

President's Message

*By: R. Howard Jump
Jump & Associates, P.C.*

Like all of you, I assumed the world would end on December 21, 2012, so I left most of this message in rough draft form and unfinished, not believing I would need to do anything with it. Unfortunately, the Mayan calendar makers must have worked on a fixed fee basis and exhausted the time allotted to the calendar project before it was finished or just got it wrong, at least for the time being. Despite the impending apocalypse, the IDC was very busy this fall and I want to share with you some of the adventure, so I called this message up from my "Doomsday No Need To Do" directory and finished it.

Trial Academy

The Trial Academy was held at the end of September in Merriville, Indiana. The Defense Trial Counsel of Indiana took the point position this year, and I can report that through the efforts Indiana's executive director, Lisa Mortier, our own Sandra Wulf, and Committee Chair Tracy Stevenson, the Academy was a success. I was able to attend the dinner and reception, had a chance to talk with Indiana President, Lonnie Johnson, and met some of the students. The faculty members of the Trial Academy are on the front lines when it comes to instilling in these exceptional young lawyers the civility, integrity, and professional competence demanded by our mission statement. Do you know who they are? Jim Ahern, Dennis Marek, and Michael Reda (Illinois); Tom Devine and Amy Goyette (Wisconsin); and Lonnie Johnson and Renee Mortimer (Indiana). When you see them in court, at depositions, or at bar functions, say hello and thank them for what they do. (Our thanks and appreciation for a successful Trial Academy are also extended to the planners: Donna Fisher, Sean Hocking, Lonnie Johnson, Becky Maas, Jim Strenski, Jane Svinicki, Rob Thornberg, and Heather Watterson.)

IDC 2020

Our long range planning conference, IDC 2020, convened in early October. The participants tried to give more focus to future endeavors of the IDC. The Long Range Planning Report is not complete. Additional work will take place in the coming months to finalize the report and to make it available to our members. My thanks to all who attended and to past president, Jeff Hebrank, and Hepler Broom for hosting a wonderful reception for the participants. I want to say special thank-yous to Tracy Stevenson, Melanie Strubbe, Mandi Ferguson, John O'Driscoll, and Nicole Milos for their contributions. They represent the bright future of the IDC. Great work was done by all.

YLD Outreach

In mid-October, I attended the Young Lawyers Division (YLD) firm visit to Hinshaw & Culbertson. YLD Chair, Mandi Ferguson, spearheaded the effort and was joined by Hinshaw partners, Steve Puiszis, Dave Levitt, and Jennifer Gust. (Jennifer is presently chairing the planning committee for the upcoming Judicial Reception for Justice Mary Jane Theis.) Steve, Dave, and Jennifer invited the firm's young lawyers to lunch with the IDC. One of our newest members, Starr Rayford, was at the lunch. The YLD, under Mandi's

dedicated and capable leadership, will continue its outreach to the young lawyers in our member firms. All young defense lawyers should be young IDC Defense Lawyers. Please tell them.

Gala for a Past President

I had the honor of escorting IDC past president, Anne Oldenburg, and President-Elect, Aleen Tiffany, to the Illinois Bar Foundation's Gala in honor of IDC past president, Rudy Schade. His contributions to the defense practice, the IDC, and his community at large are inspiring, and I was very privileged to be there. It was a great evening for Rudy. You should also know how proud I was to have Anne and Aleen representing the IDC at such an event. I cannot say enough about their contributions to the IDC and the examples that Rudy, Anne, and Aleen set for young defense lawyers. The IDC owes them a lot. I owe them a lot.

