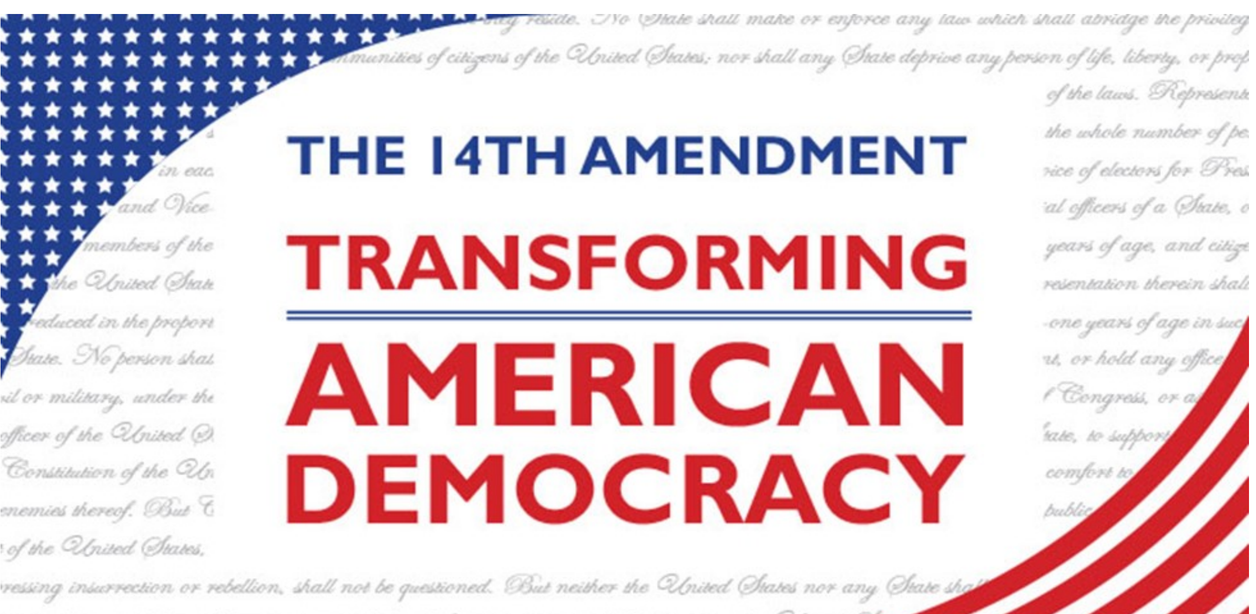
In Brief

February 2017 A Quarterly Publication of the McHenry County Bar Association

LAW DAY 2017



The 14th Amendment: Transforming American Democracy

The 2017 theme provides the opportunity to explore the many ways that the Fourteenth Amendment has reshaped American law and society. Through its Citizenship, Due Process and Equal Protection clauses, this transformative amendment advanced the rights of all Americans. It also played a pivotal role in extending the reach of the Bill of Rights to the states. Ratified during Reconstruction a century and a half ago, the Fourteenth Amendment serves as the cornerstone of landmark civil rights legislation, the foundation for numerous federal court decisions protecting fundamental rights, and a source of inspiration for all those who advocate for equal justice under law.

Law Day 2017 Schedule of Events

March 13, 2017—Essay contest deadline

April 10-28, 2017—Attorney school visits

April 28, 2017—High School Law Day program at MCC

May 5, 2017—Law Day luncheon

2014-15 Board of Governors

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Board of Governors Meeting Highlights

November 15, 2016

LEGAL AID:
Prairie State Legal Services will be doing a campaign for Giving Tuesday on November 29, 2016

COMMISSION ON PROFESSIONALISM:
P. Carroll reports that the 2016 mentoring program is reaching its end and a luncheon will be scheduled for the pairs.

CONTINUING LEGAL ED:
R. Lee reported that the dates for the Destination Seminar have been set for April 20-21, 2017 and they have all but 2 speakers confirmed.

December 20, 2016

PRESIDENTS REPORT:
Judge Gerhardt welcomed the Honorable Robert Beaderstadt (Ret.) as the new Membership Chair.

SOCIAL:

K. Vaclavek reported that we were able to donate a lot of toys to Toys for Tots through our toy drive at the holiday party. Also, Judge McIntyre's retirement luncheon went well and thanks to our members we raised $1100 to donate to CASA in Judge McIntyre's name.

TECHNOLOGY:
M. Stetler reported that two TV's were purchased for the Bar office to use for seminars. M. Stetler will also look into purchasing a new lap top for the Bar as well.

January 17, 2017

ADR/MEDIATION:
M. Gehris reports that there will not be a Spring seminar but they are planning one for the Fall.

CIVIL PRACTICE:
J. Schwemler reports that they are working on a Probate GAL seminar for May 11, 2017

LAW DAY:
R. Rosenthal reports that the speaker for the 2017 Law Day luncheon will be the Honorable Gino DeVito.

