which costs about \$169 and is magnetically attached to the iPad. There are other keyboards besides the Apple one but the iPad Pro 12.9 version keyboard works well because it is close to normal keyboard size. I like the feel of the keys and always having the keyboard with me.
  5. The streaming video is really good. It is fast. If you watch movies or want to watch sports or want to do split screen to watch two different games at the same time, you can do so with the iPad Pro 12.9. This gives you the portability to watch games, CLE, TV and movies wherever you are on the streaming basis. I watch CLE on mine while I'm working out. I also like the larger screen when looking at PowerPoint or other displayed materials with the CLE.
  6. The iPad Pro pencil is easy to use and works very well for editing documents and making diagrams or drawing. It is the best editing tool I have found. It charges easily by plugging it into the charging port of the iPad Pro and charging it on the iPad. It only takes a matter of minutes to recharge the pencil. The iPad Pro also pops up a notice when the charge on the pencil is low. The pencil sells on [www.apple.com](http://www.apple.com) for \$99.
  7. I got the Apple iPad Pro keyboard that attaches magnetically to the iPad. I also have the Apple back on the iPad to protect the iPad from external damage. I did not have much luck with keyboards on the other smaller iPads. They were smaller and made the iPad bulky. Standalone keyboards were worse because they were separate. The iPad Pro 12.9 keyboard fixes this problem. It is close to full size and works very well for me. It is probably the best keyboard that I've seen for the iPad. It is relatively lightweight and always with the iPad. I use the new Apple attached keyboard a lot, particularly in responding to emails. It sells on [www.apple.com](http://www.apple.com) for \$169.
  8. The sound on the iPad Pro is great. There are four speakers so the iPad Pro probably has the best sound of any portable tablet-type device. I have played classical music which sounds great. The sound using the various music and sports radio apps is also excellent.
  9. The battery life, even using streaming video, seems to be very good. I have not had any problems with the battery running down during my daily use even when I stream videos quite a bit. However, I suggest that if you're going to watch streaming for an extended time, it is probably best to plug the iPad Pro into a power source.
  10. I have both the WiFi and 4G on my iPad Pro because I don't always have access to WiFi. I have used the iPad Pro in all kinds of environments and find it has worked everywhere I have tried. This is helpful because a number of courthouses and other places I go to don't have Wi-Fi. The 4G works to give me access to WestLaw, Fastcase and my calendars and emails wherever I am.
- The **cons** for the iPad Pro 12.9 larger size are as follows:
1. Not all features of the larger size iPad Pro 12.9 are helpful. There are some drawbacks with the size and weight. These larger size-related issues should be considered if you are choosing between the iPad Pro 12.9 and the iPad Pro 9.7.
  2. The larger size is cumbersome and somewhat heavy, especially with the addition of the keyboard with the Apple back protection. It is also hard to hold because of the weight and balance issues. This is a problem if you are in a hearing and trying to take notes or docket calendar times, etc. The smaller iPads work better in a courtroom environment. As a result, I continue to

use my iPad Air 2 when I am in court to check the court schedules or keep track of my calendar, or do quick research. The smaller iPad is lighter and easier to use and not so cumbersome. The new iPad Pro 9.7 smaller edition solves this problem. I am considering purchasing one for that purpose but the expense is such that I'm not sure I can justify the cost of upgrading to the iPad Pro 9.7 at this point in addition to having the larger 12.9 version. The larger version clearly meets the needs I bought it for so that purchase was justified.

3. The iPad Pro can get heavy and get in the way. I tend to use it when I have a table or desk available to help support it. Also, when I use it with the keyboard, the cover holds the display up similar to a laptop.
4. The iPad Pro's larger display can tend to make books and smaller documents larger and more difficult to read because of the larger-size print. It helps to be on landscape, which provides a two-page per screen view. But, even those are sometimes large and slow down reading. I like reading on the iPads but I prefer reading books on the smaller iPad because the size is such that I can read faster. If you have vision problems, the

larger size will most certainly be helpful. However, bar journals and magazines can be read much more quickly on an iPad Pro 12.9 than in the print edition because they are the same size and you can scroll them.

5. The iPad Pro 12.9 size is so large that it may not always fit conveniently in all briefcases or carrying cases.
6. The problem with the pencil is there's no clip so you can't clip it in your shirt pocket and it's really too long to conveniently do so. The cap on the end is detachable and you have to be careful that you don't lose it. There is no way to attach the pencil to the iPad Pro. However, if you have the keyboard, there's a magnetic place that will hold the cap on the keyboard while you are charging the pencil. I carry my pencil in my briefcase and that works for me.