DRI Annual Meeting

A week after the Illinois Bar Foundation's Gala, the executive committee was off to New Orleans for DRI's annual meeting. Sandra Wulf, Aleen Tiffany, Dave Levitt, Troy Bozarth, Mark Mifflin, and Anne Oldenburg (our DRI state representative) made the trip with me. In addition to the CLE programs, DRI conducts a conclave for the leaders of the state and local defense organizations (SLDO) around the country. We spent two afternoons in the company of our counterparts. The Thursday night networking reception was held at the Superdome. I was witness to the executive committee's stunning, on-field demonstration of punt return fundamentals. Watch your back Devin Hester! I am also pleased to report that your president did not choke under pressure and kicked a dead center field goal through the uprights (that seem a lot narrower in person than on TV). As thrilling as it was, the real thrill came from the fact that the presenters at the SLDO conclave included your executive director, Sandra Wulf, and past presidents, Chuck Cole and Steve Puiszis. Steve served as Chair of the SLDO Education Programming Committee. DRI's annual meeting will be in Chicago in October 2013. If you have not been able to attend one of the annual meetings, this year will provide a very convenient location, so make plans to go.

Lunch with Bar Presidents

Several months ago, I extended an invitation to the presidents of the Illinois State Bar Association, the Chicago Bar Association, the Women's Bar Association of Illinois, and the Illinois Trial Lawyers' Association, to have lunch. Much to my surprise, they all accepted! Sandra Wulf and Aleen Tiffany joined me in hosting the presidents in early November 2012, with only one not being able to attend due to a scheduling conflict. The perspectives of each of the presidents are clearly shaped by their organization. It was enlightening to have an opportunity to hear these perspectives first-hand. There are a great many issues common to all Illinois lawyers. Lunch talk ranged from non-lawyer investors in law firms to mandatory CLE. We agreed to meet again in the spring and to invite each organization's incoming president to join us. I would like to thank John Theis (ISBA), Aurora Austriaco (CBA), and Karina DeHayes (WBAI) for taking the time to lunch with us. Greg Shelvin (ITLA) was unable to attend at the last minute, but hopes to join us in the spring.

Holiday Party

I saw a lot of you at the holiday party. It was only a month ago, but seems long past now. Fire Ball Whiskey made an unexpected appearance on the Wall of Wine, but earned its place by raising money for a good cause. The YLD fundraiser benefitted the American Red Cross and its Superstorm Sandy relief effort this year. More good work by IDC Defense Lawyers.

Legislative Efforts

Our legislative efforts continue as we strive to “ensure civil justice for all.” More details are in this issue’s Legislative Update Column. Legislative Committee members, Mark Mifflin, Bill McVisk, Bill Busse, Dave Levitt, and Aleen Tiffany are working to advance a “fair and level playing field” agenda. I think the IDC has adopted a rational approach to improving the civil justice system that is consistent with our mission and the interests of our members and does not deny anyone access to justice or a fair trial.

Supreme Court Rules

The Illinois Supreme Court adopted two new rules that were originally submitted by the IDC, through the efforts of Steve Puiszis. Supreme Court Rule 201(p) deals with the inadvertent disclosure of material subject to a claim of privilege or work product protection. Illinois Rule of Evidence 502 deals with limitations on waivers of the attorney-client privilege and work product protection. These rules became effective on January 1, 2013.

Amicus Committee

This President’s Message would be incomplete without an acknowledgement of the efforts of our Amicus Committee. This year alone saw the committee active in *Simpkins v. CSX Transportation, Inc.*, 2012 IL 110662, *Martin v. Keeley & Sons, Inc.*, 2012 IL 113270, *Center Partners, Ltd. v. Growth Head, LLC*, 2012 IL 113107, and *Fennell v. Illinois Central R.R. Co.*, 2012 IL 113812, all of which have been decided. Mike Resis continues to do a terrific job as chair and board member. He serves on the Amicus Committee with Vice Chair, Craig Unrath, Adnan Arain, Garret Boehm, Kevin Clancy, Andrew Corkery, James DeAno, Edward Graham, Jr., William McVisk, Stephen Mudge, John O’Brien, Paul Pasche, Starr Rayford, and John Watson. One of IDC’s core values is “*To take positions on issues of significance to our membership, and to advocate and publicize those positions.*” Well done, Amicus Committee!