New Members

Megan A. Mack
Jeffrey M. Reed
Nicole L. O'Connor
Justin M. Hastings
Alexandra C. Brinkmeier
Jason Hauck
Gordon Hirsch
Howard Peritz
Jeffrey J. Altman
Mia Lucas
Matthew L. Marcellis
Tiffany Newton
Megan M. Hellesen
Alexandra Aherne
Hans A. Mast
Kim M. Casey

President's Page

Honorable Mark R. Gerhardt

2016/17 MCBA President

Donald Trump is President of the United States. Months ago, few thought that possible (excepting a 2000 dream sequence prediction of The Simpsons). The preceding either delights or terrifies. Few, if any, have no reaction. What to say about our American electoral process when we witness such a contentious campaign cycle? Can the country withstand such division moving forward?

History is the great guide. Consider the presidential election of 1876, when Republican Rutherford B. Hayes ran for election against Democrat Samuel J. Tilden. The campaign and election featured suspicion of voter fraud in Republican-controlled states and "heavily armed and marauding white supremacists Democrats canvassed the South, preventing countless blacks from voting."1 Tilden's opponents called him "everything from a briber, to a thief, to a drunken syphilitic."2

Who could forget the presidential campaign of 1884, which pitted Democrat Grover Cleveland against Republican James G. Blaine, former Speaker of the House and Senator from Maine? Blaine was dogged by involvement in "questionable investment schemes while on the public payroll." Cleveland, former Mayor of Buffalo and then Governor of New York, was lambasted for fathering an illegitimate child years earlier.3 The election resulted in the memorable phrase, "Ma, Ma, where's my Pa? Gone to the White House. Ha, ha, ha."4 Blaine's cause was not helped when one supporter described Democrats as "the party of rum, Romanism, and rebellion."5 Cleveland squeaked out victory by a narrow 20,000 vote margin.6

Then there is the election of 1800, between John Adams and Thomas Jefferson. Jefferson's Democratic-Republicans denounced the "strong centralization of the federal power under Adam's presidency" While the Federalists "attacked Jefferson as an unchristian deist whose sympathies to the French Revolution would lead to similar bloodshed and chaos in the United States."7 Hamilton fans may know the story's ending -- a tie in the Electoral College between Jefferson and, not Adams, but Aaron Burr.8 The election went to the House of Representatives where Alexander Hamilton threw his support to Jefferson, feeling Jefferson was "the lesser of two evils."9 All resulted in Aaron Burr killing Hamilton in a duel, and rewarding us with a Tony Award winning Broadway musical.

"Nice," you say. But none tore the country apart. The 1860 election did just that. Abraham Lincoln's election was made possible by Northern and Southern Democrats being unable to decide on a single candidate. (Stephen Douglas from the North and John Breckinridge from the South).10 Due to the Democratic split, Abraham Lincoln became President after garnering a mere 39.9 percent of the popular vote, of course, leading to the Civil War.

Similarly, the 1876 election resulted in chaos. Tilden won the popular vote, 51 to 48 percent, yet there remained trouble certifying votes of the Electoral College, which Tilden was one vote shy. Several Republican-controlled southern states refused to certify results, giving Tilden his victory (hanging chads anyone?), resulting in a backroom negotiation where southern Democrats agreed to stop the House filibuster blocking the final count and giving Hayes the presidency. In exchange, the Republicans agreed that Hayes would withdraw troops from the southern states, effectively ending Reconstruction.11 "Southern Democrats' promises to protect civil and political rights of blacks were not kept, and the end of federal interference in southern affairs led to widespread disenchantment of black voters. From the late 1870s onward, southern legislatures passed a series of laws requiring the separation of whites from "persons of color" on public transportation, in schools, parks, restaurants, theaters, and other locations,"12 -- a sad legacy indeed.

Considering the recent campaign, one hopes that the results will not be as dire as 1860 and 1876. However, only time will tell if it results in another Broadway hit.

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1. Smithsonianmag.com September 7, 2012, Author Gilbert King.
2. Ibid.
3. U-S-History.com, date and author unknown.
4. Ibid.
5. Ibid.
6. Ibid.
7. USHistory.org, no date or author given.
8. Ibid.
9. Ibid.
10. Historycentral.com\elections\1860.HTML
11. Finding Precedent: Hayes vs. Tilden, the Electoral College Controversy of 1876-1877, elections.harpweek.com/09Ver2Controversy/Overview-1.htm

12.. Compromise of 1877, history.com\topics\us-presidents\compromise-of-1877

SOMETIMES EVEN A COURTHOUSE NEEDS A FRIEND

By: Doreen Paluch

The history of the Old McHenry County Courthouse on the Woodstock Square is a reflection of the history of McHenry County itself. When first established, in 1836, McHenry County extended from the Boone County line to Lake Michigan. Its county seat was in the village of McHenry, and the courthouse was located there as well. In 1842, the Illinois legislature divided the County into what we now know as Lake and McHenry counties. With this division came an act authorizing the people to choose a new county seat. The act stipulated that the place receiving the most votes must donate two acres of land for a public square and must build upon that square "as good a courthouse as there is now in McHenry".

Located at the geographic center of the county, a parcel owned by Alvin Judd was selected, in what was then known as Centerville. This square became the hub of a village plat recorded in 1844 by George Dean, and in 1845 Woodstock adopted its current name.

