



SENIOR LAWYERS

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

Chair's column

By Barbara Slanker

As incoming chair of the Senior Lawyers Section Council, I look forward to working with the Council during the 2014-2015 bar year. The Council is planning programs of special interest to senior lawyers and programs

that will introduce them to computers and other technology. The year promises to be a productive and challenging one and it is my goal to facilitate and encourage the Council in developing the programs. ■

Interview with a happily "transitioning" senior lawyer

By Don Mateer

This is the third interview in this series. The first was with a happily retired senior lawyer, Frank Ariano. The second was with a happily practicing senior lawyer, Loren Golden. And now this interview is with a happily "transitioning" senior lawyer, Rich Gaines of Rockford, Illinois.

Mateer: Rich, when were you licensed to practice law and how long have you been practicing law?

Gaines: I was licensed in 1969, and spent the better part of a year in the JAG office of the 101st Airborne Division in Vietnam, although I was not a Jag officer. My civilian practice started shortly after discharge in 1971.

Mateer: Where is your practice?

Gaines: Rockford, Illinois.

Mateer: When did you start to slow down your practice?

Gaines: I started to slow it down four years ago, probably 2010.

Mateer: What type of law were you practicing?

Gaines: I had a general litigation practice until the early 1980s. At that point, medical malpractice defense work just basically forced all other types of litigation out because of the volume, although I did continue to do an occasional legal malpractice defense case.

Mateer: Why was it that you started to slow down approximately four years ago?

Gaines: When I got to my mid-60s, I found that what had once been fun was becoming more work than fun and the work was getting more and more difficult. It simply was not that rewarding and it was extremely challenging and tiring, things which had not bothered me before. In fact, I had relished them.

Mateer: Why didn't you just retire instead of slowing down?

Gaines: I still wanted to keep my hand in and, at that point, I couldn't imagine what I would do if I were fully retired.

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Interview with a happily “transitioning” senior lawyer

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Mateer: How were you able to slow down; how did you actually do it?

Gaines: That was something which I worried about for years, but in the end it was not that difficult. I basically selected a group of cases which were approximately 1/3 of my pending caseload, and I told my clients that I was not going to try their case. As expected, that led to most of the cases getting re-assigned, although I told them that I really thought that it made sense that I hang onto this one or that one because I thought I could get it dismissed or I could get it resolved on a very favorable basis. In general, the clients went along with that. There were also some that we delayed the transfer for a specific event or events to occur. I did the same with the remaining cases which were not resolved over the following 18 months or so.

Mateer: Do you have any advice for an attorney contemplating the slow-down of his or her practice in lieu of actual retirement?

Gaines: Well, I think my advice would probably apply to people with similar practices, but am not so sure it would be helpful to the many attorneys who have very different types of practices. One way would be to simply identify times and days when you are not going to work. Another way is to narrow the type of practice. The way I did it was to simply quit taking new cases and, over a period of 2 to 3 years, transfer my pending cases that didn't get resolved to other attorneys.

Mateer: How would you describe the success or lack of success of your period of transition?

Gaines: I have been very pleasantly surprised by how well it has gone. I was worried about it. I was not sure that this was something that a civil litigator could really accomplish

because of the length of time the cases pend. However, by identifying cases and transferring them from time to time before they were completed, I was able to do it.

Mateer: Could you describe what you actually do now, compared to what you did when you were actually engaged in a full practice of law?

Gaines: I am doing very, very little now. I am doing a small amount of mediations and arbitrations. In the past couple of years, I have taken a small number of pro bono cases, cases for friends or cases that interested me and tried a couple of them. I am now to the point where at most I come into the office typically for maybe an hour to an hour and a half a couple of times a week. I do check my e-mails every day and talk to the other attorneys in my firm by telephone and e-mail and that sort of thing.

Mateer: What interests do you have besides the practice of law that you have been able to enjoy in this transition?

Gaines: I love to play golf and, by my standards, I have played an incredible amount of golf in the past two or three years. Before I slowed down, I never would even take a Wednesday afternoon off to play golf; it was pretty much on the weekends. Over the past 2 to 3 years, I expanded the days when I would play regularly. So that would be the major thing. I am also in the process of acquiring a condo in Florida where I expect to spend the winter so I can continue with my golf.

Mateer: Do you have any plans to retire? If so when and how you plan to retire?

Gaines: My plans are not firm, but at this point I am really leaning strongly towards retiring December 31 of this year. I am now doing so little that I am not sure that it makes sense for me to continue on with

the firm.

