ILLINOIS STATE BAR ASSOCIATION
DECEMBER 2016 VOL 47 NO. 5

Bench & Bar

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

Willis R. Tribler

BY JUSTICE MICHAEL B. HYMAN, CHAIR BENCH & BAR SECTION

Willis "Bill" Tribler not only exemplified the spirit and ideals of the Illinois State Bar Association, he also embodied the professionalism and integrity that the ISBA promotes. Few ISBA members have done as much to elevate the practice of law as Bill Tribler.

Bill, who passed away earlier this month at age 82, was a founding member and senior partner of Tribler Orpett & Meyer. As his obituary observes, Bill was "admired as a mentor and friend to hundreds in the legal community…throughout Illinois."

A fixture on the Bench & Bar Section Council until a few years ago, Bill always told it like it was, and gave sound advice no matter what the topic. For many years, Bill served as the Section Council's reporter on professional misconduct and unethical behavior. Bill captured the facts and issues in such a concise and entertaining manner that it was the high spot of every meeting.

Those who knew Bill cherish his

Continued on next page

The *Petrillo* doctrine examined

BY BRAD BADGLEY

In *McChristian v. Brink*, 2016 IL App (1st) l52674, the Appellate Court for the First District, in a case of first impression, applied the *Petrillo* doctrine to a unique set of facts: where the defendant medical corporation designated a member of the corporation who was also one of plaintiff's treating doctors as an expert witness on liability, damages and causation.

The *Petrillo* doctrine holds that an attorney representing a defendant may not engage in *ex parte* communications with the plaintiff's treating physicians. *Petrillo v. Syntex Laboratories, Inc.*, 148 Ill. App. 3d 581, 588, 102 Ill. Dec. 172, 499 N.E.2d 952 (1986). Such a rule protects the sanctity of the patient-physician relationship by preserving a patient's confidences and trust in his or her doctor, and honoring a doctor's fiduciary duty to refrain from helping a patient's legal adversary. Thus, in order to obtain evidence, defense counsel is limited to regular methods of discovery, such as written interrogatories and depositions.

The issue raised in *McChristian* was whether defense counsel, who represented Dr. Dale Brink and Performance Foot and Ankle Center, L.L.C., was prohibited

Continued on page 3

Willis R. Tribler
1

The *Petrillo* doctrine examined
1

A jury of 12 (Not 6), as *heretofore enjoyed:* The Illinois Supreme Court strikes down Public Act 98-1132
4

People v. Jones: Prejudicial remarks in a criminal trial
6

Fee Petitions: *Kaiser* and beyond
7

Recent appointments and retirements
8

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Willis R. Tribler

CONTINUED FROM PAGE 1

Downstate Illinois twang, his ever present smile, his joyous personality, and his seemingly endless collection of amusing anecdotes and stories. Above all, we cherish his kindness and continual willingness to give back to his beloved profession. He was one of those people you always wanted to be around.

The Bench & Bar section Council is grateful for having known Bill and we extend our sympathies to his family. May his name be for a blessing. ■

The *Petrillo* doctrine examined

CONTINUED FROM PAGE 1

from conducting *ex parte* communications with the plaintiff's treating podiatrist, Dr. Timothy Krygsheld, who was also a member of the defendant L.L.C. *Id*. at ¶ 2. The plaintiff sued Dr. Brink, a podiatrist, and Performance Foot and Ankle Center, L.L.C. for medical malpractice relating to the treatment of her left toe. *Id*. at ¶ 6. Dr. Brink performed a type of surgery on the plaintiff's toe and an infection developed subsequent to that surgery, which later resulted in amputation. *Id*. The plaintiff continued to see Dr. Krygsheld, a managing member of Performance Foot and Ankle Center, L.L.C., for treatment of her foot pain, and he was her treating physician at the time of the suit. *Id*. at ¶ 6, 7.

In their answers to plaintiff's interrogatories, Defendants designated Dr. Krygsheld as an expert witness to testify as to liability, causation, and damages. *Id*. at ¶ 8. When plaintiff's counsel expressed an objection to defense counsel engaging in *ex parte* communications with Dr. Krygsheld, Defendants moved for a protective order allowing for such *ex parte* communications. *Id*. at ¶ 9. The trial court permitted defense counsel to engage in *ex parte* communication with Dr. Krygsheld. *Id*. at ¶ 10. On interlocutory appeal, the appellate court held that defense counsel could engage in *ex parte* communications with Dr. Krygsheld, subject to certain conditions. *Id*. at ¶ 30.

