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ILLINOIS STATE BAR ASSOCIATION

# BENCH & BAR

*The newsletter of the Illinois State Bar Association's Bench & Bar Section*

## Lawyer shopping as a sword: It's time to stop this abuse

*By David W. Inlander and Deborah Jo Soehlig*

What should a lawyer and judge do when confronted with a litigant who has interviewed many attorneys in a field, and now attempts to disqualify all those he does not retain from representing his opponent?

Rule 1.18 of the Illinois Rules of Professional Conduct (IRPC) was adopted, in part, to address the phenomenon of lawyer shopping, a situation which arises most frequently in domestic relations cases and, with less frequency, in commercial cases. It is a common tactic of some litigants to meet with many of the best-known firms in a particular field in order to preclude the opponent in anticipated litigation from having access to those firms. That litigant then strategically moves to disqualify each successive firm on the basis of IRPC Rule 1.9, which precludes an attorney from representing former clients in adverse matters without informed consent.[1] Rule 1.18, has been in effect since January 2010 and cases interpreting it are few.

IRPC Rule 1.18, in its entirety, reads:

**Duties to Prospective Client**

(a) A person who discusses with a lawyer the possibility of forming a client-lawyer relationship with respect to a matter is a prospective client.

(b) Even when no client-lawyer relation-

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## Jury instruction update

*By Judge Barb Crowder, Edwardsville*

Memo to lawyers: This is Illinois. Please check Illinois Pattern Jury Instructions (IPI) to see if Illinois has an instruction pertinent to your cause of action rather than the "I'm used to [Missouri, Indiana, federal court]" explanation for offering a jury instruction that does not comport with the IPI your Illinois judge knows and loves.

Additional memo: Those of you who have the current version of the book form (the current one is gold) should be aware that the Supreme Court Committee on Jury Instructions in Civil Cases works all the time. That means that new instructions may be approved for immediate use throughout the year. Please check the Illinois Courts Web site (http://www.state.il.us/court/) when preparing your instructions.

That rant aside, the court and the Civil Practice & Procedure Section Council are here to help. This article will discuss those civil jury instruction changes approved so far in 2014 for busy practitioners and judges. The court would rather help you here than keep the jury waiting while we figure out who is going to create the correct version of the instructions. (To those attorneys who may recall that this author has actually typed the correct version of the IPI for them rather than wait an hour for someone's office to re-do and deliver the correct version: You are welcome. But don't make a habit of it).

So far this year, the committee has approved changes to the wrongful death damages instruc-

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## INSIDE



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## Lawyer shopping as a sword: It's time to stop this abuse

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ship ensues, a lawyer who has had discussions with a prospective client shall not use or reveal information learned in the consultation, except as Rule 1.9 would permit with respect to information of a former client.

(c) A lawyer subject to paragraph (b) shall not represent a client with interests materially adverse to those of a prospective client in the same or a substantially related matter if the lawyer received information from the prospective client that could be significantly harmful to that person in the matter, except as provided in paragraph (d). If a lawyer is disqualified from representation under this paragraph, no lawyer in a firm with which that lawyer is associated may knowingly undertake or continue representation in such a matter, except as provided in paragraph (d).

(d) When a lawyer has received disqualifying information as defined in paragraph (c), representation is permissible if:

(1) both the affected client and the prospective client have given informed consent, or

(2) the lawyer who received the information took reasonable measures to avoid exposure to more disqualifying information than was reasonably necessary to determine whether to represent the prospective client; and that lawyer is timely screened from any participation in the matter and is apportioned no part of the fee therefrom.

An inherent aspect of the prospective nature of the relationship is that both the lawyer and the client are free to proceed no further in their relationship, See, comment [1] to IRPC Rule 1.18. Prospective clients are afforded less protection than former clients. Id.

*In re the Marriage of Newton*, 2011 IL App (1st) 090683, *Nuccio v. Chicago Commodities Inc*., 257 Ill.App.3d 437 (1st Dist. 1993) and their predecessors stand for the proposition that an initial consultation can create an attorney client relationship, in certain circumstances. However, at the time of the decisions in *Newton*, Nuccio, and similar cases disqualifying counsel under IRPC Rule 1.9 based on initial consultations, IRPC Rule 1.18 was not yet in effect, and hence could not be considered by the Courts. Finally, in some of those cases, the attorney at issue in that matter was the same attorney who conducted the initial interview with both parties. See, e.g., Newton, supra. Newton and similar cases are therefore unlikely to offer much guidance for judges today.