Mateer: Rich, could you now give us some of your background?

Gaines: I was raised in a small town, Watseka, Illinois. I went to a small private college in Indiana, DePauw University in Greencastle. I then went on to the University of Illinois law school. I then spent two years in the Army. After that, after looking for a job for 2 to 3 months, I settled on a firm in Rockford and have been with that same law firm, Holmstrom & Kennedy, P.C., since December 1971. I was married. Unfortunately, my wife of 45 years passed away last year. We have two adult children and four grandchildren. Right now I get to see them fairly frequently. Those, I guess, would be the highlights.

Mateer: Do you have any further advice that you wish to express at this time?

Gaines: For many years, I was very active in the bar associations, particularly the Illinois State Bar and the Winnebago County Bar; also, to a lesser extent, the American Bar Association. I do recommend that to people. I think it's something that you owe your profession and I think you get a great deal out of it, not just networking for clients but you make friendships with a broad spectrum of lawyers. That was something that was important to me, although in later years I have had little involvement with the bar. It also helps to get involved, if you are in a position to do so, with continuing legal education from a teaching standpoint. I think it really sharpens your skills and, for that matter, it's probably not a bad marketing device either.

Mateer: Rich, I appreciate you taking the time to participate in this interview.

Gaines: My pleasure. ■

Spend it while you can!

By John W. Damisch

Many of the areas of the practice of law involve preserving our clients' assets for his/her estate and the distribution of those assets to children and grandchildren. The legal fields of estate planning, taxation, real estate, agriculture, elder law, family law, legislation, litigation and other venues have some element of the preservation of assets for future generations.

The purpose of this article is to suggest it may be time to advise some of our clients to spend their money and have some fun while they can. At the same time, we, as lawyers, should consider the same advice. Many clients (and lawyers) are sitting in their rocking chairs in a nursing home lamenting that during their golden years they did not take their wife, children and grandchildren on a 10 day Christmas vacation cruise to the Caribbean. Sure, it would have cost \$10,000 or \$20,000 if all the grandchildren went on the cruise over Christmas break. But, what is the value of 10 nights sitting down for dinner in the ship's upscale dining room surrounded by your most valuable assets—your family.

Assume your client's child wishes to go on a trip that includes the Louvre Art Museum in Paris or has been invited to play a piano concert at the Hermitage in St. Petersburg, Russia. Your client's child has asked that the client attend the event but your client declines the invitation. The client did not want to take time away from his or her profession or business. The client claimed no one was available to fill in while he or she traveled overseas. The invitation was declined due to expense and time lost. What was lost was the bonding between child and parent because your client was unwilling to spend the money or time.

You are considering buying a new car, or membership in a golf club, but these are luxuries and you want to "save money for old age." No one wants to die a pauper. None of us knows when we will die, or how much money we need for our old age. Instead of worrying about the amount that should be in the bank account for old age, you should be having fun.

Life insurance is a good investment and it provides for a spouse and children when children are young. But why does a senior continue to pay life insurance premiums for

money he or she will never enjoy? Those premiums would be better spent on a cabin in the north woods near the senior's favorite fishing lake.

Estate planning and federal gift tax lawyers spend their time planning ways in which their client may pass down assets with as little state and federal death taxes as possible. Some clients have been counseled regarding the sale or transfer of their home, even closing their professional practices and changing their residency to Florida to avoid the Illinois income and inheritance taxes. Some of these moves have been away from children, grandchildren, church and friends. Why not spend some of the estate paying the taxes and living in Illinois near children, grandchildren and friends. Stay in that home you have enjoyed as long as you can. As lawyers, do we ever suggest these alternatives to our clients or are we, like our clients, focused on "saving the estate" for our heirs?

Clients can make gifts of \$5.2 million without paying a gift tax. Money, business or property may be included in those gifts. If your client has a business or profession, think of the pleasure the client could have if his child joined his business or profession. If your child joins your law office, give the keys to the corner office to your child, come to the office late, leave early for a golf game or don't come to the office at all for a few days or weeks (as long as your cases are covered).

Instead of focusing on saving the estate for our heirs, should we consider what the heirs are going to do with the inheritance? Many farmers have spent their lives amassing acres of land. The farms are now worth millions. Jokingly, farmers have said that, if they died, their children would call the farm auctioneer before they would call the undertaker. Are the children going to spend the money wisely?