Specifically, the appellate court found that *Petrillo* "does not preclude *ex parte* communications with the individuals who serve as the corporate heads and who are decision makers of the accused medical or podiatry corporation." *Id*. at ¶ 27. The appellate court reasoned that *Petrillo* found that the doctor-patient relationship demands that information remain undisclosed to third parties, and the Supreme Court in *Burger v. Lutheran General Hospital*, 198 Ill. 2d 21, 50-60, 259 Ill. Dec. 753, 759 N.E.2d 533 (2001), defined third parties to mean "parties who otherwise would not possess the information absent the disclosure." *Id*. at ¶ 26. As one of three managing members of the LLC, Dr. Krygsheld was not a third party to the information of his own corporation. *Id*. The appellate court explained that, when the plaintiff sued the LLC, she necessarily waived some of the protection afforded her by the doctor-patient privilege with respect to members of the LLC's control group. *Id*. at ¶ 27.

In balancing *Petrillo* and its progeny with the purpose of the attorney-client privilege, the appellate court decided it was appropriate to place some conditions on the *ex parte* communications between defense counsel and Dr. Krygsheld. *Id*. at ¶ 30. Before any *ex parte* communications took place, plaintiff's counsel was permitted to take Dr. Krygsheld's deposition solely on the issue of the nature and extent of the plaintiff's injuries. *Id*. at ¶ 31. Once that deposition was completed, defense counsel could engage in *ex parte* communications with Dr. Krygsheld concerning liability and causation. *Id*. This

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afforded “plaintiff the opportunity to secure Dr. Krygsheld’s testimony on damages without coaching by defense counsel, and to have her privacy interests adequately protected without unnecessarily impinging upon Dr. Krygsheld’s right to assistance of counsel for the corporate entity on the liability and causation issue.” *Id*.

The dissent argued that “a financial tie between the treating physician and the corporate defendant does not counterbalance the fundamental interests patients enjoy in the patient-physician relationship.” *Id*. at ¶ 42. The dissent expressed concern that the majority’s holding that *Petrillo* does not apply in this instance greatly discourages open communication between a patient and a physician of a medical entity. *Id*. at ¶ 38. Further, the dissent argued that there is no prejudice in preventing *ex parte* communication with Dr. Krygsheld because the alleged negligence occurred during Dr. Brink’s treatment of the plaintiff and the LLC was able to communicate with two of the three managing members outside the confines of formal discovery. *Id*. at ¶ 41. The dissent also took issue with the majority’s assertion that the plaintiff waived some of the protections afforded by the patient-physician privilege because she “created a conflict of interest” by continuing to seek treatment from Dr. Krygsheld after suing the LLC, noting that this applies equally to physicians who organize medical groups as corporations and L.L.C.s. *Id*. at ¶ 43.

One could not expect a conflict of this nature to be initially contemplated by a plaintiff, by reason of his or her continued treatment with the medical group he or she eventually sued. Likewise, a defendant doctor and his medical group have the right to mount an unrestricted defense. In its effort to balance the sanctity of the patient-doctor relationship with the attorney-client relationship, the appellate court placed some conditions on the *ex parte* communications as explained above. The benefit of those conditions to the plaintiff is questionable, however, given the interest and bias of a controlled expert/treater who is a member of the medical group being sued. Obviously, the defendant doctor and his medical group made a conscious decision to retain one of its own as a controlled expert. Rather than bifurcating deposition testimony, which would slow the process and likely lead to a breakdown during questioning due to the inter-relatedness of questions pertaining to liability, causation, and damages (breakdowns which may or may not require court intervention), plaintiff’s counsel will be able to elicit the interest and bias of the controlled expert/treater on cross-examination.

Thus, it remains to be seen whether this Court’s ruling impedes and prolongs the process more so than it corrects a perceived disadvantage. It would be this writer’s suggestion that *ex parte* communication with defense counsel be permitted as to all aspects of the case, leaving the benefit of that consultation to effective cross-examination by plaintiff’s counsel. ■