IRPC Rule 1.18 requires that potentially disqualified attorneys within a firm be properly screened, and take no share of the fee, in which case, representation may be permissible. IRPC Rule 1.18(d)(2). Consent of the prospective client is not required. IRPC Rule 1.18(d)(1)(the word "or" between the consent exclusion and the screening exclusion makes it clear that either situation results in permissible representation).

Screening is addressed in IRPC Rule 1.0(k). "Screened" means the isolation of a lawyer from any participation in a matter through the timely imposition of procedures that are reasonably adequate under the circumstances to protect information that the isolated lawyer is obligated to protect. The comments to IRPC Rule 1.0 make clear that screening removes the imputation of a conflict of interest under IRPC Rules 1.10, 1.11, 1.12 or 1.18 (See, Comments [8] to [10] to IRPC Rule 1.0.) Screening includes acknowledgement by the potentially disqualified attorney of her obligation not to communicate with the other lawyers in the firm about that matter as well as steps by the non-disqualified attorneys to protect the file—i.e., password protected electronic files, screening notations on physical files, reminders about the screen, written acknowledgment by the screened attorney of the restriction, care in intra-firm discussions, and the like.

Judges may feel that an evidentiary hearing is appropriate to determine whether the screening procedures are both timely and adequate. Such hearings should focus on those issues, rather than on the issue of what purportedly confidential information was given to the prospective attorney,


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in an effort to in fact keep the information confidential. It is recommended that an attorney who is not otherwise working on the case handle the disqualification hearing and screening in order to maintain the integrity of the process.

The ABA Model Rule is virtually identical to the provision adopted by Illinois. Specifically, ABA Model Rule 1.18 provides that the prospective client must be advised in writing of the representation in addition to the timely screening. ABA Model Rule 1.18(d)(2)(ii). No such requirement exists in Illinois' Rule at present.

In addition, the ABA Commission of Ethics 20/20 has suggested a few modifications to the ABA Model Rule, which are likely to be adopted by Illinois. In particular, the words 'discusses/discussion' in subparts (a) and (b) are likely to be replaced with the words 'consults/consultation' to clarify that two-way communication is required. The reasoning, in part, is that advertising does not constitute a consultation, even if could constitute a discussion. Finally, comment [2] to the proposed Model Rule changes makes clear that 'lawyer-shopping' or deliberately disclosing case-specific information to attorneys in an effort to disqualify said counsel does not make the person a prospective client. See, ABA Commission on Ethics 20/20 Resolution 105B, dated August 6, 2012. This comment is consistent with Illinois case law.

If adequate screening is conducted by the firm, motions to disqualify counsel on the basis that another member of that firm was interviewed by a prospective client may properly be denied, as there is no longer an imputation of a conflict of interest.

No doubt, legitimate conflicts of interest are of great concern to ensure the integrity of the judicial system. Both the Illinois Supreme Court and the ABA have addressed lawyer shopping as a sword—a situation that deserves constant attention. ■

1. IPRC Rule 1.9 Duties to Former Clients

(a) A lawyer who has formerly represented client in a matter shall not thereafter represent another person in the same or a substantially related matter in which that person's interests are materially adverse to the interests of the former client unless the former client gives informed consent.

## Jury instruction update

*Continued from page 1*

tions, the wrongful death verdict forms, and Nursing Home Care Act instructions. The Web site helpfully points out the instructions that have been changed and the date of the approval.

**Wrongful Death Damages: IPI[1] 31.00—B31.08, B31.08.02, & 31.08.01B**

These instructions were approved in May 2014. The committee lists IPI *B31.08* that should be used where there is evidence that the decedent contributed to the "total proximate cause of the death of the decedent." Don't stop reading there, though. There are new instructions where the evidence deals with beneficiaries being at fault in the death of the decedent. Where one beneficiary to the lawsuit and that beneficiary only may have contributed to cause the death, then use IPI *B31.08.02*. But don't despair if there is a group; IPI *31.08.01B* should be used if there is evidence that more than one beneficiary contributed to the total proximate cause of decedent's death.