The iPad Pro 12.9 and iPad Pro 9.7 are both very expensive. If you are using either for business and can write off the cost, that is helpful. I like my iPad Pro 12.9 and find it meets my needs very well. I especially like large size documents. I go to meetings which have sizable agenda books emailed to me. With the iPad Pro 12.9, I can go through a lot of documents very quickly and annotate them with my iPad pencil. It

is much easier and quicker to go through several hundred pages on the iPad Pro than paper versions. Then, when I go to meetings, the iPad Pro has a good battery life and stays on longer than the older versions. Battery life is much better than on previous iPads I have.

As I indicated above, I am considering the smaller iPad Pro to replace my iPad Air 2. I'm debating the cost versus the increased speed and usability in courthouses. I'm not sure whether I want to act now or wait and see what comes out in the fall. Another option is to upgrade my laptop. It appears that the iPad Pro 9.7 small version is going to be with us for a while and it is a very good option. If you can use the advantages, the iPad Pro 12.9 is a very good option. They say size matters. With the iPad Pro, you have two good options depending on which size works best for you. ■

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John T. Phipps is engaged in the general practice of law in Champaign, IL as John T. Phipps Law Offices, P.C. His primary emphasis is in the areas of family law, general civil litigation, real estate, probate and business law. He is the immediate past chair of the Senior Lawyers Section Council. He is a former chair of the ISBA General Practice, Solo and Small Firm Section Council, Co-Editor of the Section's newsletter and has been a member of the ISBA Assembly.

## It doesn't hurt to ask, and it may hurt not to ask!

BY MIKE MASLANKA

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**In a recent case, a client taking care of his father** and his father's medical and financial affairs, received two separate premium notices from a national health insurer with different amounts. Upon contacting and asking the insurer, the client was advised that a mistake had been made and, unfortunately, the higher premium was the correct amount to be paid. The difference between the two premium amounts invoiced was not much, and the caregiver could have simply saved the time and effort and paid the higher premium and

forgotten about the matter. That course of action, however, would not have been appropriate for the caregiver, who has a fiduciary duty under a power of attorney to act in the principal's best interests. Here, the lower premium amount could have been the correct amount, and simply sending in the higher premium just to avoid some inconvenience may have seemed harmless enough, but it is the principal's money and not the agent's money that is being spent. The caregiver did the right thing.

Not scrutinizing a principal's bills and

financial affairs can lead to problems. Caregivers and agents should not summarily pay bills without reading them and perhaps questioning them from time to time. As was seen in this case, which occurred in January 2016, even big insurance companies make a mistake from time to time. Finally, it should be noted that some insurance policies state that paying less than the correct amount of a premium due can constitute a default and lead to a lapse in coverage, which could be devastating for an insured. ■

# Tech tips

BY DON MATEER

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## TIP NUMBER ONE

If you read my article on **CrashPlan**, you might remember my mention of PC crashes. With the first PC crash, I spent about a day and a half on the phone with a non English speaking tech support person from Microsoft. The long and short of that experience was a more severely corrupted computer than when I began. So, being cheap, I figured buying a new computer would be more cost-effective and less time consuming than cleaning the old one and reinstalling all my programs and software. I went to Costco and got a great price on a new desktop computer. This replaced the corrupted computer in Florida. I took the corrupted computer back up North. The problem would surface upon returning to Florida after being up North and having to install all the updates that had come in over several months. This exercise killed the old computer and, you guessed it, it killed my new computer. This is where my wife enters the picture. She informed me that because we bought the computer at Costco, it came with concierge service. She got on the phone with an English speaking person in the United States who cleared up the new corrupted computer in about 30 minutes. I was flabbergasted. She took notes, so when I get back up North, I will try to clear up the other corrupted computer. I cannot say enough about how pleased I am with this free service that comes not only with computers, but with anything electronic.