We have all heard the phrase "from shirt sleeves to shirt sleeves." Is the business the client has built up over many years going to fail with the child or grandchild in charge?

In estate planning, do we, as lawyers, discuss with our clients that perhaps giving millions of dollars to children and grandchildren could be a detriment to the children or grandchildren? Will the money distract the child or grandchild from reaching his or her

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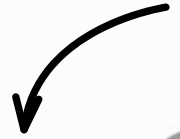
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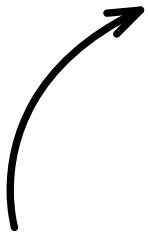
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potential? Will the child complete his or her education? Will the child value family? Will the money make a better life for the child or his or her community? Some very large estates have provided what the client deemed adequate for a child, or grandchild, and the rest was given to charity.

We never see the "spend it while you can" philosophy discussed in writings and discussions in the legal community. We sometimes see wealthy donors making substantial gifts to charities in the donor's lifetime. Lifetime gifts should be part of estate planning strategies. The donor may receive more pleasure

from recognition of the lifetime gift while the donor is still living. The charity is also happy that it did not have to wait until the donor died.

Many lawyers are workaholics. They work long hours and are still turning the client's troubles over in their minds late at night. It's time to ease up. Close down the office if necessary. Spend an afternoon at the casino. Take a trip up the Rhine river or a train trip from Moscow to Beijing. Buy a new Mercedes convertible. You earned it. Now spend it!

The author is an Illinois Bar Association Laure-

ate who has practiced 64 years. He farms and has traveled extensively. He practices with his son, Mark.

EDITOR'S NOTE: A couple of months after John sent me the above article, he sent me a follow up, advising me that "I am following my advice to all AARP qualifiers... I gave away my tractor collection and farm tools to my nephew... my 1842 grandfather clock and a large Waterford vase as a wedding gift... then went to their wedding at the Biltmore in North Carolina... I am spending it... and trying to have some fun and be generous to close friends and family... We lawyers must caution our clients that you cannot take your prize possessions to the cemetery."

Book review

By Gary T. Rafool, Peoria, IL

As stated in the last Senior Lawyers' Newsletter, it will be the intent of these book reviews to discuss both non-fiction and fiction books.

Since my first review dealt with the non-fiction book *In The Garden of Beasts*, by Erik Larson, a fiction work has been chosen for this review. However, before reviewing this new book, I am happy to announce that the last review did generate several profound, intellectual and historical e-mails from a reader who had personal knowledge of the Ambassador Dodd situation in Germany from 1933 to 1937. Those comments were indeed enlightening and very much appreciated.

Any comments or suggestions on these reviews, or recommendations of future books for review, should be posted on the comments website following this article or e-mailed to g.rafool@comcast.net, or faxed to Gary Rafool at 309-673-5537. In this regard, please see the note at the end of this review concerning a historical novel written by a New Orleans attorney, whose book will be published in September, which will be after this review has been sent for publication.

The novel chosen for this review is *The Truth About The Harry Quebert Affair*, by Joel Decker, a young author, born in Geneva, Switzerland, where he later studied law. However, his childhood summers were spent in New England.

The book was written in French, originally published in 2012, and translated into

English in 2014 by Sam Taylor. It is available in both paperback and e-book. It won three French literary prizes and it has become an international best seller.

I found this book to be a good, old fashioned mystery thriller, quite lengthy (some 650 paperback pages), but a very fast read with many twists and turns, which will have the reader wondering what is to come next. Actually one review posted on Amazon said the book had "more twists than a Chubby Checker concert."

There is nothing intellectually stimulat-

ing about the story and, according to over 240 reviews posted on Amazon, the book has generated either a love or hate reaction, with an overall rating of almost four out of five stars.

I feel, however, that this will make a very interesting "snowed in" or winter beach read that will keep the reader's attention until the very last page, no matter if it is love, hate, or a just in-between reaction to the book.

The main theme in this book starts during 1975 in the New Hampshire town of Somerset. Harry Quebert came there to write his



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first novel, which was later published with the title "*The Origin of Evil*."

During the time Harry was writing his book, the townspeople of Somerset assumed that he was a famous New York author who had come to their town because of its peaceful and quiet atmosphere, conducive to his writing.

After its publication, *The Origin of Evil* became an immediate success. It bestowed on Harry the accolades and reputation of being the great writer that the townspeople always thought he was.