The first courthouse in Centerville was a plain two-story frame structure, 33 by 40 feet in area, which was constructed in 1844. It stood just south of the center of the public square. The sheriff's office, living quarters, and jail occupied the first floor, while the courtroom occupied the second. The courtroom served various purposes, and was used for everything from political meetings, religious services, social occasions, and even as a classroom. However, there was no room for county offices. County officials thus found themselves renting office space in commercial buildings surrounding the square.

This inadequacy led the County Board of Supervisors in 1855 to adopt a resolution pursuant to which the citizens of Woodstock purchased the Hill Tavern on the west side of the square from Mary McMahon and donated it to the County. In exchange, the County donated the old wood framed courthouse and the square to the citizens of Woodstock to be used for a public park.

The Board of Supervisors commissioned one of the most prolific architects in Chicago, John Mills Van Osdel, to design the new courthouse. Considered the first Chicago Architect, Van Osdel's designs included many of the most important buildings in early Chicago. He designed the first mayor's mansion and several successive Chicago city halls and Cook County courthouses. Other works included the Palmer House, Tremont House and Page Brothers Building in Chicago, the Illinois Executive Mansion in Springfield, Old Main at the University of Arkansas, and some courthouses in Indiana. He also designed the first cast-iron building for the Lake Street central business district. As a trustee of what is now known as the University of Illinois, Van Osdel was instrumental in the founding of a branch university in Chicago, today known as the University of Illinois at Chicago. While many of the buildings designed by Van Osdel have been destroyed, the Old McHenry County Courthouse is one of the few surviving examples of his work.

Van Osdel's courthouse was completed in Woodstock in February of 1858 at a cost of $47,000.00. Like its predecessor, the courthouse included the jail, located in the basement of the building. In 1887, the Board of Supervisors appropriated funds to purchase a suitable location and erect a new building for the sheriff's residence and jail, and to remodel the old jail into vaults for county records.

The property immediately to the north of the courthouse, then owned by Neill Donnelly, was the most expensive, but was considered to be the best choice of locations. The new structure was completed in November of 1887. The sheriff and his family resided on the east side of the building, and the jail was located in the back. The sheriff's wife was responsible for cooking meals for the prisoners.

Some of the more notorious "residents" of the jail include Eugene Debs, who was held here for his involvement in the Pullman Strike of 1894. Mr. Debs was known to eat dinner and even go hunting with

the Sheriff while "imprisoned" in Woodstock. The McHenry County Jail was a busy place during Prohibition, with 73 federal prisoners being housed there at various times, including two members of the Dino O'Banion gang, "Dapper" Dan McCarthy and Heimie Weiss, who were convicted of booze hijacking. While here, McCarthy and Weiss were put to work helping to build a garage behind the jail.

Over the course of time, as the County grew, so did the need for more room. Several additions were built upon the original Van Osdel design. Ultimately, in 1969, the County acquired 21 acres north of Woodstock, and the McHenry County Government Center was built at its current location. When the County administration moved to the new Government Center in 1972, a private investor purchased the old Courthouse and Sheriff's House in an effort to save them from demolition. In the years that followed, the buildings became home to several restaurants, art galleries and studios, and museum space.

The demands of the old buildings proved to be more than private ownership could support, and the buildings fell into a state of disrepair. Finally, in 2011, ownership of the buildings was transferred to the City of Woodstock. By that time, several sections of the roof were so deteriorated that it was collapsing. The once stately courtroom on the second floor was in need of structural support in an effort to preserve it. Water was infiltrating the mortar at various locations of the building, and the windows in both buildings were failing.

Since taking ownership, the City has been committed to preserving the buildings, and the history that they embody. Its immediate focus has been efforts to preserve the structural integrity of the buildings, and to prevent continued damage. In this regard, the City has replaced the roof of the Old Courthouse, and the entrance steps to both the Old Courthouse and Sheriff's House. Tuckpointing has been completed to prevent further water infiltration, and the windows of the Sheriff's House have been restored. However, there is much more work that needs to be done. According to a professional analysis by historic preservation architect Gary Anderson & Associates, the buildings require an additional $5-7 million in renovations before they can be fully utilized and enjoyed. Obviously, it is difficult for a municipality to justify such a significant expense when there are so many other needs in the community that demand attention. Fortunately, the Old Courthouse and Sheriff's House have a Friend.

Friends of the Old Courthouse is a recently formed 501(c)3 charitable organization dedicated to raising awareness of the historical significance of the Old Courthouse and Sheriff's House, and to raising funds that will further the restoration of the buildings. While the City has been examining the best course for ownership and future use of the buildings, through various studies, and appointment of an Old Courthouse and Sheriff's House Advisory Commission, Friends of the Old Courthouse (FOTOC) has been focused on events designed to draw people to the Square and to the buildings themselves.

For its inaugural event, FOTOC reprised "Dick Tracy Day" on the Woodstock Square. This family friendly event, held last July, included various Dick Tracy themed activities, anchored by efforts to earn a Guinness World Record for drawing the "Longest Cartoon Strip by a Team." More recently, FOTOC hosted a Gingerbread House Walk in the Old Courthouse in conjunction with the annual Lighting of the Square ceremony. FOTOC is also currently planning a photo book fundraiser, "Day in the Life of McHenry County," seeking participation from all levels of photographers to showcase life in McHenry County.