**Wrongful Death Forms of Verdict: IPI 45.00—45.04A, 45.04B, & 45.04C**

It only stands to reason that changing the damage instruction in wrongful death cases in May 2014 would also require new verdict forms be adopted. However, busy people and their support staff may not always be thinking of the obvious, so please note that indeed, new verdict forms dealing with wrongful death now exist.

IPI *45.04A* is the verdict form to use where no contributory fault evidence has been introduced in the trial. If there has been evidence of only contributory fault by the decedent, then use the newly revised IPI *45.04B*. Where there has been evidence of contributory fault by other combinations (decedent and a beneficiary, a beneficiary alone, or more than one beneficiary), the verdict form found in IPI *45.04C* should be used. And please read the comments and notes on use accompanying the forms for assistance in which other of the newly-revised wrongful death damage instructions mentioned above should be paired with these forms.

**Nursing Home Care Act: IPI No. 190.00 (New)**

Judges are excited over the adoption in May and July of this year of the Nursing Home Care Act instructions. Practitioners should be just as excited. Nursing Home Care Act (210 ILCS 45/1-101 *et seq*.) cases are statutory actions created to protect nursing home residents.

The introduction to the IPI section provides a summary of the Act. Anyone who is practicing in the field or hearing these cases should start with this discussion of the law (reminiscent of the advice to read the jury instructions before writing one's complaint so that the attorney will know the law).

IPI *190.01* informs the jury of the statutory provisions and can easily be adapted to the facts alleged in the complaint. The issues instruction is provided in IPI *190.02*. IPI No. *190.03* covers the plaintiff's burden of proof where no comparative negligence has been raised; where contributory negligence is an issue, counsel will use IPI *190.03.01*.

Where the nursing home is accused of abuse of a resident, the definition of abuse from IPI *190.04* should be used. In like manner, IPI *190.05* defines neglect. If the defendant denies being a licensee or an owner, counsel should propose IPI *190.06* to define licensee or IPI *190.07* to define owner for the jury.

The Nursing Home Care Act makes owners and licensees liable for acts of their agents or employees. If there is no dispute over agency, IPI *190.08* will so advise the jury. Employee (or officer) responsibility is covered in IPI *190.09*. Many of us are excited to try our next Nursing Home Care Act case and use these instructions.

### Other Interesting and Little Noticed Jury Instruction Rules

Most counsel are familiar with the court giving the applicable paragraphs from IPI *1.01*, the general cautionary instruction, prior to opening statements and reminding jurors throughout the trial not to go on the Internet to research or comment on the case. During trial, all have heard the instruction about the reading or playing of evidence deposi-

tions (IPI *2.01*) or instructing the jurors when evidence is admitted or used for a limited purpose (IPI *2.02* and *2.04*). Few, however, consider and are willing to discuss whether instructions should be given about the burden of proof, the substantive law that applies to the trial, or the elements of the claims and affirmative defenses (the issues instructions).

It is this author's view, especially since the advent of jurors asking questions of witnesses, that counsel and the court should seriously consider giving jurors more information before opening statements rather than leaving them in the dark. Supreme Court Rule 239(d) allows for the court to do so in appropriate cases. Interestingly, Rule 239(e) permits the court to read the entire set of jury instructions to the jury both before and after closing arguments (presumably in a long trial or one with many parties where closing arguments may last for some time). Counsel should consider all the options in determining the best and most meaningful way to present the case to the jury.

## Conclusion

Supreme Court Rule 239(a) requires the court to use Illinois Pattern Jury Instructions (IPI (Civil)) unless an instruction does not accurately state the law. The Rule itself also states that the most current versions are on the Supreme Court website. The court system prefers to have trials move smoothly from start to finish with little or no downtime for the jurors. Many instruction conferences are held after jurors are gone for the day. Trials are really living entities where the unexpected often occurs and both judges and lawyers realize that.