## TIP NUMBER TWO

Have you ever sent an email and immediately wanted to take it back? With auto fill, the addressee is automatically filled in, which can cause you a problem if you are not paying attention. After you push send, you notice that the email is going to the wrong person. Most times this is harmless, although embarrassing. However, it could be disastrous. If you use Google's g-mail, there is an easy solution. Click on the "wheel" icon in the upper right hand side of your screen when you

are in g-mail. Then click on "settings" in the drop down menu. From there scroll down to "Undo Send" and check enable. Then choose your cancellation period from 5-30 seconds. When you send an email, you will get a message at the top of your screen that says "Your message has been sent Undo View message." Your message will not be actually sent until the time that you set has expired. If you realize that it is going to the wrong person, or for whatever reason, you can click on "Undo" and your message is not sent.

## TIP NUMBER THREE

This tip is for us older folks who have trouble with the bright light of our phone in the evening before we go to bed. If you have an iPhone and have updated to the latest update, there is a setting called "Night Shift." Go into Settings and click on "Display and Brightness." Go to "Night Shift" and put in a start time and an end

time. I have set mine to begin at 9:00pm and to end at 7:00am. The screen softens to a yellowish hue which is a lot easier on the eyes than the normal blue light. It may even help you sleep better if you tend to check email, Facebook, Twitter or any other app on your phone before retiring. It definitely helps my eyes.

## TIP NUMBER FOUR

This is just for fun. You can forward voice mails that are on your phone. My daughter in Colorado received a very complimentary voice mail from work and forwarded it to me so I could listen to it. To do this on an Apple phone, click on the voice mail you wish to forward and then click on the share icon (the square with the arrow) in the upper right. Then choose how you wish to share, either text message, e-mail etc. This is probably available on other phones following a similar procedure. Try it; you'll like it. ■



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# Another favorite app

BY WILLIAM W. AUSTIN

Last week, I had to file an online report with the State of Illinois on behalf of a client. Before I could file the report, however, I had to establish an account, and that process began with a user name and password. The password had to meet certain criteria, *i.e.*, the minimum number of characters, an alpha-numeric mixture, plus symbols. Once the task was completed, I had some choices to make. I could have written the password down in order to save it, and selected a place where I could find it in the future. I could have committed the new password to memory, which would have been virtually impossible given the criteria that I mentioned—not to mention my addled brain. Or, I could have assumed that when I needed to file the report next year, I could simply set up another account; however, the system might respond by saying that an account already exists. The failsafe protection is the often available help link “*did you forget your password?*” But maybe you also forgot the answer to your prompt question. What was the name of your first dog? And bear in mind that setting up the account actually took longer than filing the report. Some or all of this must sound familiar to each of you, and it occurs with a frequency that is really annoying.

If you are like most of us, you have a staggering list of passwords. That list may include online banking accounts, professional organizations, case management software, legal research services, alumni associations, state and federal courts, frequent flier accounts, retail accounts, home thermostats and security systems, cloud accounts, online publications, and, of course, your Starbucks account. Unless the sites that you patronize have minimal or no criteria for password selection, which is unlikely, or you are willing to cast security completely to the wind, you may easily have 50-100 unique passwords. The day when you could save your handful of passwords on yellow sticky

notes stuck on your computer screen is long past. In PC MAGAZINE, in a February 9, 2016 article, *The Best Password Managers for 2016*, the author says “...[c]reating one strong password that you can remember is hard enough; doing it for every website is just about impossible—unless you use a password manager...”

LastPass 4.0 Premium is just that – a password management app or browser plug-in. It is not only *one* of my favorite apps, it *is* my favorite app, because it is easily the one that I could least afford not to have. Hardly a day goes by that I don't use it several times. With a password manager, you can reduce the number of passwords that you need to remember to just one, which is the password for the app itself.

How does a password manager work? When you log in to a new site, it can save the unique user name and password for that site. If you want to return to that site, you can open the password manager app and it can automatically log you in. In the case of LastPass, once you open the app, you can access your LastPass Vault where your user names and passwords are safely stored. In most cases, once you enter your vault, you can click on the name or icon for the account that you want to log into, and you will be whisked by that click or clicks to the site without any further interrogation. When you add a new account, LastPass will generate a unique password for you, either for single or repeated use, and the password can be designed to meet the criteria, if any, that the new Web site requires or can be tailored to meet your own personal security requirements. It is also helpful for automatically filling out forms with personal data that it stores, *e.g.*, address, phone and the like. All of this reduces your dwell time on site. Just five minutes saved each day is thirty hours in a year.