The City of Woodstock has now committed to maintaining ownership of the buildings. This will now enable FOTOC to concentrate on a capital fundraising campaign, in which countywide financial support will be sought in order to further the restoration. It is through these efforts that FOTOC hopes to preserve these buildings that are an integral part of the rich history and future economic health of McHenry County. To learn more about Friends of the Old Courthouse, and how you can become part of the restoration, visit FriendsoftheOldCourthouse.org.

CLEARLY ERRONEOUS

by: Scott Jacobson

"Sabermetrics at Court"

I grew up a Cubs fan (Go Cubs!) but I love Moneyball, both the book and the film. It's the story of how the 2002 Oakland A's became one of the greatest teams in baseball by turning to sabermetrics—the use of statistical and predictive analytics in baseball—to field the best possible team the A's could afford. The Moneyball story is literally "inside baseball;" esoteric and technical, sure, but ultimately rewarding.

Over the last few years, Moneyball has come to the court system in a number of interesting ways. For example, predictive analytics has finally been brought to bear on our very own state supreme court. Have you ever pondered this question: "Do the justices of the Illinois Supreme Court ask appellants or appellees more questions in criminal cases?" Granted, you probably haven't pondered that exact question because you're a normal person—you're not like me. Fortunately for us both, however, we can get those types of questions answered. It turns out that in criminal cases the Illinois Supreme Court Justices ask the appellant roughly 1.5 questions for every one question of the appellee. And those numbers generally hold true for civil cases as well. Want to know which Illinois Supreme Court justice asks the most questions? It's Justice Thomas. Want to know which justices vote together most often? It's Justice Freeman and Justice Burke, who vote together roughly 80% of the time.

The good folks at Sedgwick LLP have gone through the arguments and opinions since 2000, compiled the data, crunched the numbers, and put together a website: http://www.illinoissupremecourtreview.com/. There you can find loads of detailed analyses and information on the Illinois Supreme Court. So far, data. has not been published on Illinois' intermediate appellate courts and circuit courts, but that's only a matter of time.

For those who follow the United States Supreme Court in great detail, there's https://empiricalscotus.com/. And for those looking into the federal circuits and federal district court judges, there's http://www.uscourts.gov/statistics-reports/analysis-reports. Those websites are even more detailed than Sedgwick's Illinois website, and they give precise breakdowns by subject matter.

Granted, these websites will give practitioners insight into what a court is likely to do, and not what it will do. For example, as you're being led out of the courtroom, it would be less than prudent to yell out, "But the website said you were 77% likely to deny a motion for sanctions!" Take all of this with a grain of salt. However, if you're looking to see what issues are gaining traction in a particular jurisdiction, or to place odds on a given outcome, then these sites are well worth your time.

Scott Jacobson is a judicial clerk for the Honorable Susan F. Hutchinson of the Illinois Appellate Court, Second District. He was formerly an assistant state's attorney with the Illinois State's Attorneys Appellate Prosecutor and of counsel to the Illinois State's Attorneys Association. He lives in Woodstock, Illinois.

MCBA Welcomes New Member:

With the support of her professors and fellow students, Nicole O'Connor was able to balance her first-year courses with passionate activism. Despite facing difficult personal issues during her second semester, Nicole was instrumental in reviving Northern Illinois University College of Law's Student Animal Legal Defense Fund and is President of the chapter. The Chapter successfully stopped a fake rescue and in shutting down a puppy mill, which received national media attention. Nicole expects to graduate in May of 2018 and is currently a 2L. Nicole lives in Wonder Lake, Illinois with her husband. Nicole obtained a bachelor's degree in general studies from Drury University. Nicole was a paralegal for over 17 years in McHenry County. Nicole hopes to practice law in the areas of worker's compensation, personal injury and assist in the prosecution of animal abusers. She wants to be the voice for those who cannot speak for themselves.

SAVE THE DATE! On **May 11,2017**, the MCBA Civil Practice Committee and the 22nd Circuit Court will be presenting a four-hour afternoon Seminar on Mediation Basics and our Small Claims Mediation Program. This session (for which we are requesting MCLE credit) will be free to attendees and will satisfy the training requirement to become a volunteer mediator in the program. WHO SHOULD ATTEND? Those current volunteers who want a refresher course, anyone interested in mediating small claims cases, and anyone who would like a comprehensive primer on civil mediation. Details and reservation information to follow.

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Race-Based Bias in Jury Deliberations and the No Impeachment Rule
By: Kelly Vaclavek, Esq.