Counsel can minimize problems that may cause unnecessary delay or annoyance by keeping track of changes in jury instruction through the Supreme Court website before filing their cases and certainly again before trial. Counsel who avail themselves of the most current version of the Illinois Pattern Instructions and the options for use of those instructions that the Supreme Court offers may find themselves more satisfied with the entire process. At any rate, they may find themselves with happier court personnel and a smoother trial. ■

1. Herein references to "IPI" mean "IPI (Civil) No."

# A stay of proceedings in the trial court: Why delay disserves those we represent

*By Patrick M. Kinnally; Kinnally Flaherty Krentz Loran Hodge & Masur PC; Aurora*

You filed your complaint in a tort case. Discovery has been completed. The case is ready to be set for trial. The matter has been pending for three years. The defendant now asserts a third-party complaint that plaintiff's treating medical provider is a contributing cause to your client's state of ill being. It seeks to delay the trial so it can seek to lay blame on this third party.

The trial court disagrees. It permits the third-party complaint, but severs it from plaintiff's tort claim. The Appellate Court intercedes and grants a stay of the tort claim trial. *Cholipski v. Bovis Lend Lease, Inc.*, 2014 IL App (1st) 132842 (*"Cholipski"*).

In a probate case, *Davies v. Pasamba*, 2014 IL App (1st) 133551 (*"*Davies*"*), the Public Guardian files a citation to discover assets (755 ILCS 5/16-1), seeking to learn how certain funds of a 95-year-old disabled adult ended up in the accounts of his "caregivers," who are not family members. When deposed, these caregivers do not assert any right they might enjoy against self-incrimination. *See, Jacksonville Savings Bank v. Kovack*. 326 Ill. App.3d 1131, 762 N.E.2d 1138 (4th Dist. 2002).

Later, when the Public Guardian seeks to recover the ward's assets, the caregiver asserts her right against self-incrimination due to pending criminal charges. The trial court grants a stay of the civil citation proceeding.

These two decisions, *Cholipski* and *Davies*, make plain why any judge's decision to stay a proceeding, in essence enjoining a party from seeking an effective, speedy resolution of his or her right to a remedy, should be undertaken cautiously. Let's look at the facts, and then, afterwards, the rules.

## *Cholipski*

In *Cholipski*, the plaintiff and his wife brought negligence and loss of consortium claims when metal tubing fell on Richard while he was working on a construction project. He claimed the accident resulted in his permanent disability. The litigation commenced in 2010. Three years later, on the eve of trial setting, defendant filed a contribution claim against Dr. Candido, one of Richard's treating physicians, declaring the physician's malpractice was the cause of Richard's incapacity. Ultimately, the trial court permitted the third-party complaint to be filed. Then, it stayed the third party complaint and permitted the tort claim to go to trial.

The appellate court, however, granted defendant a stay, which overturned the trial court's order. A year later, the appellate court affirmed the trial court's stay order. It held the trial court did not abuse its discretion in not granting a stay. It relied on a 1987 decision that held likewise, *Ryan v. E.A.I. Construction Corp.*, 158 Ill.App.3d 449, 465-466 (1st Dist. 1987). The *Cholipski* court held at ¶ 42:

> If we reverse the trial court here and set a precedent that the court abused its discretion by issuing a stay, then in every tort case with an injured plaintiff who is hoping for a speedy resolution, the defendant can wait three years and then bring a contribution claim … thereby delaying the case in a way that brings pressure on the injured party to settle ….

This statement is no only apt, but telling. What it does not explain is why the appellate court entered a stay after the trial court refused to do so. Past precedent was clear. In entering a stay, the appellate court conceded to the defendants what they wanted: delay. Thereby, foreclosing plaintiffs from a speedy resolution of their claims and, perhaps, compensation.

## *Davies*

*Davies* rests on a different footing because the trial court *granted* a stay that the appellate court reversed. But the effect was similar: delay being the consequence.

Marshall Davies was 95 years young and disabled due to dementia. Hospitalized due to a hip problem, he met Carmelita Pasamba, a certified nursing assistant, at the hospital. Once discharged, he hired her to help him at home. She obtained a power of attorney from him.