With the money earned from this book, Harry purchased the home he was renting in the Somerset Area. He also took a teaching position in the English Department of Burrows University in Massachusetts.

It was at Burrows that Marcus Goldman became a student of Harry's in 1998, and Harry became Marcus' mentor.

A number of years pass after Marcus' college graduation, and Marcus is now living in New York City where he achieved literary success in 2007 after his first novel was published. Unfortunately, in 2008, he develops "writers block" and cannot get into the writing of his second novel even though he has signed a very lucrative contract with his publisher and his deadline is fast approaching.

Consequently, to clear his head, he makes contact with Harry in the Somerset area. Harry invites Marcus to visit and Harry once again becomes Marcus' mentor.

Although he is still experiencing difficulty writing, Marcus returns to New York in June of 2008, after his brief visit with Harry. Shortly after his return, Marcus receives a frantic call from Harry. Harry is very upset and tells Marcus that the remains of a young girl named Nola Kellergan, who was 15 years old when she disappeared in August of 1975, were found on Harry's property.

As the story unfolds, it is revealed that Harry, who was in his 30s when he met Nola in 1975, was having an affair with her that summer. The couple was planning to leave the Somerset area at the end of August, to move to Canada, on the night that Nola disappeared.

Harry is arrested for Nola's murder. Marcus, in spite of being just a few months away from his deadline, leaves immediately to console Harry in pre-trial confinement and to try to get to the bottom of what happened between Nola and Harry.

It is at this time that Marcus' publisher

suggests that Marcus should use this investigation as the inspiration for his next book.

All of the previously mentioned twists and turns take place during Marcus' investigation of Nola's death.

Note: As mentioned at the beginning of this article, one of the letters received in response to the first book review was from Arthur E. Pape, an attorney in Wheaton, who sent some information about Michael H. Rubin, an attorney friend of his from New Orleans.

Mr. Rubin is a practicing attorney and a former professional jazz pianist and composer who has played in the New Orleans

French Quarter. He has served as an adjunct law professor at Louisiana State University Law School. And, he has just written his first novel, *The Cottoncrest Curse*, to be published on or about September 10, 2014.

This is a historical novel taking place in the "Old South," with one of its plot points being the case of *Plessy v. Ferguson*, 163 U.S. 537 (1896), in which the United States Supreme Court established the "separate but equal" law that remained until being overturned by *Brown v. Board of Education*, 347 U.S. 483 (1954).

Perhaps this might be the subject of a future book review in this Newsletter. ■

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LinkedIn: Now what's this all about?

By Leonard F. Amari and Anthony Pasquini

In a new world filled with “friending” and “following” and such, we, —especially those lawyers long in the tooth like me— must deal with and become familiar with these newfangled communication methods. We’ve previously written in these pages about “blogs” and “QR Codes,” so now here’s another important “networking” responsibility all of us have to get to know, like it or not. It is a good idea to learn how to use LinkedIn, but vitally important to know what it is. Involving virtually millions around the world, it is one place on the internet that allows professionals to connect, network, share their experiences, and provide opportunities in their businesses worldwide. This “LinkedIn” thing is the internet’s largest professional network, with over 200 million members all over the world. This professional internet site allows its users to join a global network of professionals and provides an opportunity to meet other professionals and connect with businesses. LinkedIn does what other “social media” networks do not, and that is provide the ability to nurture professional growth and develop new successful approaches to business of all kinds, including our legal profession.

LinkedIn consists of a unique brand of users. Unlike other social media outlets, LinkedIn serves those seeking professional advancement and, to a large extent, the legal profession. Users are unemployed job seekers, small businesses, corporate businesses, schools (of all levels), CEOs, CFOs, presidents of companies, interns, lawyers, paralegals, legal service providers of all kinds, judges, administrators, and a plethora of other titles that would take pages to list. Furthermore, LinkedIn has a user age range from 18 to 55, which attests to the nature of progress and opportunity afforded by this expanding network. Certainly, in the years to come, when older lawyers like me realize we can handle LinkedIn, that age range will expand. There’s a sense that the older American population, folks like me, don’t want to deal with these new social communication vehicles, but those folks are just simply obstinate (or possibly southern Italian, like me). All users can register on the site *for free*, but users are given the option to upgrade for a fee that gives access to features that enhance the user’s ex-

perience and provide opportunities in posting and searching alike. LinkedIn allows users to post photos and share information in their profile; however the site emphasizes the importance of professionalism in the profile. LinkedIn allows users an opportunity to describe themselves and their business, in their own words, to provide contact information for business inquiries and links to a professional or relevant website. Users can upload their resumes and work history. Once the user has finished his or her profile, the user can then publish it to the network for other users to view. Users also have the option to “connect” with one another and this is the key benefit of LinkedIn, ultimately a social Ponzi structure. Connections may be based on a variety of details. These connections can be based on personal connections to other users, similar employment, similar duties, similar skills, etc. The idea behind connections on LinkedIn is to build a mini network within the larger LinkedIn network.