The United States Supreme Court will soon decide the constitutionality of a Colorado state rule of evidence barring introduction of testimony of racially-based bias in the jury room. The issue in Pena- Rodriguez v. Colorado (certiorari granted April 4, 2016) is whether the "no impeachment rule" to block evidence that a juror was racially biased violates the Sixth Amendment Right to an impartial jury. [1]

Federal Rule of Evidence 606 (b) (replicated in both the Colorado and Illinois Rules of Evidence) states that a juror may not testify "as to any matter or statement occurring during the course of the jury's deliberations or to the effect of anything upon that or any other juror's mind or emotions as influencing the juror to assent to or dissent from the verdict or indictment or concerning the juror's mental processes in connection therewith."[2] While 606 (b) provides three exceptions to the "no impeachment" rule, these provisions focus on extraneous prejudicial information, outside influence, and mistakes on the verdict form. Currently, remedies for race-based bias in the jury room are inadequate. [3]

In Pena-Rodriguez, the defendant was convicted of misdemeanor counts of unlawful sexual assault and harassment and sentenced to two years' probation and required to register as a sex offender. Post-trial, and after the jury's dismissal, two jurors disclosed to defense counsel that a fellow juror had expressed bias toward the defendant (now petitioner) and his alibi witness "because they were Hispanic." [4]

The juror, identified as "H.C.," an ex-law enforcement officer, made numerous racially-based remarks in deliberations, such as "[Defendant] did it because he's Mexican and Mexican men take whatever they want," and "[the alibi witness] wasn't credible because, among other things, he's an illegal." [5][6] At the beginning of the trial, each juror was given a questionnaire, and asked by both judge and defense counsel if [the jurors] could be fair and impartial. Nothing indicated a possibility of race-based bias.[7]

Defense counsel obtained sworn affidavits from several jurors outlining "H.C.'s" racial animus and presented them to the trial court. While the trial judge acknowledged "what appeared to be racial bias in the jury room," he determined that such statements were not grounds for a new trial citing the "no impeachment" rule in the State's rules of evidence. [8]

The Colorado Court of Appeals affirmed. [9] However, the dissent wrote that it would have reversed and remanded (as the error was more than "harmless"). [10] The dissent stated that [the no impeachment rule] "must yield to the Sixth Amendment right of the defendant." [11] The Colorado Supreme Court acknowledged that while there may come a case in which juror bias is "so extreme" that the "no impeachment" rule would abridge the Sixth Amendment right to an impartial jury, procedural safeguards allowed [defendants] "to adequately protect [that right]." [12] Finding that no case directly involved racial bias and the "no impeachment" rule, the Colorado Supreme Court affirmed the decision 4-3. [13] As Federal and State Courts are split on the issue of juror testimony and the no impeachment rule, the Supreme Court granted certiorari. [14] Pena-Rodriguez, however, is the first case to bring the "full effect" of race-based jury bias and the "no impeachment" rule to the court.

In Oral Argument, five of the eight justices seem poised to rule that, at least applied to Pena-Rodriguez, that the "no impeachment" rule must give way to the Sixth Amendment. [15] Justices Alito and Roberts worried (perhaps rightfully so) about drawing a bright line- if first race, then what of gender, religion et cetera. Justice Thomas remained silent.

While the issue presented in Pena-Rodriguez has not been adjudicated in Illinois, it is only a matter of time before our courts must face such an important decision. For now, Pena-Rodriguez stands as a powerful reminder to attorneys to properly vet jurors through voir dire and ask the right (and smart) questions. This case is a reminder to both attorney and judiciary to be cognizant of any indication of lack of impartiality and, if a question should arise, to either exercise a challenge or admonish the jury as such. It would be fool-hearty to assume that race-biased is non-existent in the Illinois Courts and it is our duty under both the Illinois and United States Constitutions to remain vigilant and assure that the Sixth Amendment right to an impartial jury is protected. [16]

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[1] Pena Rodriguez v. Colorado, Doc. No. 15-606. (October, 2016); U.S. Const. VI Amend. "In all criminal prosecutions, the accused shall enjoy the right to a . . . trial, by an impartial jury."

[2] Fed. R. Ev. 606 (b); Co. R. Ev. 606 (b); Ill. R. Ev. 606 (b): Inquiry Into Validity of Verdict or Indictment: Upon an inquiry into the validity of a verdict or indictment, a juror may not testify as to any matter or statement occurring during the course of the jury's deliberations or to the effect of anything upon that or any other juror's mind or emotions as influencing the juror to assent to or dissent from the verdict or indictment or concerning the juror's mental processes in connection therewith. But a juror may testify (1) whether any extraneous prejudicial information was improperly brought to the jury's attention, (2) whether any outside influence was improperly brought to bear upon any juror, or (3) whether there was a mistake in entering the verdict onto the verdict form. A juror's affidavit or evidence of any statement by the juror may not be received concerning a matter about which the juror would be precluded from testifying.