Once at home, beginning in 2008 and over the next three years, Carmelita and her family members or acquaintances procured from Davies "loans or gifts" in excess of $500,000. That is what the Public Guardian claimed in a Citation to Recover Assets it filed in 2012. Prior to doing that, the Public Guardian, wisely, filed a citation to discover assets against Carmelita and others in 2011. Her deposition was taken. Neither she, nor other defendants, invoked their right against self-incrimination.

In 2013, after being indicted for theft, forgery, and financial exploitation on criminal charges, Carmelita and her co-defendants requested the trial court stay the recovery citation proceedings until the criminal case was resolved. The trial court agreed to stay the citation proceeding against Carmelita, observing that the civil citation proceeding might violate her right not to incriminate herself.

The appellate court reversed. It held that the Fifth Amendment of the U.S. Constitution does not mandate a stay of civil proceedings pending the resolution of parallel criminal ones. *People, ex. rel., Hartigan v. Kafka & Sons Building Supply Co.*, 252 Ill.App.3d 115 (1993). The court observed that Carmelita had already testified, and had not invoked her privilege not to testify against herself *in the citation discovery proceedings*, which apparently resulted in her indictment. *See, Szak, "Asserting the Fifth Amendment in Civil Proceedings"* Energy Litigation, Vol. 10, No. 1 pages 10-13 (2010).

Generally, a trial court's decision to stay a civil court proceeding where similar criminal proceedings are pending involves an array of factors, which include:

- The interest in the party opposing the stay to proceed expeditiously and the prejudice of delay.
- The burden on any aspect of the proceedings which might impose on the party seeking the stay.
- The convenience and efficiency in the court's case management.
- The interests of persons not parties to the litigation.
- The interest of the public.

*Hallett v. Village of Richmond*, 2006 WL 2088214, 2006 U.S. Dist. LEXIS 50808 (July 25, 2006); 2009 WL 5125628, 2006 U.S. Dist. LEXIS 50808 (May 15, 2009).

Based on this protocol, the appellate court in *Davies* found the trial court abused its discretion in granting a stay since Carmelita had already testified and the Public Guardian had every right to seek expeditious resolution of returning to Davies funds to which he might be entitled.

### The Rules

Think about what you ask for. Yes, you can take the deposition in a civil proceeding of a person where parallel criminal proceedings are pending. But should you? Remember the deponent can invoke the Fifth Amendment's guarantee against self-incrimination and thereby foreclose your attempt to obtain any information. *Baxter v. Palmigiano,* 425 U.S. 308, 317-318 (1976). What you obtain from such a scenario is that a trial court may, but is not required to, find an adverse inference that the testimony would be against the deponent's interests.

And, even when the deponent asserts the privilege but later recants, that may prove problematic. See, *Evans v. City of Chicago*, 513 F. 3d 735 (7th Cir. 2008) (*Evans*).

Of course, the dramatic event in drawing an adverse inference is the manner in which it is portrayed before the jury. *Evans* was a §1983 action against various police officers for conspiracy and other claims that resulted in Michael Evans wrongful conviction. He served 27 years in prison before he was pardoned because he was innocent. Dignan, one of the defendant police officers, agreed not to testify and to invoke his Fifth Amendment right in exchange for plaintiff waiving its claim against him for punitive damages.

Plaintiff's counsel then wanted to call Dignan as a witness at trial so the jury could watch the police officer subscribe to his oath and then refuse to testify. But the trial court refused to allow such a show. Instead, the trial court instructed the jury that Dignan had refused to answer questions about plaintiff's case. The jury was told they could draw adverse inference from Dignan's refusal to testify. In short, Dignan never took the witness stand. This ruling was affirmed on appeal.

Also, *Evans* addresses whether the recantation of a Fifth Amendment privilege may not be fodder for jury deliberations. In *Evans,* other defendant police officers took the Fifth Amendment during discovery, then recanted that privilege on the eve of the trial. Plaintiff's counsel wanted to examine the officers on the witness stand about their recanted invocation of the privilege during discovery. The trial court would now allow such inquiry. The court of appeals affirmed a verdict for the defendants.

Be careful what you ask for. Perhaps, fashioning a protective order, confidential in nature, might be something all parties would find appropriate.