You can easily avoid the use of obvious and vulnerable passwords, and you can also discontinue the use of duplicate

passwords, which is another common security risk. There is a security challenge feature that will scan your vault to analyze the overall strength of your passwords and to identify weak passwords as well as the use of duplicate passwords. My guess is that not all of your user names are identical either, which only compounds the problem of trying to rely upon memory. Passwords weaken with time, and LastPass will prompt you to replace old ones that it automatically detects. As it does with passwords, the password manager keeps track of your user names for you as well.

Nothing could make access to one's online accounts easier in the event of death. You should encourage your estate planning clients to use a password manager and to provide their personal representatives with a means of access at the appropriate time to the password manager. If you have ever dealt with the problems associated with accessing a decedent's online information without having user names and passwords available, you will understand why I



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## Now Every Article Is the Start of a Discussion

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I recommend, at a minimum, that you install a password manager. After you enter your secure credentials for the sites that you use the most often, to begin with, I recommend that you use the security check feature to test the strength of your passwords and eliminate duplicates. The experts recommend that your passwords be at least 12 characters long. Some password managers will even automate the password changing process for you. Now you're ready to use the most basic features of your password manager and to begin learning some of the more advanced capabilities.

Which password manager is for you? I mentioned the PC MAGAZINE article earlier, which is available on the web and ranks some of the top password managers. It has a very useful chart that compares features between those top vendors, all of which come at a price. LastPass is their top-rated password manager; however, not all such apps have identical features, so you should do some comparison shopping. Even though the cost is usually modest, and not prohibitive, if you prefer a more basic approach, there are many free password managers, and that same article has a link to a comparison between password managers that are available at no cost. ■

## How to stay young

BY JOHN W. DAMISCH

**Downhill or mountain skiing has not been on my agenda for the past 20 years.** But in my basement are my skis and a great set of ski boots. This past month I was invited to go skiing at Telluride, Colorado. Skiing is free at most ski lifts for those of us over 80 years old.

On March 5, 2016, I flew to Montrose, Colorado, ski boots in tow. We traveled from Montrose to Telluride by van to our stay at Mountain Village in a three story condo. The condo was about a block from the lift. I put on a set of skis, buckled up my boots and attempted to ski on the "bunny hill" for some practice and to get my "ski legs." I fell in the snow a couple of times and finally skied down about a half mile on the bunny hill to the ski lift. Everyone said skiing is like riding a bicycle. You never forget how to ski. I did not think that was true....but the practice did help and maybe the bicycle adage is true.

The next day, I took the chair lift up to an intermediate hill and skied right back to the chair lift with no problem. March 10, 2016, was my big day of skiing. It was my birthday and I was 90 years young so I tackled a bigger "hill." I was on the chair lift about 20 minutes and we went from 9,000 ft. to about 11,500 feet above sea level. I took the 4.6 mile run down the mountain and back to the chair lift and then repeated my 4.6 mile performance a second time. It was beautiful and amazing. My friends took my picture in my ski jacket, helmet and goggles. Birthday cake and candles were on the table when I returned to the condo. It was a wonderful birthday.

I spent two weeks skiing various runs at Telluride. I never fell after the first day of practice. I cannot wait to go skiing again next year. Best of all, it is free! ■

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**John W. Damisch—Admitted in 1950. Now 90 years old and still in court regularly!!**



## Book review

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launching on June 6, 1944, and how it was executed by allied forces.

Frank also receives letters throughout the book from his younger brother, who is in the infantry, who describes his life in the army before, during and after his Normandy landing early in the invasion of Northern France. In addition, Frank's paratrooper cousin sends him several letters about his combat experiences during and after his jump behind enemy lines, also during the invasion. These letters paint a picture of just how it was in the trenches, so to speak, on and after D-Day.

With Frank's comments and these letters, the reader experiences the invasion almost on a day to day basis, starting on June 6, 1944. The description begins with the invasion on Normandy's five beach heads, continues through the allies' hard fought 400 mile march from Northern France into Germany and then culminates with the surrender by Germany on May 8, 1945.

Frank minces no words in his impressions of the egos and nuances of some of the Allied Generals, including George Patton, Omar Bradley, George Marshall, Walter "Beetle" Smith, Bernard Montgomery, and, by no means least, Charles DeGaulle.

Frank's German counterpart is Rudi Katzenmeir (also fictional), who is a soldier of the Third Reich, serving under General Erwin Rommel.

Rommel and all German officers and soldiers took their orders from Hitler, who was the supreme military commander of all German forces. As a result, Hitler made all of the strategic decisions dealing with this invasion, including ordering his troops to never retreat or surrender.