Joining LinkedIn comes with several benefits. Users may search for available career opportunities, promote their own or recom-

mend other user’s skills, enhance business recruiting, receive job alerts, advertise, establish positive reviews, review their competitors, and utilize a plethora of other nifty tools to make their professional career more successful and less stressful. Another important benefit is that users are given the ability to see who has viewed their profile, which could lead to the creation of a new, potentially important, connection. LinkedIn offers an opportunity to its users that never existed before. Neophyte and experienced professionals alike, and even senior lawyers, now have a place to share their stories of success and lend a hand to those that may be struggling or seeking a new career path. LinkedIn is not a place for a personal story line, but rather it is a very useful tool that enhances the professional world we are all members of. LinkedIn promotes appropriate internet content for its users, how to highlight skills and accomplishments, the importance of making connections (on the website and in the work place), and, overall, that as professionals we can all be connected, even attorneys. ■



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Guide to Sentencing and Bond Hearings in Illinois: 2014 Edition

This essential guide for criminal defense attorneys and prosecutors condenses everything you need to know before appearing at a sentencing or bond hearing. It includes a comprehensive sentencing guide, bond hearing guide, and a detailed listing of the most common felony offenses, which provides statutory citations, offense classes, and relevant notes. \$35 mbr./\$49 nonmbr.

GENERAL TOPICS

Illinois Decisions on Search and Seizure: 2014 Edition

This comprehensive compendium of case summaries is fully updated with decisions issued prior to December 18, 2013. It includes all relevant Illinois and federal decisions, and is a great starting point for any questions related to search and seizure. A must have for all criminal defense attorneys and prosecutors! \$45.00 mbr./\$60.00 nonmbr.

Guide to Illinois Statutes for Attorneys' Fees – 2014 Edition

The 2014 edition of this essential guide lists all provisions in the Illinois Compiled Statutes that authorize the court to order one party to pay the attorney fees of another. No matter what your practice area, this book will save you time – and could save you and your clients money! \$37.50 mbr./\$52.50 nonmbr.

The Illinois Rules of Evidence – A Color-Coded Guide

Are you still not fully familiar with the intricacies of the Illinois Rules of Evidence? Then you shouldn't be without this handy hardcopy version of Gino L. DiVito's authoritative color-coded reference guide. It not only provides the complete Rules, with insightful commentary, but also a side-by-side comparison with the full text of the Federal Rules of Evidence (both pre- and post-2011 amendments). DiVito, a former appellate justice, serves on the Special Supreme Court Committee on Illinois Evidence, the body that formulated the Rules approved by the Illinois Supreme Court. \$35.00 mbr./\$50.00 nonmbr.

Illinois Domestic Relations Statutes - 2013 Edition

An affordable, easy-to-carry compendium of key family law statutes that no domestic relations lawyer should be without. Includes the Marriage and Dissolution of Marriage Act, Parentage Act, Adoption Act, Domestic Violence Act, and other key statutes you don't want to be without, updated through 2012. Throw it in your briefcase and have the law at your fingertips wherever you go! \$45.00 mbr./\$60.00 nonmbr.

A Practical Guide to the Illinois Domestic Violence Act

If you take family law cases, you'll find this book an essential aide. Although intended primarily for attorneys who practice in civil court, this book is also valuable for assistant state's attorneys and domestic violence advocates. It provides a clear and comprehensive understanding of the Act, and can be used as a quick reference for researching specific problems. Prepared by attorney Jan Russell from the Chicago Police Department, a highly-rated trainer on domestic violence and child abduction issues who has trained more than 15,000 police officers, lawyers, and social service providers from Florida to Hawaii. \$40 mbr./\$50 nonmbr.