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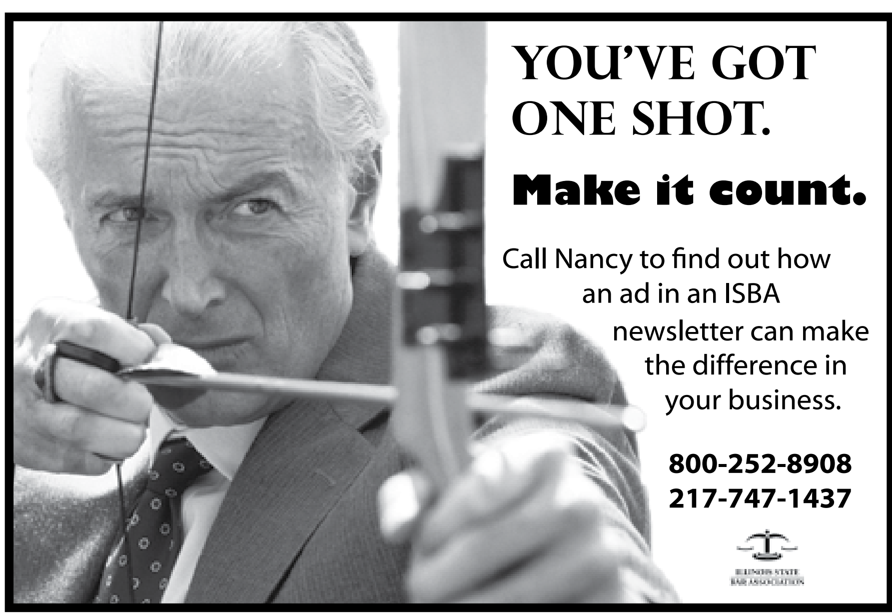


A jury of 12 (Not 6), as *heretofore enjoyed:* The Illinois Supreme Court strikes down Public Act 98-1132

BY KIMBERLY A. DAVIS AND DOUGLAS S. STROHM OF SPYRATOSDAVIS LLC

The Illinois statute limiting the size of a civil jury to six persons is unconstitutional.[1] This past September, the Illinois Supreme Court struck down the 2015 statute because it violated the common law right of trial by jury of 12 persons as guaranteed by the Illinois Constitution.

Public Act 98-1132, which became effective on June 1, 2015, changed the existing statute that allowed parties to choose a 12-person jury. The amendment provided, in part, that "[a]ll jury cases shall be tried by a jury of 6." If a 12-person jury was paid for, then a jury of 12 would be allowed if the party produced proof of payment for 12.[2] The prior statute, 735 ILCS 5/2-1105(b), provided, in part, "[a]ll jury cases where the claim for damages is $50,000 or less shall be tried by a jury of 6, unless either party demands a jury of 12."[3]

Kakos v. Butler was a medical negligence and loss of consortium allegations case. Initially, two of the named defendants challenged the constitutionality of Public Act 98-1132. The moving defendants contended that the Act violated their right to trial by jury based on article I, section 13 of the Illinois Constitution,[4] and that the Act also violated the separation of powers doctrine[5] since the legislature infringed upon the court's power to regulate and oversee jury trials. The remaining defendants joined in the motions. The Supreme Court's opinion agreed that the Act violated the Illinois Constitution's right to trial by jury; the Court did not reach the separation of powers argument.

The *Kakos* Court observed that U.S. Supreme Court decisions have found that neither the sixth nor seventh amendments to the U.S. Constitution require a twelve person jury. However, Article I, section 13 of the Illinois Constitution does.[6]

The parties each presented arguments about the effect of the number of jurors on the jury's execution of its duties. The plaintiffs argued that studies reveal a jury of less than 12 does not impact the jury trial process, while the defendants argued that those study results have been refuted. Interestingly, the Circuit Court cited more recent studies "supporting the conclusion that decreasing the number of jurors corresponds to decreasing diversity of the jury and may impede the deliberative process."[7]

Article I, section 13 of the Illinois Constitution states, "The right of trial by jury as heretofore enjoyed shall remain inviolate." (Emphasis added.) The *Kakos* Court focused on the term "heretofore enjoyed," analyzing both case law and the debates at the 1970 Illinois Constitutional Convention before concluding that litigants "enjoyed" the right to a 12-person jury at the time of the Convention.

A number of cases decided prior to 1970 "referred to the size of a jury when describing the essential elements of a constitutional jury in civil lawsuits."[8] The inclusion of the size of the jury in the list of essential elements demonstrated that civil litigants had enjoyed the right to a 12-person jury prior to the 1970 Constitutional Convention.

In addition, the Court found "ample evidence that the drafters at the 1970 Constitutional Convention believed they were specifically preserving the right to a 12-person jury when they adopted the current constitution."[9] One of the delegates to the Convention proposed an amendment to the Constitution that would have permitted the legislature to "provide for juries of less than twelve but not less than six, and to provide for verdicts in civil cases by not less than three-fourths of the jurors." Although the delegates initially voted to adopt this amendment, they later voted to delete the language previously approved. The subsequent amendment also proposed to "retain intact the system of jury trials on the state that we have heretofore enjoyed, both in the criminal area and civil area." The *Kakos* Court noted: "These discussions indicate that the delegates believed the size of the jury was an essential element of the right as enjoyed at the time they were drafting the constitution and they deliberately opted not to make any change to that element."