These two state court opinions provide cogent reasons why an Appellate Court in *Cholipski*, and a trial court in *Davies*, erred in granting stays. You may agree or disagree with the results in either or both cases, but there may be another way to look at this. Let's look at the rules.

The rules for obtaining the stay or *supersedeas* of a trial court ruling are straightforward. (Ill. S. Ct. R. 305). Although stays are injunctive in nature there is nothing in the rules that prohibit the party who opposes the stay from requiring the posting a bond as part of an appeal (Ill. S. Ct. R. 305(a). Maybe such *supersedeas* should be required if a stay is sought.

Indeed in injunction actions bonds are required unless excused. (735 5/11-103). Appeal bonds are commonplace. And, unless filed, appeal bonds do not stay operation of a trial court's judgment. Remember, where a money judgment is at issue, the condition or security of the bond should cover the judgment, interest and costs. Usually this is 1.5 times the amount at issue. Making the appellant of a stay order post a bond until the appeal is decided can be a deterrent to continued litigation.

Delay in our judicial system is anathema. It denies those who seek a remedy from advocating for the compensation to which they may be entitled. They may not be entitled to what they seek, but our system of justice must provide them with an opportunity to realize that potential. Staying trial court orders so as to prevent a prompt opportunity to litigate are a disservice to those we represent.

Granting a stay, at least for purposes of appeal, is injunctive in nature (*Salsitz v. Kreiss,* 198 Ill.2d 1 (2000); *Bohn Aluminum & Brass Co. v. Barker*, 55 Ill.2d 117 (1973)). Our Supreme Court has repeatedly held that it is the substance of the order that matters, not its form. (*Bohn*, citing *Valente v. Maida,* 24 Ill.App.2d 144 (1960)). If a stay truly is an injunction, then its seems appropriate that the party obtaining a stay should follow the rules which pertain to injunctions. This would include the posting of a bond or surety while the appeal is pending.

No reason exists not to require a bond where a stay is requested. Assessing damages for a wrongfully issued injunction, or a stay, is provided for by statute. (735 ILCS 5/11-110). Hence, safeguards for the issuance of an errant stay order are actual.

Delay in the adjudication of our clients' claims diminishes the rule of law. It makes our clients wonder why the early resolution of their grievances does not occur. It makes them wonder about our ability as advocates. It makes them question our judiciary. Delay causes all these concerns. It cannot be countenanced, since it is an insult to our system of justice. ■

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This article was originally published in the September issue of the ISBA's Trial Briefs newsletter.

The opinions expressed are the author's and not necessarily those of the ISBA or the Bench & Bar Section Council.

## Justice Reyes honored

The Hispanic Heritage Organization recently presented Justice Jesse G. Reyes, Illinois Appellate Court, First District, with the Dr. Jorge S. Prieto, Sr., Humanitarian Award. The award is bestowed during Hispanic Heritage Month to an individual who epitomizes the civic spirit and commitment of Dr. Prieto, a long-time Latino community leader in the City of Chicago. Judge Reyes is a member of the Bench & Bar Section Council. ■

## Recent Appointments and Retirements

1. Pursuant to its constitutional authority, the Illinois Supreme Court has appointed the following to be Circuit Judges:
   - Hon. David L. Jeffrey, 15th Circuit, September 2, 2014
2. The Circuit Judges have appointed the following to be Associate Judges:
   - Daniel Jasica, 19th Circuit, September 15, 2014
   - Robert W. Rohm, 18th Circuit, September 29, 2014
3. The following judges have retired.
   - Hon. Susan Zwick, Cook County Circuit, 11th Subcircuit, September 15, 2014
   - Hon. Vanessa Hopkins, Cook County Circuit, 1st Subcircuit, September 30, 2014
   - Hon. Noreen V. Love, Cook County Circuit, September 30, 2014
   - Hon. John D. Tourtelot, Associate Judge, Cook County Circuit, September 30, 2014 ■

# Upcoming CLE programs

*To register, go to www.isba.org/cle or call the ISBA registrar at 800-252-8908 or 217-525-1760.*

## November

**Monday, 11/3/14- Teleseminar—**Ethics of Working with Witnesses. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 11/5/14- Webinar**—Introduction to Fastcase Legal Research. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 11:00.