ISBA Family Law Handbook - 2011 Edition

This comprehensive, must-have practice handbook covers nearly everything for general practitioners who handle family law matters. Written by 36 authors who concentrate in the field and edited by John Marshall Professor Cynthia D. Bond, the handbook is a complete update of an ISBA bestseller from the mid-90s. Topics include jurisdiction, pre-marital agreements, settlement agreements, modification of judgments, mediation, custody and visitation, assisted reproductive technology, grandparent visitation, guardians ad litem, property, support and finances, maintenance, child support, civil unions, immigration law, discovery, appeals, insurance matters, property valuation, adoption, paternity, and much more. Add it to your collection today! \$60.00 mbr./\$90.00 nonmbr.

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ISBA Task Force to look at law schools and making “practice ready” new lawyers

Continued from page 12

when I interview law clerks I ask them to give me the basic elements of the contract lawsuit which are: offer, acceptance, consideration, breach and damages. It is amazing to me that after taking a full semester of contracts most of these academically gifted law students cannot tell me what they have to prove in a breach of contract case. These are bright students being taught by excellent professors and they know the “law.” Somewhere there is a missing link between knowing the “law” and knowing what to do with the “law” in the real world.

Another issue I see is the way legal writing is being taught at many law schools. My experience with my law clerks and in talking to young lawyers is that they are taught to write in a “neutral way.” The writing is correct but has no impact. It appears no real attention is paid to preparing pleadings, briefs and memoranda of law that are designed to use the facts and law to advocate the client’s position and persuade the judge to rule in the lawyer’s client’s favor. Many law students are not exposed to the process of analysis and hard work which persuasive writing requires or learning that the difference in using the right word and almost right word is like comparing lightning with a lightning bug. Instead, the extensive use of quotes rather than detailed analysis appears to be the norm for many law students.

In addition, it appears that many law schools do not give sufficient attention to the analytical and “contingency planning” skills lawyers need to enable them to prepare an agreement that deals with multiple contingencies, including what happens when one party breaches the agreement. The good transactional lawyers that I know have great analytical skills and are masters at contingency planning. They anticipate possible issues and prepare agreements that cover all of the potential problems and contingencies. Contingency planning is a necessary skill for a “practice ready” new lawyer. Preparing transactional agreements and persuasive legal writing require the ability to do the analysis and understand the potential problems and critical issues in a transaction or a case. This is difficult work and the mastery of analytical skills is essential. Law schools need to emphasize and improve the teaching of

these analytical and contingency planning skills. George Frampton drove us nuts by frequently answering a question by asking another question. But he taught us how to analyze legal problems and I still use the skills we learned every day.

One of the other problems that I see with young lawyers is that many of them want to be able to work from 9:00 a.m. to 5:00 p.m. and then go home. This seems to be a generational thing. The law has always been what we have termed “the jealous mistress” or “jealous master.” Even with today’s technology, the law still requires time and effort to keep up and to master the practice. I have read studies that indicate that there is great dissatisfaction among many lawyers, especially with younger lawyers, about being a lawyer. Part of this, I think, is because a lot of young lawyers are not “practice ready,” do not have access to mentors to help them get started and have unrealistic expectations about the hours required to be successful in the practice of law. Many do not understand that the law is a profession, we have obligations to our clients and our profession and the law stands for something beyond ourselves. A career in law does not require lawyers to be workaholics but it also does not shut down at 5:00 p.m. As President Felice points out, the keys to success involve building relationships and doing something beyond just your job, such as bar involvement or community work.

There are significant changes coming in the practice of law, such as how we deliver legal services and how our profession serves the public. It is clear that the ISBA is working to be at the forefront of developing and managing the challenging changes that are coming. The reality is that regardless of what changes occur in the upcoming years, the single quality that will differentiate successful lawyers from the run-of-the-mill providers, the computer mills and the fill-in-the-blank services is the excellent judgment a lawyer can bring to a case or transaction. Judgment comes from experience and knowledge and is the quality that makes lawyers different. The development of excellent analytical skills and critical judgment are the two most important skills that law schools need to provide law students to enable them to be successful in the future. A lawyer needs

these basic skills to be “practice ready.”

The ISBA leadership is seeking to identify the challenges that must be met to make “practice-ready-lawyers” who are able to meet tomorrow’s legal challenges. I’m sure that at the end of the year we may be surprised at what the ISBA task force finds. We need to celebrate the effort they are making for all of us. ■

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 past 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.

This article was originally published in the August 2014 issue of the ISBA’s General Practice, Solo & Small Firm newsletter.