Hitler was convinced that this invasion would take place at Calais, rather than Normandy, because Calais was closer to Dover, England, and an easier location for bringing in more troops and supplies.

He also thought that any invasion would be in July or even August due to June's unpredictable weather conditions in Northern France. Therefore, Hitler, thinking Normandy was just a diversion, refused Rommel's several requests to release a great number of troops, tanks and heavy armaments, positioned for a Calais invasion, until mid July, or approximately six weeks after the allies landed at Normandy.

As the invasion progresses, Rudi's opinion of Hitler slowly deteriorates until he finally renounces him just before Germany's surrender. Perhaps a major contributing factor to this was Hitler's replacement of Rommel.

Rommel had been implicated in the assassination attempt on Hitler in July of 1944. Rather than creating a martyr by executing Rommel, Hitler gave him the choice of a public trial, conviction and execution for attempted murder and treason, or suicide. In order to protect his pension and family, Rommel elected suicide. He took poison in October of 1944. His cause of death was officially given as a brain hemorrhage, which allowed him to be given a military hero's burial.

The allies' invasion slowly but surely progressed, with hard fighting and large casualties each step of the way, and, even after Paris was liberated in late August, Hitler refused to allow any surrendering.

Hitler, in order to buy time for the development of his secret weapon (the V-2 rocket), ordered a counteroffensive in December of 1944. He thought the use of the V-2 rocket would end the war on his Western Front. It was during this counteroffensive that the 101st Airborne's remaining troops were surrounded by the Germans at Bastogne. When the Germans made an offer for them to surrender, General McAulliffe sent the famous one word reply of "Nuts." Ultimately, McAulliffe and his men were rescued by Generals Abrams and Patton.

This book also describes the detailed planning and co-ordination of the Normandy Invasion, which appears to have involved:

- 7,000 seacraft, including 34 cruisers and 100 destroyers
- 13,000 aircraft
- 170,000 men
- 20,000 land vehicles

In spite of this planning, the one thing no one could specifically plan for or control was the weather, which was horrible. First of all, bad weather caused the invasion to be postponed from June 4<sup>th</sup> to June 6<sup>th</sup> and for airborne drop zones and glider planes to be disastrously thrown off course, with heavy casualties and destruction. The bad weather also caused many of the invading forces to be delayed for scheduled rendezvous points and capturing of key landing ports in Northern France, resulting in the delay of re-enforcements, tanks, heavy artillery, food and supplies.

To me, the tense scenario caused by the weather was comparable to composing a four part, separate section, symphony to be performed in a Denver Concert Hall for an audience of rival motorcycle clubs.

And yet, as a result of this invasion and in less than one year, the six year war in Europe finally ended. However, before it ended with the allied victory, the casualties apparently included 4 million German soldiers; 300,000 U. S. soldiers; 250,000 French soldiers; 400,000 English, Canadian and Polish soldiers; 13.5 million Soviet soldiers; millions of civilians in Europe and England; and 6 million Jews. Considering the alternative, in retrospect, one can now say it was worth it.

All of this was profoundly summed up by Rudi, as a POW at the end of the war, when he stated: "The loss (for Germany) is bitter but I know that a victory would have been worse." ■

# Book review: *Operation Greylord*

BY JOHN W. DAMISCH

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## ***OPERATION GREYLORD***

By Terrance Hake and Wayne Klatt. 279 pp. (2015)  
American Bar Association  
Publishers

**This book is the story of rampant bribery** and fixing of cases in the Cook County, Illinois, court system. The book covers the period of the 1980s and 1990s. “Greylord” was the name the Federal Bureau of Investigation gave the operation to dig out corruption that existed in the courts during this period. Greylord is about judges, their clerks and bailiffs, and lawyers who were corrupt in many ways large and small. Greylord brought about changes in the Cook County judicial system and was a primer for many courts, both in Illinois and nationally, to review and improve their respective judicial systems (and increase judicial pay).

Prior to Greylord, Cook County courts (and some other Illinois county court systems) had faults that reflected poorly on our judicial system.