[3] See: Denise O'Malley, Impeaching a Jury Verdict, Juror Misconduct, and Related Issues: A View from the Bench, 33 J. Marshall L. Rev. 145 (1999) (Outlining numerous instances of extraneous information and outside influence in Illinois case law). See also: People v. Holmes, 69 Ill. 2d. 507 (1978).
[4] See Pena-Rodriguez, Petition for Writ of Certiorari (2015) at 4.
[5] Id. at 4-5.
[6] Id. In fact, both the Defendant and alibi witness were legal residents of the United States.
[7] Id. at Appx. 3a: "The jury venire received a written questionnaire, which inquired, 'Is there anything about you that you feel would make it difficult for you to be a fair juror in this case?' During voir dire, the judge asked the panel, 'Do any of you have a feeling for or against [Petitioner] or the Prosecution?' Later, defense counsel asked the venire whether 'this is simply not a good case for them to be a fair juror.' None of the jurors subsequently impaneled answered any of these questions so as to reflect racial bias."
[8] Id. 5. See also Co. R. Ev. 606 (b)
[9] Pena-Rodriguez v. People, 2012 Colo. App. LEXIS 1836
[10] Id.
[11] Id. (Taubman, J. dissenting)
[12] Pena-Rodriguez v. People, 350 P.3d 287 (Colorado, 2015) Rehearing denied by Pena-Rodriguez v. People, 2015 Colo. LEXIS 528 (Colorado, June 15, 2015).
[13] Id. citing Tanner v. United States, 483 U.S. 107 (1987) (The safeguards are: (1) the ability of trial courts and counsel to observe jurors for signs of misconduct during trial; (2) the potential availability of non-juror evidence of juror misconduct; (3) the ability of jurors to report misconduct before they reach a verdict; and (4) the ability of judges and counsel to question jurors about potential bias during voir dire.)
[14] Both the 10th Circuit and Pennsylvania Supreme Court follow Colorado's minority reading, with the 3rd and 5th Circuits indicating that, faced with the issue, they would hold likewise. The 1st and D.C. Circuits, as well as the Rhode Island and Massachusetts Supreme Courts hold contrary. "Aligning themselves" with the latter-mentioned majority view are Georgia, Delaware, South Carolina and North Dakota as well as the 7th Circuit (See Shillcutt v. Gagnon, 827 F.2d 1155 (7th Cir. 1987) generally indicating that race-based considerations in jury deliberations may be violative of the Due Process Clause of the Fourteenth Amendment.
[15] See Pena-Rodriguez v. Colorado. (n.d.). Oyez. Retrieved December 15, 2016, from https://www.oyez.org/cases/2016/15-606
[16] Ill. Const. Art. I § 8 (1970): "In criminal prosecutions, the accused shall have the right to appear and defend in person and by counsel; to demand the nature and cause of the accusation and have a copy thereof; to be confronted with the witnesses against him or her and to have process to compel the attendance of witnesses in his or her behalf; and to have a speedy public trial by an impartial jury of the county in which the offense is alleged to have been committed."

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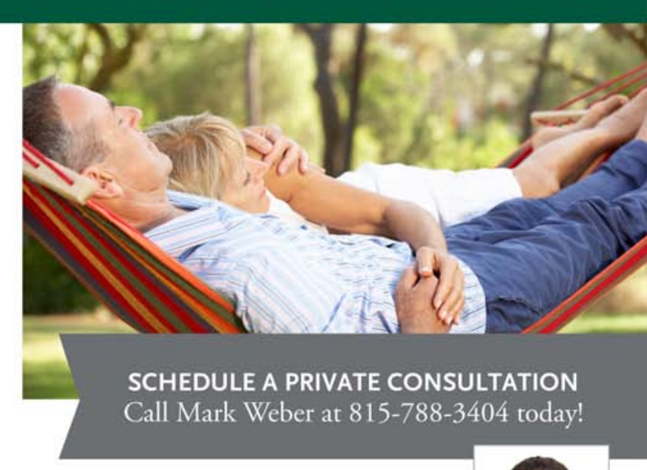

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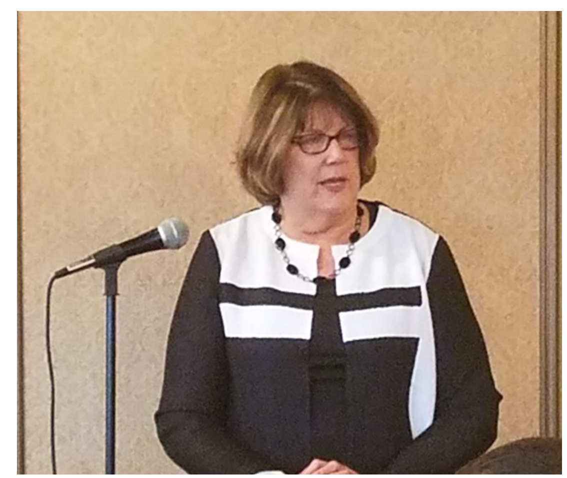
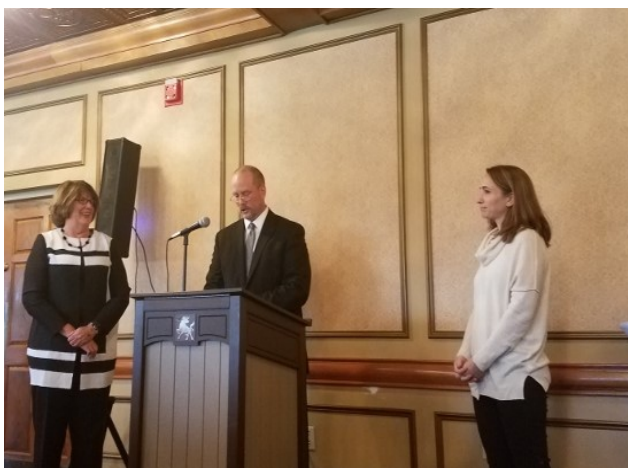
Judge Maureen P. McIntyre Retirement Luncheon