Case law prior to 1970 and the Constitutional Convention's debates likewise demonstrated that in Illinois, the size of the jury (12 persons) was an essential element of the right to trial by jury. The Court determined that "jury size is an element of the right that has been preserved and protected in the constitution." The Court further observed that the power to waive a 12-person jury inherently means that there exists a right to a 12-person jury. Therefore, Public Act 98-1132 was declared facially unconstitutional and void *ab initio*. Consequently, the Court did not need to consider the defendants' separation of powers argument.

The *Kakos* Court refused to sever the juror pay language of the Act from the section declaring the size of the jury, since the reduction in the size of the jury along with the increase of pay were "intended to act in tandem." To maintain the juror pay increase with the availability of a 12-person jury would prove too great a financial

burden and frustrate the legislative intent of the statute.

In several places in its decision, the Court noted that the parties may elect to waive the right to a 12-person jury. Based upon the Court's language, it would seem prudent to explicitly request a 12-person jury when making a jury demand. Failure to do so could be deemed a waiver of the right. ■

1. *Kakos v. Butler,* 2016 IL 120377.

2. Public Act 98-1132. The Act also changed the rate of pay statewide for jurors to $25 for the first day, and $50 thereafter.

3. 735 ILCS 5/2-1105(b)

4. Ill. Const. 1970, art. I, §13.

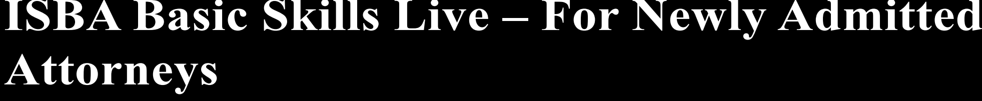
5. Ill. Const. 1970, art. II, §1.

6. See *Huber v. Van Schaack-Mutual, Inc.,* 368 Ill. 142, 144-45 (1938); See also *Hartgraves v. Don Cartage Co.,* 63 Ill. 2d 425, 427 (1976).

7. *Kakos v. Butler*, 2016 IL 120377 ¶19. Also, the trial court's Memorandum Order and Opinion for this case issued by Judge William E. Gomolinski provides an informative discussion of commentary and research on the issue of jury size and its impact on the legal process. Therein, citations are made to the following: Dennis M. Dohm, *The Record Reflects It: Six-Person Civil Jury Law is Unconstitutional*, Chicago Daily Law Bulletin, (Jan. 21, 2015); Robert T. Park, *A Constitutional Question About Reduced Jury Size*, Illinois State Bar Association Trial Briefs, Vol. 6, No. 7 (Jan. 2015); Michael L. Resis and Britta Sahlstrom, *Public Act 98-1132: An Unconstitutional Violation of the "Inviolate" Right to Trial by Jury?,* IDC Defense Update, Vol. 16, No. 3 (April 2015); Hon. Deborah Mary Dooling and Hon. Lynn M. Egan, *Living with a Six Person Jury*, Presentation before the Society of Trial Lawyers Annual Election Meeting (Sept. 15, 2015), Valerie P. Hans, *The Power of Twelve: The Impact of Jury Size and Unanimity on Civil Jury Decision Making*, Del. L. Rev. 1, 8-9 (2001, Nicole L. Waters, Judicial Council of California, *Does Jury Size Matter: A Review of the Literature*, National Center for State Courts (2004).

8. See *Hartgraves v. Don Cartage Co.,* 63 Ill. 2d 425 (1976); *Liska v. Chicago Railways Co.,* 318 Ill. 570 (1925); *Sinopoli v. Chicago Railways Co.,* 316 Ill. 609 (1925); *Povlich v. Glodich,* 311 Ill. 149 (1924), and *Bibel v. People ex rel. City of Bloomington,* 67 Ill. 172 (1873).

9. *Kakos* at ¶22.



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People v. Jones: Prejudicial remarks in a criminal trial

BY EDWARD CASMERE AND ELIBERTY LOPEZ

The Illinois Appellate Court recently reversed a criminal defendant's attempted murder and aggravated battery convictions, sending a forceful reminder that prosecutorial misconduct will not be tolerated and that judges are "required to be fair and dispassionate arbitrators above all else." In *People v. Jones*, 2016 IL App (1st) 141008, the First District reversed the convictions and ordered a new trial in front of a new judge based on prejudicial comments made by the State and the trial court.