It’s Campaign Season for the 2015 Election

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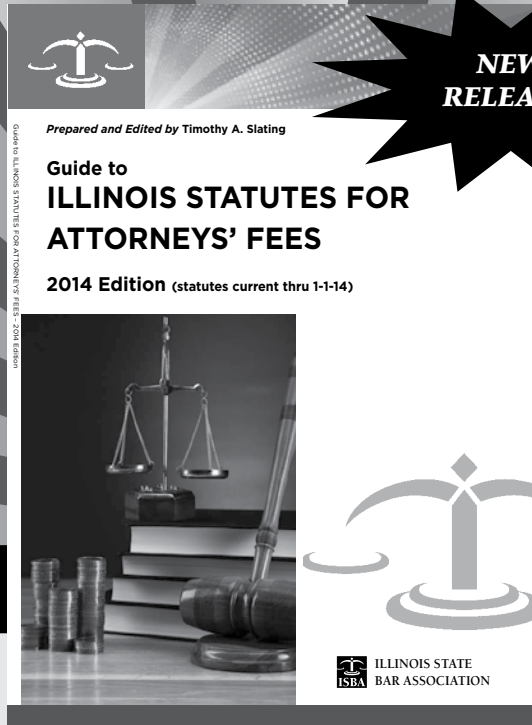
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December

Tuesday, 12/2/14- Teleseminar—Structuring Minority Interests in Businesses. Presented by the Illinois State Bar Association. 12-1.

Thursday, 12/4/14- Teleseminar—Estate Planning for Second Marriages. Presented by the Illinois State Bar Association. 12-1.

Monday, 12/8/14- Teleseminar—Ethics of Multijurisdictional Practice. Presented by the Illinois State Bar Association. 12-1.

Tuesday, 12/9/14- Teleseminar—Business Torts, Part 1. Presented by the Illinois State Bar Association. 12-1.

Wednesday, 12/10/14- Teleseminar—Business Torts, Part 2. Presented by the Illinois State Bar Association. 12-1.

Wednesday, 12/10/14- Live Studio Webcast—How to Create a Budget and Use it to Improve Profitability in Your Practice. Presented by the ISBA Law Office Management and Economics Section. 2-3pm.

Friday, 12/12/14- Chicago, Sheraton Hotel—Cybersleuth Midyear Morning session. Master Series presented by the ISBA. 8:30-11:45am.

Friday, 12/12/14- Chicago, Sheraton Hotel—Cybersleuth Midyear Afternoon session. Master Series presented by the ISBA. 1:00-4:15pm.

Tuesday, 12/16/14- Teleseminar—“Earnouts” in Business Transactions. Presented by the Illinois State Bar Association. 12-1.

Wednesday, 12/17/14- Teleseminar—Estate and Succession Planning with Family Business, Part 1. Presented by the Illinois State Bar Association. 12-1.

Thursday, 12/18/14- Teleseminar—Estate and Succession Planning with Family Business, Part 2. Presented by the Illinois State Bar Association. 12-1.

Friday, 12/19/14- Teleseminar—Ethics

and Confidentiality: What is, What Isn't, and What Can Be Shared. Presented by the Illinois State Bar Association. 12-1.

January

Wednesday, 1/28/15- Chicago, ISBA Regional Office—Lawyer to Lawyer Mentoring Orientation. 12-2. Lunch included.

Wednesday, 1/28/15- Live Webcast—Lawyer to Lawyer Mentoring Orientation. 12-2. Lunch included.

Thursday, 1/29/15- Live Studio Webcast—Non-Competes and Other Restrictive Covenants: What you Need to Know. Presented by the ISBA Business and Securities Law Section. 10-11:15am.

February

Wednesday, 2/4/15- Chicago, ISBA Regional Office—Lawyer to Lawyer Mentoring Orientation. 12-2. Lunch included.

Wednesday, 2/4/15- Live Webcast—Lawyer to Lawyer Mentoring Orientation. 12-2 lunch included.

Friday, 2/6/15- Normal, Bloomington-Normal Marriott Hotel & Conference Center—Hot Topics in Agricultural Law- 2015. Presented by the ISBA Agricultural Law Section. 8:30-4:30.

Friday, 2/6/15- Chicago, ISBA Regional Office—2015 Federal Tax Conference. Presented by the ISBA Federal Taxation Section. 8:30-5.

Friday, 2/13/15- Chicago, ISBA Regional Office—FOIA and OMA Update. Presented by the ISBA Education Law Section. 9-noon.