Work in Progress

I am off to Austin, Texas, in two weeks for DRI’s North Central Regional Meeting. Sandra and I (mostly Sandra) were asked to do a presentation for the group on the IDC’s Committee Boot Camp. Jennifer Groszek, Troy Bozarth, and Nicole Milos did a great job with this concept and it is something I look forward to each year. On January 31, 2013, the Judicial Reception will take place in honor of Justice May Jane Theis.

By the time you read this column, I should be in recovery from the CLE and Ski trip to Steamboat with our friends from the Texas Association of Defense Counsel. Many thanks to all of the participants.

Our discussions about litigation costs and delay in Cook County’s Law Division are continuing. Bruce Dorn and Gerard Gregoire have been very helpful, and I have been able to talk to members in a number of different practice areas about how best to address these issues and to improve the discovery process. Seth Lamden, Terry Fox, and Melanie Strubbe of the Insurance Law Committee are working on the production of a Risk Transfer Workshop to be presented at a luncheon venue to insurance and corporate representatives. They plan to debut the workshop in the western suburbs in the spring. The IDC 50th Anniversary Planning Committee (FAPC) has been assembled and has started its work. The members are Jennifer Groszek, Patrick Stufflebeam, Paul Lynch, Joe Feehan, Dave Levitt, Aleen Tiffany, Al Pranaitis, Chuck Cole, Anne Oldenburg, and Sandra Wulf. Anne Oldenburg and I plan to enlist our past presidents to also assist in the planning of this event. It will take place at Trump Tower on June 28, 2014. If you would like to get involved in any of our committees or projects contact Sandra Wulf or me, and we can get you where you want to be.

The Message in the Message

The theme of this President's Message seems to be: *meet some of the people who do the heavy lifting behind the scenes*. There are so many more to name and thank. I know it is unrealistic and impractical to have a thousand members all actively engaged in committee work and event planning, but we can, all one thousand of us, show the Heavy Lifters that we recognize and value their contributions and dedication to the cause of IDC Defense Lawyers. ITLA's membership exceeds 2000 lawyers. Ours should too. As we move into 2013, why not resolve to bring a new member into the IDC to say thank you to all of the IDC Defense Lawyers, present and past, who have selflessly advanced our mission and core values year after year? The IDC's ability to shape our professional future and maintain its mission depends on its strength as an organization. There is great strength in numbers. Dave Bennett is chair of the Membership Committee and will be rolling out plans to help us all identify and recruit new members in the coming months. One new member is one more added voice in support of IDC Defense Lawyers. I have never met a defense lawyer that did not love a challenge, so I challenge you to match the membership level of our plaintiffs' bar colleagues in their organization. Can you do it? Of course you can, you are an IDC Defense Lawyer. Will you?

Good-bye 2012

I celebrated Christmas and closed the books on 2012. We re-elected the president, witnessed a natural disaster named Sandy, were horrified by terrible shootings, postponed the Fiscal Cliff, and dodged the end of the world. For some of us, 2012 always will be distinguished by our grief. For some of us it always will be distinguished by our joy. For all of us it should have some measure of distinction for the blessings we received. We are here. We carry on with the business of living. We have great families, friends, and colleagues. We work in the Law. We serve Justice. We have opportunities to do good and noble things. I wish each of you a safe, happy and prosperous new year. Only one more President's Message to go! A blessing already! Or perhaps the Mayans were off by only a few months . . .

About the IDC

The Illinois Association Defense Trial Counsel (IDC) is the premier association of attorneys in Illinois who devote a substantial portion their practice to the representation of business, corporate, insurance, professional and other individual defendants in civil litigation. For more information on the IDC, visit us on the web at www.iadtc.org.

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Illinois Association of Defense Trial Counsel, PO Box 588, Rochester, IL 62563-0588, 217-498-2649, 800-232-0169, idc@iadtc.org