Jones was convicted of three counts of attempted murder and three counts of aggravated battery with a firearm stemming from a September 2010 shooting during the Chicago Police Department's execution of a search warrant at Jones's residence. On appeal, the First District found that the dispositive issue was the impropriety of the State's repeated references to the defendant as a "criminal" in its opening statement. The court explained that "derogatory and pejorative terms used to describe the defendant" and "comments intending only to arouse the prejudice and passion of the jury" are improper. *Id.* at ¶ 21. Because the purpose of an opening statement is "to advise the jury concerning the question of facts and it is not, and should not be, permitted to become an argument," attorneys have less latitude in opening statements than they do in closing arguments. *Id.* at ¶ 22 (*quoting People v. Weller*, 123 Ill. App. 2d 421, 427, 258 N.E.2d 806 (1970)). The court was concerned that the derisive characterizations of the defendant in the State's opening statement might be particularly likely to bias the jury given that it was their first introduction to him. The trial court's instruction for the jury to disregard those comments was determined to be insufficient to ameliorate the prejudice.

The court further criticized the State's description of the defendant as a "cold blooded criminal" since he had never been convicted of a crime. *Id.* at ¶ 24. The prejudice inquiry also considered the State's evidence against the defendant which consisted of conflicting statements of two witnesses. The court held that the State's "relatively thin" evidence – which he court discussed as "while undoubtedly sufficient to convict, [but] was not overwhelming" - made it more likely that the jury was over-persuaded by the State's description of Jones as a criminal. *Id.* at ¶26. As a result, the First District reversed and remanded for a new trial: "[t]he State's misconduct here requires us to do more than merely express our disapproval, given that the State's improper comments may have contributed to Jones's conviction." *Id.* at ¶ 29.

Although in light of the court's decision to remand the case for a new trial, the Appellate Court found moot the defendant's argument that his 23-year sentence was excessive, the First District nevertheless noted that the court's comments during sentencing were sarcastic and "highly offensive." Specifically, when the defendant apologized to his children, the trial court remarked, "I don't believe they thought about their kids in the slightest on that day. No one. If someone said, 'Hey man, how are your kids doing?' Their response would be 'What kids? I got kids somewhere?'" *Id.* at ¶ 37. The First District believed that such comments demonstrate a categorical bias against all criminal defendants and their concern for their children, and "leave little doubt that they were derisive and intended to malign an entire class of criminal defendants." *Id.* While the trial court was entitled to disbelieve the sincerity of the defendant's purported concern for his children, the trial court crossed the line when it suggested a "*categorical* disbelief of *any* defendant who claimed such concern." *Id.* Quoting the Illinois Code of Judicial Conduct that requires a judge to be "patient, dignified, and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity," the First District found that the trial court's comments did not comport with the well-established standards of judicial conduct. *Id.* at ¶ 38. As a result, the court said that the trial on remand should proceed in front of a different trial judge. ■

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Candidate filing begins January 3, 2017 and ends January 31, 2017.

Fee Petitions: *Kaiser* and beyond

BY JAMES J. AYRES

Any attorney who has sought an award for attorney fees from the circuit court must be aware of the requirements of *Kaiser v. MEPC Am. Properties, Inc.,* 164 Ill. App. 3d 978 (1st Dist. 1987). However, counsel should also be aware of *Aliano v. Sears, Roebuck & Co*., 2015 IL App (1st) 143367.

Many of us who have presented or opposed fee petitions have encountered the situation when the managing partner for the law firm seeking fees presents the computer-generated statement prepared by the law firm and testifies as to the computer system, time keepers' billing, their background, the reasonableness of their hourly fee, and the reasonableness and necessity of the work performed. It is hearsay.

As the reader is probably aware, *Kaiser* sets forth the requirements for the presentment of a fee petition.

It is well-settled that the party seeking the fees, whether for himself or on behalf of a client (*First National Bank v. Barclay*, 111 Ill. App. 3d 162 (4th Dist. 1982)) always bears the burden of presenting sufficient evidence from which the trial court can render a decision as to their reasonableness (*Fiorito v. Jones*, 72 Ill. 2d 73 (1978)); *Heckman v. Hospital Service Corp*., 104 Ill. App. 3d 728 (1st Dist. 1982); *Ealy v. Peddy*, 138 Ill. App. 3d 397 (5th Dist. 1985)). An appropriate fee consists of reasonable charges for reasonable services (*In re Estate of Healy*, 137 Ill. App. 3d 406 (2d Dist. 1985)); however, to justify a fee, more must be presented than a mere compilation of hours multiplied by a fixed hourly rate or bills issued to the client (*In re Marriage of Angiuli*, 134 Ill. App. 3d 417 (2d Dist. 1985)), since this type of data, without more, does not provide the court with sufficient information as to their reasonableness -- a matter which cannot be determined on the basis of conjecture or on the opinion or conclusions of the attorney seeking the fees (*Flynn v. Kucharski*, 59 Ill. 2d 61 (1974)*; In re Marriage of Angiuli*, *supra.*). Rather, the petition for fees must specify the services performed, by whom they were performed, the time expended thereon and the hourly rate charged therefor. (*Fiorito v. Jones*, 72 Ill. 2d 73(1978); *Ealy v. Peddy*, 138 Ill. App. 3d 397 (5th Dist. 1985)) Because of the importance of these factors, it is incumbent upon the petitioner to present detailed records maintained during the course of the litigation containing facts and computations upon which the charges are predicated. *Flynn v. Kucharski*, 59 Ill. 2d 61 (1974); *Board of Education v. County of Lake*, 156 Ill. App. 3d 1064 (2d Dist. 1987). *Kaiser,* 164 Ill. App. 3d 983 - 84.