Historically, the corruption was in many court rooms. Many court rooms did not have a call sheet. If a lawyer wanted a case called out of turn, the lawyer slipped the clerk \$2. If a lawyer wanted the case held until the lawyer did his or her business in another court, he or she slipped the clerk \$5. Many clerks were sponsored by their committeeman. Clerks sold tickets to raffles, political fund raisers and outings for up to \$100 per ticket. If the lawyer bought the raffle ticket, his or her case was called promptly or held awaiting the lawyer’s arrival. If there was no pay, the case might be called right at 9:30 a.m. if the lawyer was not there. Or, if the lawyer was there, the case would be called at 11:30 and maybe set over to the afternoon call.

Traffic and criminal courts are the primary topics of the author. In traffic court, in addition to paying to have the

case called or held, there was a payment made for a result. Different charges had different rates. A DUI might be \$500 for a first offense, \$1000 for a second, etc. The judge’s bailiff was often the “bagman” who collected the tariff after the call or kept track of regular lawyer’s “accounts.” If the account was overdue, or not paid, the lawyer had poor results. The traffic court hallways had “regular” chasers that sought to represent defendants who came to court without a lawyer. The “chaser” was usually white, smartly dressed with suit, tie and shiny shoes. This lawyer would represent the unrepresented for the bond money the defendant had posted. The bond was assigned to the lawyer. If the defendant was found not guilty, the lawyer received all of the bond money proceeds. It was important that the sitting judge find the defendant “not guilty” so the bond proceeds would be available to the lawyer and the lawyer would settle up his “account” with the judge. The lawyer often had full access to the judge’s chambers and telephone whether the judge was on or off the bench.

In the criminal/felony court, the stakes were much higher and “justice” costs were much more expensive. Several judges “fixed” murder cases for \$10,000 per acquittal.

Judge Thomas Murphy was convicted of taking bribes in murder cases. Judge Murphy was sentenced to 16 years in prison and died in prison at age 79. Judge Wayne Olson, a narcotics (and later a Domestic Relations) judge, took bribes from fixers standing in line. Judge Olson was convicted and sentenced to 12 years in prison. He died in federal prison at age 63. Many more judges and lawyers were convicted of fixing cases, lost their law licenses and spent time in jail.

One of the sad stories in this book is Terry Hake’s relationship with a lawyer and close personal friend. Terry’s friend

practiced law in the same traffic/felony court area. The friend was paying judges for not guilty results. Terry never “tipped” his close friend that Terry was a secret FBI agent. Terry let his friend “go down” with the rest of the lawyers, judges and fixers. Should Terry have told his friend to stop paying judges for “results”? This is the dilemma that Terry faced. Terry lost a close friend who never spoke to him after Greylord was over.

As a lawyer in private practice, Terry represented an undercover FBI agent who posed as a defendant charged with DUI (driving under the influence). The undercover agent was placed on “supervision” and not given a conviction. Terry paid \$100 to Judge “Dollars” Devine who took the bribe. Judge Devine was sentenced to 15 years in prison and died of cancer in prison. When the Greylord “heat” was on, Judge Alan Rosin, who was sitting in the Domestic Relations Division, went to his health club and committed suicide. Judge Frank Wilson took a bribe to free a mob hit man. Of all the judges charged with a crime, only Judge John Laurie was found not guilty. Judge Laurie retired.

Greylord brought about a lot of changes that improved Cook County’s judicial system. Greylord was also a “wake up” call to other courts in Illinois as well other states.

Greylord does not address the present issue of judicial campaign financing. Millions are being paid to judicial campaign funds. The United States Supreme Court has ruled that contributing millions to judicial campaigns is proper.

This book should be referred to from time to time as a reminder that neither judges nor lawyers should ever travel the route of fixing and bribing judges. The end result is prison, disbarment and the end of judicial and legal careers. ■

# Upcoming CLE programs

TO REGISTER, GO TO [WWW.ISBA.ORG/CLE](http://WWW.ISBA.ORG/CLE) OR CALL THE ISBA REGISTRAR AT 800-252-8908 OR 217-525-1760.

## July

**Thursday, 07/07/16- Teleseminar—** What Business Lawyers Need to Know About Licenses, Part 1. Presented by the ISBA. 12-1 pm.

**Thursday, 07/07/16- Webinar—** Introduction to Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 12:00- 1:00 pm.

**Friday, 07/08/16- Teleseminar—** What Business Lawyers Need to Know About Licenses, Part 2. Presented by the ISBA. 12-1 pm.