Friday, 2/13/15- Live Webcast—FOIA and OMA Update. Presented by the ISBA Education Law Section. 9-noon.

Monday, 2/16/15- Chicago, ISBA Chicago Regional Office—Advanced Workers' Compensation. Presented by the ISBA Workers' Compensation Section. 9:00am-4:00pm.

Monday, 2/16/15- Fairview Heights, Four Points Sheraton—Advanced Workers'

Compensation. Presented by the ISBA Workers' Compensation Section. 9:00am-4:00pm.

Thursday, 2/26/15- Naperville, NIU Conference Center—ISBA Solo & Small Firm Practice Institute. Presented by the Illinois State Bar Association. 8:30-5:30.

March

Friday, 3/13/15- Springfield, Hilton Springfield—Spring 2015 DUI & Traffic Law Updates. Presented by the ISBA Traffic Law Section. 8:55-4.

Thursday, 3/9/15- Live Studio Webcast—How To: Summary Judgement and Appeals in Human Rights Cases. Presented by the ISBA Human Rights Section. 9-11:30.

Thursday, 3/19/15-Friday, 3/20/15- New Orleans, Hyatt French Quarter—Family Law in New Orleans. Presented by the ISBA Family Law Section. 1-6:15; 9-5.

April

Thursday, 4/9/15- Chicago, ISBA Regional Office—Using Freelance Attorneys and Other Outsourcing Choices to Grow Your Practice and Profits. Presented by the ISBA General Practice, Solo & Small Firm Council. 8:30-12:15.

Thursday, 4/9/15- Live Webcast—Using Freelance Attorneys and Other Outsourcing Choices to Grow Your Practice and Profits. Presented by the ISBA General Practice, Solo & Small Firm Council. 8:30-12:15.

Thursday, 4/16/15- East Peoria, Holiday Inn—ISBA Solo & Small Firm Practice Institute- Spring 2015. Presented by the Illinois State Bar Association. 8:30-5:30.

Thursday, 4/30/15-Saturday, 5/2/15- Utica, Starved Rock State Park—Allerton Conference (invite only, DNP). Presented by the ISBA Bench and Bar Section.

May

Wednesday, 5/13/15- Chicago, ISBA Regional Office—The Best CLE Program for Divorce Lawyers. Master Series presented by the ISBA. Full Day. ■

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ISBA Task Force to look at law schools and making “practice ready” new lawyers

By John T. Phipps

One of ISBA president Richard Felice's initiatives this year is to look at the role of the law schools in connection with the concept of graduating “practice ready” new lawyers. In his July *Illinois Bar Journal* column he talks about the problems new lawyers face, particularly with the large law school debt many new lawyers have. As one of his presidential initiatives, he has named a task force to look at the problem that too many young lawyers are not “practice ready” and consequently are unable to earn enough to pay back their student loan debt. This is an important initiative because the way we practice law and the kind of law we practice is changing and new lawyers must be “practice ready” to be able to survive. The task force study is indicative of how the ISBA leadership is responding to meet the challenges we all face in the changing legal market.

When I started law school the tuition

was more affordable. Many of us had various forms of scholarship grants. A number of my classmates, myself included, had military scholarships which gave us a full-ride for tuition and fees. Most of us worked and some of us benefited from military reserve income, which in those days was pretty good. Now the cost for law school is substantially more expensive and it appears it is more difficult to get the kind of financial aid that many of my peers and I benefited from. Law students today must resort to expensive loans. As a result, many go into great debt in order to get a legal education, even though the legal market no longer promises a job or sufficient earnings to live and still be able to repay the debt.

President Felice is following up on one of the major points raised in the ISBA original Impact of Law School Debt on the Delivery of Legal Services report. That report covered the impact of law school debt and discussed

the concept that law schools need to “graduate practice ready lawyers.” The problem is that many schools are not turning out “practice ready” lawyers. In today's legal environment new lawyers need to be able to hit the ground running in order to get a job and earn a living. The old law school bromide, ‘we will teach you the law and your employer will teach you how to practice’ no longer applies. Fortunately, law schools are starting to get more practice-oriented courses and clinics. These are helpful.

I don't know what law professors are teaching in their substantive courses but from the young lawyers I've talked to and the law clerks who have worked for me over the past several years, it appears that the substantive courses are not being taught in a way that allows law students to apply their knowledge in practical ways. For example,

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