The *Aliano* case sets forth the evidentiary requirements for laying the foundation and admissibility of the fee petition described in *Kaiser*. In *Aliano*, the appellate court addressed the issue of the admissibility as a business records exception. Although the invoice is hearsay, the courts often allow the invoice into evidence under the business records exception.

As the Court in *Aliano e*xplained:

> Computer-stored data is admissible under the ***business records*** exception to the hearsay rule if "(1) the electronic computing equipment is recognized as standard, (2) the input is entered in the regular course of ***business*** reasonably close in time to the happening of the event recorded, and (3) the foundation testimony establishes that the source of the information, method and time of preparation indicate its trustworthiness and justify its admission. ***When, however, computer-stored records sought to be admitted are the product of human input taken from information contained in original documents, the original documents must be presented in court or made available to the opposing party, and the party seeking admission of a record of that computer-stored data must be able to provide testimony of a competent witness who has seen the original documents and can testify to the facts contained therein.*** When the original documents have been destroyed by the party offering secondary evidence of their content, the secondary evidence is not admissible unless, by showing that the destruction of the original documents was accidental or was done in good faith and without any intention to prevent their use as evidence, the party offering the secondary evidence repels every inference of fraudulent design in the destruction of the original documents.

Aliano v. Sears, Roebuck & Co., ¶ 31 (Emphasis added; internal citations omitted).

The failure to produce the original time slips bars the admissibility of the computer-generated record which was the invoice for the fee petition. *Aliano*, ¶ 34. The Appellate Court found that the circuit court erred as a matter of law in admitting the billing statement into evidence in the absence of the production of the original time sheets and in relying upon that billing statement in calculating the plaintiff's recoverable fees. Without those documents being available, the Court held the statement was inadmissible. *Id*. Therefore, the Court held that there is no evidence in the record from which a reasonable fee could be calculated and the fee award. *Id*.

The Court remanded the case acknowledging that the petitioning party

could establish the reasonable fees by other means. Counsel seeking an award of reasonable attorney fees by a circuit court would be well-advised to not only ensure that the content of the billable time entries comply with *Kaiser*, but also that the evidence sought to be introduced in support of the fees claimed complies with *Aliano*. ■

Recent appointments and retirements

1. Pursuant to its Constitutional authority, the Supreme Court has appointed the following to be Circuit Judge:
   - Hon. Gerald V. Cleary, III, Cook County Circuit, 10th Subcircuit, November 3, 2016
   - John A. O'Meara, Cook County Circuit, 4th Subcircuit, November 18, 2016

2. The Circuit Judges have appointed the following to be Associate Judge:
   - Stephen E. Balogh, 17th Circuit, November 4, 2016
   - Frank W. Ierulli, 10th Circuit, November 14, 2016
   - Brian W. Jacobs, 18th Circuit, November 16, 2016
   - Stacey L. Seneczko, 19th Circuit, November 28, 2016

3. The following judges have retired:
   - Hon. Veronica B. Mathein, Cook County Circuit, 12th Subcircuit, November 2, 2016
   - Hon. James G. Riley, Cook County Circuit, 4th Subcircuit, November 2, 2016
   - Hon. Donald J. Suriano, Cook County Circuit, 10th Subcircuit, November 2, 2016
   - Hon. John R. Truitt, Associate Judge, 17th Circuit, November 4, 2016
   - Hon. Claudia J. Anderson, 5th Circuit, November 30, 2016
   - Hon. Kathleen G. Kennedy, Cook County Circuit, 11th Subcircuit, November 30, 2016
   - Hon. Stephen C. Mathers, 9th Circuit, November 30, 2016
   - Hon. Carolyn B. Smoot, 1st Circuit, November 30, 2016 ■

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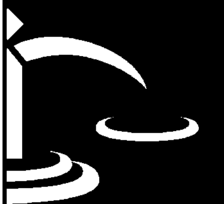

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January

Tuesday, 01-10-17- Webinar—Technology and Business Planning for a Law Firm. Practice Toolbox Series. 12:00 -1:00 p.m.