**Tuesday, 07/12/16- Teleseminar—** Income Tax Issues for Estate Planners, Part 1. Presented by the ISBA. 12-1 pm.

**Wednesday, 07/13/16- Teleseminar—** Income Tax Issues for Estate Planners, Part 2. Presented by the ISBA. 12-1 pm.

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**Tuesday, 07/19/16- Teleseminar—** Tricks and Traps in the Assumption of Liabilities in Transactions. Presented by the ISBA. 12-1 pm.

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**Tuesday, 07/26/16- Teleseminar—** Buying and Selling Distressed Real Estate, Part 1. Presented by the ISBA. 12-1 pm.

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## August

**Tuesday, 08/02/16- Teleseminar—** Due Diligence in Real Estate Acquisitions. Presented by the ISBA. 12-1 pm.

**Wednesday, 08/03/16- Teleseminar LIVE REPLAY—** 2016 UCC Update – Secured Transactions, Notes, Leases, Sales & More. Presented by the ISBA. 12-1 pm.

**Thursday, 08/04/16- Webinar—** Introduction to Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 12:00- 1:00 pm.

**Monday, 08/08/16- Teleseminar LIVE REPLAY—** Post-Closing Adjustments & Issues in Business Transactions. Presented by the ISBA. 12-1 pm.

**Tuesday, 08/09/16- Teleseminar—** Charging Orders in Business Transactions. Presented by the ISBA. 12-1 pm.

**Wednesday, 08/10/16- Teleseminar—** Role of Public Benefits in Estate Planning. Presented by the ISBA. 12-1 pm.

**Thursday, 08/11/16- Webinar—** Advanced Tips for Enhanced Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only.

12:00- 1:00 pm.

**Tuesday, 08/16/16- Teleseminar—** Real Estate Finance, Part 1. Presented by the ISBA. 12-1 pm.

**Wednesday, 08/17/16- Teleseminar—** Real Estate Finance, Part 2. Presented by the ISBA. 12-1 pm.

**Tuesday, 08/23/16- Teleseminar—** Drafting Employment Separation Agreements. Presented by the ISBA. 12-1 pm.

**Wednesday, 08/24/16- Teleseminar—** Sales of Family Businesses: An Interdisciplinary Approach, Part 1. Presented by the ISBA. 12-1 pm.

**Thursday, 08/25/16- Teleseminar—** Sales of Family Businesses: An Interdisciplinary Approach, Part 2. Presented by the ISBA. 12-1 pm.

**Thursday, 08/25/16- Webinar—** Introduction to Boolean (Keyword) Searches for Lawyers. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 12:00- 1:00 pm.

**Wednesday, 08/31/16- Teleseminar—** Lawyer Ethics and Disputes with Clients. Presented by the ISBA. 12-1 pm.

## September

**Thursday, 09/01/16- Webinar—** Introduction to Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 12:00- 1:00 pm.

**Thursday, 09/08/16- Webinar—** Advanced Tips for Enhanced Legal Research on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 12:00- 1:00 pm. ■

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# Book review—*Schwerpunkt: From D-Day to the Fall of the Third Reich*

BY GARY T. RAFOOL

In the 51-plus years I have been a member of the ISBA, I have had the wonderful opportunity of meeting, traveling with, and working on various Committees and Section Councils with many accomplished attorneys throughout the State of Illinois.

Not only are these attorneys well respected leaders in their fields of practice and in the ISBA, they are also very giving (both financially and of time) in their communities and within the ISBA. In addition to law, the interests of many of them never cease to impress and amaze me.

Over the years, I have met attorneys from various parts of our State whose

outside interests involve farming, the fine arts, literature, poetry, music, athletics, comedy and theater, as well as competitive sailing and vehicle racing, just to name a few.

One such ISBA member is Susan Gunty, who practices law and lives in Chicago. She is also a World War II historian and writer, and it is her 2015 historical novel that I have chosen for this book review.

The title of this book is “Schwerpunkt: From D-Day to the Fall of the Third Reich.” It is available in soft cover (341 pages) and electronically.

“Schwerpunkt” (pronounced Shverhr-Punkt) means a critical striking point in

German.

A most interesting aspect of this book is the historical statements of fact at the beginning of each chapter. These facts are then followed up within the chapter by comments and observations of events for the allies by Frank Greathouse, a fictional enlisted man, who works as a planner on the staff of General Eisenhower at the Supreme Headquarters, Allied Expedition Force.

Frank is kind of like the answer to the question of what if these walls could talk, because he gives detailed descriptions, in an enlisted man’s vernacular, of how D-Day was planned in late 1943, its

*Continued on page 9*