Judge Maureen P. McIntyre

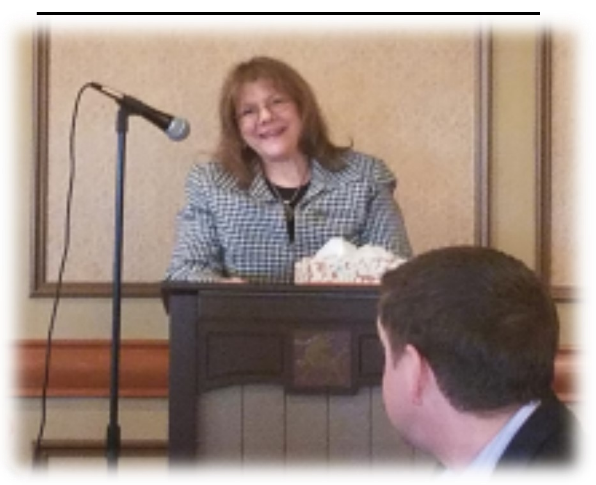


Judge Mark R. Gerhardt presenting Kelly Pokharel from CASA a donation of $1100 in Judge McIntyre's name

Chief Judge Michael J. Sullivan

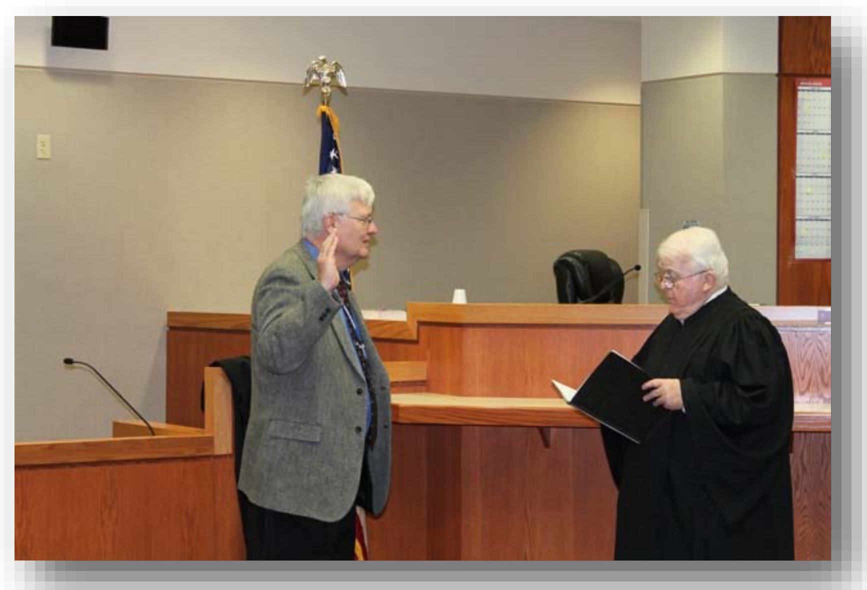
Tim Henehan

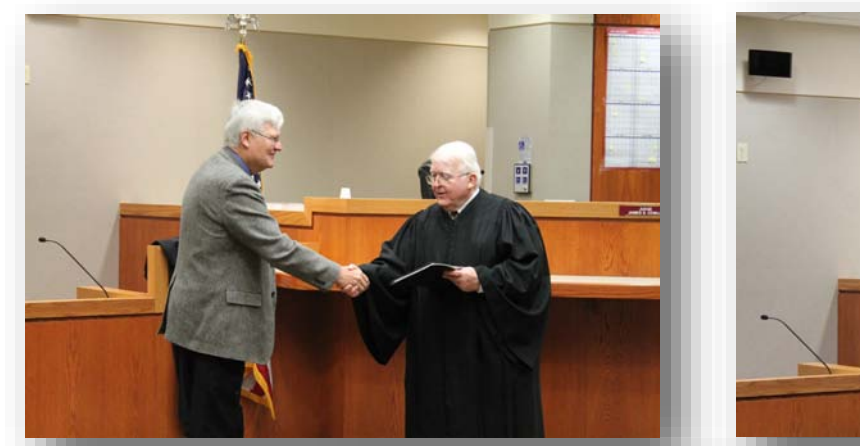
Richard Flood

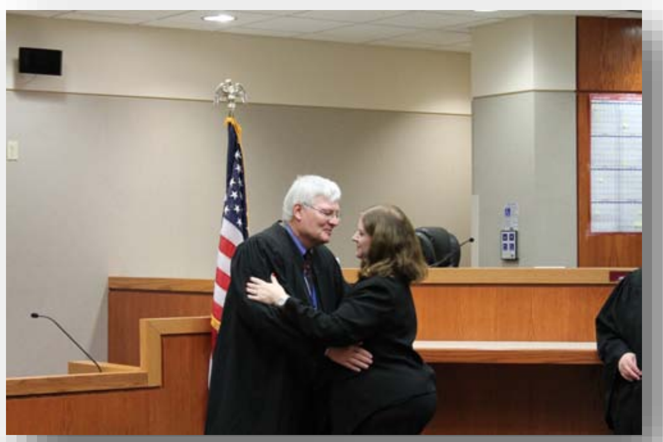


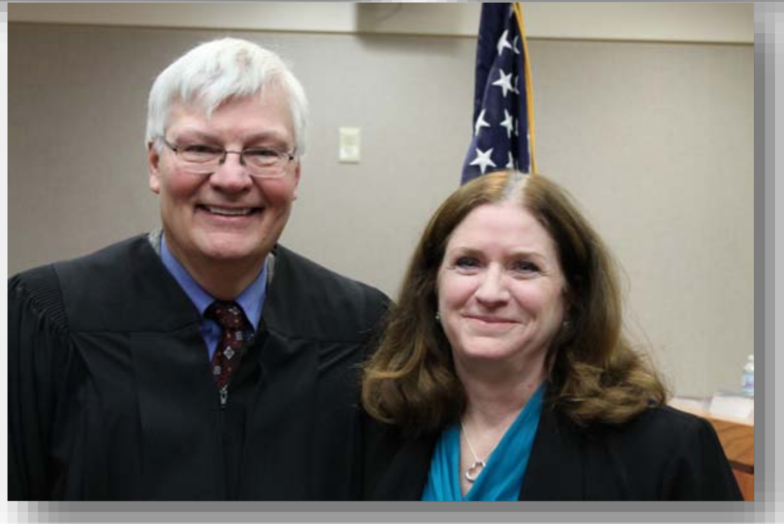
Judge Suzanne C. Mangiamele

Judge Robert A. Wilbrandt Swearing in Ceremony









Photos courtesy of Dan Wallis

Trial Call

Case Number: 08LA275
Plaintiff: John Szekeres, et.al
Defendant: Mary Riggs, et.al
Plaintiff's Attorney: Salvi, Schostok & Pritchard, PC
Defendant's Attorney: Wand Lee Wombacher
Trial Dates: October 24, 2016—November 3, 2016
Judge: Thomas A. Meyer
Verdict: Defendant
Last Demand: $95,000
Last Offer: $0

Case Number: 14LA54
Plaintiff: Brian Jauch
Defendant: Robert Loudon, et.al
Plaintiff's Attorney: Robert Rosin
Defendant's Attorney: John Gilligen of Stellato & Schwartz
Trial Dates: October 31, 2016—November 7, 2016
Judge: Michael T. Caldwell
Verdict: Plaintiff
Medical: $192,000
Future Medical: $16,000
Pain & Suffering: $205,000
Gross Verdict: $413,000
Plaintiff's Contributory Negligence: 30%
Net Total Verdict: $289,000
Last Demand: $500,000
Last Offer: $5,000

Case Number: 15AR70
Plaintiff: Nicki Lockwood, et.al
Defendant: Allen Butz
Plaintiff's Attorney: Zukowski Rogers Flood & McArdle
Defendant's Attorney: Wein & Associates
Trial Dates: December 5, 2016—December 6, 2016
Judge: Thomas A. Meyer
Medical: $5,387.47
Pain & Suffering: $1,000.00
Vehicle rental: $947.47
