



Editor's Note

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A new year brings a sense of renewal and fresh beginnings. When the calendar flips to January 1, we get to shed the hard shell formed the year before and emerge brand new. Oprah Winfrey captured these sentiments when she said “Cheers to a new year and another chance for us to get it right.” This quote is perfect—not just as it relates to personal growth and change—but as it relates to the IDC’s ongoing efforts, guided by its core values, in service to the defense bar and justice in Illinois and beyond. This year presents more chances for each of us to continue our efforts to get it right. The content of this *IDC Quarterly* certainly assists these efforts.

Michael Resis’ President’s Message draws our collective attention to the importance of a fair and independent judiciary. His words on this issue are especially important as 2018 is an election year. He appropriately reminds us that, as members of the Illinois bar, we are called to defend judges who are unfairly attacked. The Legislative Update authored by John Eggum succinctly explains the General Assembly’s recent veto session—how it works, what occurred, and what can be expected in 2018.

There have also been interesting and important developments in the law and rules of procedure that are noteworthy. The Employment Law Column by Julie Bruch explains the Court of Appeals for the Seventh Circuit’s recent opinion regarding whether extended medical leave is a “reasonable accommodation” under the Americans with Disabilities Act. Emily Perkins’ Civil Rights Column highlights another Seventh Circuit opinion regarding constitutionality of public nudity ordinances and its analysis of the First Amendment and Equal Protection claims.

The Civil Practice Column authored by Donald Patrick Eckler and Howard J. Pikel examines a recent decision related to the *Petrillo* doctrine that is a “must read” for any attorney representing a healthcare provider.

The Medical Malpractice Column by Edna McLain discusses the recent Illinois Supreme Court decision relating to relation back of wrongful death claims when the act of negligence occurred beyond the medical malpractice four-year statute of repose.

The Appellate Practice Corner by Scott Howie and the Workers’ Compensation Column highlight the importance of following and understanding the rules. The Appellate Practice Corner thoughtfully explains the rationale of a fractured Illinois Supreme Court regarding the requirements of Illinois Supreme Court Rule 308. The Workers’ Compensation Column discusses three recent cases related to appellate jurisdiction and the rules of appellate review.

The sole feature of this issue, authored by John Eggum, discusses the selective tender doctrine and examines its continued viability in Illinois. The issue is rounded out by the Civil Practice Monograph that is focused on the implied warranty of habitability. The authors, Donald Patrick Eckler and Jonathan Federman, set forth important updates on the law and present new issues for consideration. Finally, the IDC pays tribute to Shirley Stevens, the former executive director. As reflected in the tribute, Shirley was a beloved member of the IDC family who is dearly missed.

As always, a debt of gratitude is owed to all of the columnists, contributors, and editors whose collective efforts continue to make the *IDC Quarterly* a preeminent publication. The IDC is fortunate to have so many volunteers eager to make a difference. Hopefully, the content of this issue, and all others, will help each of us as we strive to get it right this year.



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.iadt.org or contact us at PO Box 588, Rochester, IL 62563-0588, 217-498-2649, 800-232-0169, idc@iadt.org.