Thursday, 01-12-17- Live Webcast—Immigration Law Update Spring 2017—Changes which Affect Your Practice and Clients. Presented by International and Immigration. 12:00- 1:30 p.m.

Friday, 01-13-17- Chicago, ISBA Regional Office—Implicit Bias in the Criminal Justice System. Presented by Criminal Justice. 9:00 a.m. – 4:45 p.m.

Wednesday, 01-18-17- Live Webcast—The Nuts and Bolts of Drafting Non-Disclosure Agreements: Tips for the Practicing Lawyer. Presented by Business & Securities. 10:00 a.m. – 11:00 a.m.

Wednesday, 01-18-17—Live Webcast—Presented by Labor and Employment. 12:00 p.m. – 1:30 p.m.

Tuesday, 01-24-17- Webinar—How to Stop the 8 Things Killing Your Law Firm. Practice Toolbox Series. 12:00 -1:00 p.m.

Wednesday, 01-25-17- Live Webcast—Helping Immigrant Children- Special Immigrant Juveniles. Presented by International and Immigration; co-sponsored by Bench and Bar. 11:00 a.m. – 12:00 p.m.

Wednesday, 01-25-17- Live Webcast—Housing Justice v. Housing Injustice: How Unfair Housing Practices Keep Segregation Intact. Part 1: SCOTUS Opinion, Fair Housing Policies and Housing Voucher Programs. Presented by REM; multiple cosponsors (see agenda). 1:00 – 3:00 p.m.

Thursday, 01-26-17—Chicago, ISBA Regional Office—Family Law Table Clinic Series—Session 3. Presented by Family Law.

Friday, 01-27-17- Chicago, ISBA Regional Office & Live Webcast—Recent Developments in State and Local Tax—Spring 2017. Presented by SALT. 8:30 a.m. – 12:45 p.m.

February

Wednesday, 02-01-17—Chicago, ISBA Regional Office—Cybersecurity: Protecting Your Clients and Your Firm. Presented by Business Advice and Financial Planning; co-sponsored by IP (tentative). 9:00 a.m. – 5:00 p.m.

Friday, 02-03-17- Springfield, Illinois Department of Agriculture—Hot Topics in Agricultural Law- 2017. Sponsored by Ag Law. All Day.

Friday, 02-03-17- Chicago, ISBA Regional Office—2017 Federal Tax Conference. Presented by Federal Tax. 8:20 a.m. – 4:45 p.m.

Monday, 02-13 to Friday, 02-17—Chicago, ISBA Regional Office—40 Hour Mediation/Arbitration Training. Master Series, presented by the ISBA—WILL NOT BE ARCHIVED. 8:30 -5:45 daily.

Tuesday, 02-14-17- Webinar—Hardware & Software: You Bought It, You've Got It… Now Use It! Practice Toolbox Series. 12:00 -1:00 p.m.

Monday, 02-20-2017- Chicago, ISBA Regional Office & Fairview Heights—Workers' Compensation Update – Spring 2017. Presented by Workers' Compensation. 9:00 a.m. – 4:00 p.m.

Wednesday, 02-22-17- Live Webcast—Housing Justice v. Housing Injustice: How Unfair Housing Practices Keep Segregation Intact. Part 2: Landlord Privileges/Defenses and Tenant Rights/Remedies. Presented by REM; multiple cosponsors (see agenda). 1:00 – 3:00 p.m.

Thursday, 02-23-2017—Webcast—Written Discovery Part 2: Electronic Discovery – How to Seek, Locate, and Secure. Presented by Labor & Employment. 1:00 – 3:00 p.m.

Friday, 02-24-2017- Chicago, ISBA Regional Office—Wrongful Death, Survival, and Catastrophic Injury Cases. Presented by Tort Law. 8:45 a.m. – 1:00 p.m.

Tuesday, 02-28-17- Webinar—Introduction to Microsoft Excel for Lawyers. Practice Toolbox Series. 12:00 -1:00 p.m.

March

Thursday, 03-02-17—Chicago, ISBA Regional Office—Family Law Table Clinic Series—Session 4. Presented by Family Law.

Friday, 03-03-17- Chicago, ISBA Regional Office & Webcast—8th Annual Animal Law Conference. Presented by Animal Law. 9:00 a.m. – 5:00 p.m.