**Wednesday, 11/5/14- Live Studio Webcast**—Fall 2014 Immigration Law Update- Changes Which Effect Your Practice & Clients. Presented by the ISBA International and Immigration Section. 12-1.

**Thursday, 11/6/14- Teleseminar—**Attorney Ethics When Supervising Other Attorneys. Presented by the Illinois State Bar Association. 12-1.

**Thursday, 11/6/14- Springfield, President Abraham Lincoln Hotel**—Family Law Nuts & Bolts. Presented by the ISBA Family Law Section. 8:30-5:00.

**Friday, 11/7/14- Chicago, ISBA Regional Office**—Hot Topics for Your Practice. Presented by the ISBA Civil Practice Section. 9-12:45.

**Friday, 11/7/14- Live Studio Webcast**—Juveniles, Psychotropics & The Law. Presented by the ISBA Child Law Section. 1:30-2:30

**Monday, 11/10/14- Webinar**—Advanced Tips to Fastcase Legal Research. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 11:00.

**Tuesday, 11/11/14- Teleseminar**—Real Estate Joint Ventures, Part 1. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 11/12/14- Teleseminar**—Real Estate Joint Ventures, Part 2. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 11/12/14- Live Studio Webcast**—Fall 2014 Traffic Case Law & Legislative Update- Changes Which Effect Your Practice. Presented by the ISBA Traffic Law Section. 12-1.

**Thursday, 11/13/14- Live Studio Webcast**—Cannabis is Here!: A Continuing Discussion of the Issues Local Governments face Under Illinois' New Medical Marijuana Laws. Presented by the ISBA Local Government Section. 10-12.

**Thursday, 11/13/14- Teleseminar**—Attorney Ethics and Dissolution of a Law Firm. Presented by the Illinois State Bar Association. 12-1.

**Thursday, 11/13/14- Webinar**—Boolean (Keyword) Searches on Fastcase. Presented by the Illinois State Bar Association – Complimentary to ISBA Members Only. 11:00.

**Friday, 11/14/14- Chicago, ISBA Regional Office**—Hot Topics in Criminal Justice. Presented by the ISBA Criminal Justice Section. 9-4:30.

**Monday, 11/17/14- Teleseminar**—Estate Planning for MDs, JDs, CPAs and Other Professionals, Part 1. Presented by the Illinois State Bar Association. 12-1.

**Tuesday, 11/18/14- Teleseminar**—Estate Planning for MDs, JDs, CPAs and Other Professionals, Part 2. Presented by the Illinois State Bar Association. 12-1.

**Thursday, 11/20/14- Chicago, ISBA Regional Office**—Commercial Loans: Documenting for Success and Preparing for Failure. Presented by the ISBA Commercial, Banking, Collections and Bankruptcy Section. 9-4:30.

**Thursday, 11/20/14- Live Webcast**—Commercial Loans: Documenting for Success and Preparing for Failure. Presented by the ISBA Commercial, Banking, Collections and Bankruptcy Section. 9-4:30.

**Friday, 11/21/14- Chicago, ISBA Regional Office**—Can Attorneys Work in the Cloud? An Analysis of Contract, Regulatory and Ethical Issues Relating to Cloud Usage and Storage. Presented by the ISBA Committee on Legal Technology; co-sponsored by the ISBA Health Care Law Section. 12:30-4:30pm.

**Friday, 11/21/14- Live Webcast**—Can Attorneys Work in the Cloud? An Analysis of Contract, Regulatory and Ethical Issues Relating to Cloud Usage and Storage. Presented by the ISBA Committee on Legal Technology; co-sponsored by the ISBA Health Care Law Section. 12:30-4:30pm.

**Monday, 11/24/14- Teleseminar**—Attorney Ethics and Social Media- Live Replay from 5/30/14. Presented by the Illinois State Bar Association. 12-1.

**Tuesday, 11/25/14- Teleseminar**—2014 Sex Harassment Update. Presented by the Illinois State Bar Association. 12-1.

**Wednesday, 11/26/14- Teleseminar**—Attorney Ethics and the Use of "Metadata" in Litigation and Transactional Practice. Presented by the Illinois State Bar Association. 12-1.

## 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. ■

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