Thursday, 03-09 and Friday, 03-10—New Orleans—Family Law Conference NOLA 2017. Presented by Family Law. Thursday: 12:00 pm – 5:45 pm; Reception 5:45- 7:00 pm. Friday: 9:00 am – 5:00 pm.

Tuesday, 03-14-17- Webinar—Matter Management Software- Why Outlook Isn't Good Enough. Practice Toolbox Series. 12:00 -1:00 p.m.

Wednesday, 03-22-17- Live Webcast—Housing Justice v. Housing Injustice: How Unfair Housing Practices Keep Segregation Intact. Part 3: Mortgage Fraud, Subprime Lenders, and Foreclosure Crisis. Presented by REM; multiple cosponsors (see agenda). 1:00 – 3:00 p.m.

Friday, 03-24-17- Chicago, ISBA Regional Office—Jury Selection

Techniques and the Use of Jury Focus Groups. Presented by Labor and Employment. TIME TBD—full day.

Wednesday, 03-29-17- Chicago, ISBA Regional Office & Live Webcast—Professional Responsibility and Ethics—Spring 2017. Presented by General Practice. 12:50 p.m. – 5:00 p.m.

Tuesday, 03-28-17- Webinar—Access Your Documents from Anywhere and Share Them with Others. Practice Toolbox Series. 12:00 -1:00 p.m.

Friday, 03-31-2016 – iWireless Center, Moline—Solo and Small Firm. Title TBD. ALL DAY.

April

Thursday, 04-06-17- Chicago, ISBA Regional Office—Housing Justice v. Housing Injustice: How Unfair Housing Practices Keep Segregation Intact. Part 4: Resources for Rebuilding. Presented by REM; multiple cosponsors (see agenda). 1:00 – 5:00 p.m. (program). 5:00 – 6:00 p.m. (reception).

Friday, 04-07-2017—NIU Hoffman Estates—DUI and Traffic Law Updates—Spring 2017. Presented by Traffic Law and Courts. 8:55 – 4:00.

Tuesday, 04-11-17- Webinar—TBD. Practice Toolbox Series. 12:00 -1:00 p.m.

Wednesday, 04-19 to Friday, 04-21—Starved Rock State Park—Allerton Conference—Title TBD. Presented by Civil Practice and Procedure. Wednesday: 12:00 p.m. – TBD. Thursday: TBD. Friday: TBD-12:00 p.m.

Tuesday, 04-25-17- Webinar—TBD. Practice Toolbox Series. 12:00 -1:00 p.m.

May

Tuesday, 05-09-17- Webinar—TBD. Practice Toolbox Series. 12:00 -1:00 p.m.

Thursday, 05-18-17—Chicago, ISBA Regional Office—Family Law Table Clinic Series—Session 5. Presented by Family Law.

Tuesday, 05-23-17- Webinar—TBD. Practice Toolbox Series. 12:00 -1:00 p.m.

June

Friday, 06-02-2016—NIU Conference Center, Naperville—Solo and Small Firm. Title TBD. ALL DAY.

Tuesday, 06-13-17- Webinar—TBD. Practice Toolbox Series. 12:00 -1:00 p.m.

Wednesday, 06-21-2016—Chicago, ISBA Regional Office and Live Webcast—Title TBD- Marty Latz Negotiations. Master Series Presented by the ISBA. Time TBD.

Tuesday, 06-27-17- Webinar—TBD. Practice Toolbox Series. 12:00 -1:00 p.m. ■

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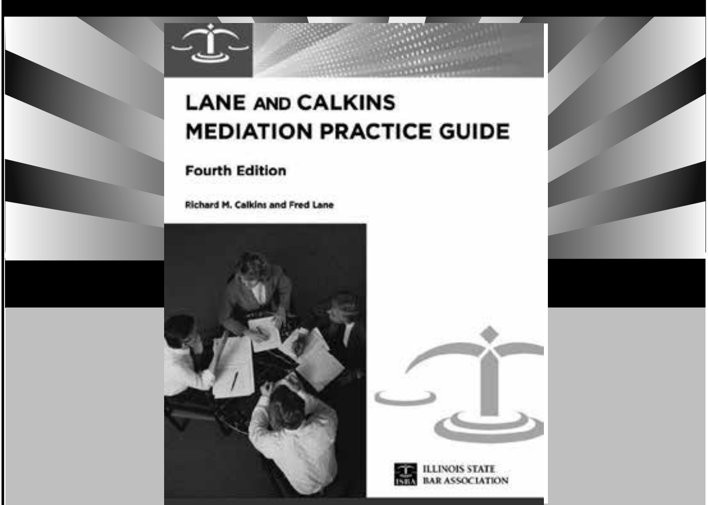

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