Net Total Verdict: $7,334.54
Last Demand: $10,500
Last Offer: $8,500

Case Number: 15LA17
Plaintiff: Justyna Jaworska
Defendant: Patrick Smith
Plaintiff's Attorney: Thomas Popovich
Defendant's Attorney: Steven Lihosit
Trial Dates: December 12, 2016—December 13, 2016
Judge: Thomas A. Meyer
Verdict: Plaintiff
Medical: $11,770.06
Pain & Suffering: $5,000
Future Lost Wages: $5,250
Gross Verdict: $22,020.06
Last Demand: $25,000
Last Offer: $9,500

Case Number: 15AR404
Plaintiff: Fatima Sanchez
Defendant: Jennifer Mefford
Plaintiff's Attorney: Botto, Gilbert & Lancaster
Defendant's Attorney: Fabricius & Lindig
Trial Date: January 17. 2017
Judge: Michael J. Chmiel
Verdict: Defendant
Last Demand: $8500 plus costs thru arbitration
Last Offer: Not known

Case Number: 11LA328
Plaintiff: Jeffrey Swanson, et.al
Defendant: Centegra Health Systems, et.al
Plaintiff's Attorney: Leahy & Hoste
Defendant's Attorney: Swanson, Martin & Bell, LLP
Trial Dates: January 9, 2017—January 19, 2017
Judge: Thomas A. Meyer
Verdict: Defendant
Last Demand: $400,000
Last Offer: $0

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McHenry, IL 60050
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MCBA Calendar of Meetings & Events

Date	Event	Location	Time
February 2, 2017	Criminal Law Section Meeting	MCBA Office	Noon
February 14, 2017	Family Law Section Meeting	MCBA Office	Noon
February 21, 2017	Board of Governors Meeting	MCBA Office	Noon
February 28, 2017	General Meeting	Home State Bank, Woodstock	Noon
March 2, 2017	Criminal Law Section Meeting	MCBA Office	Noon
March 14, 2017	Family Law Section Meeting	MCBA Office	Noon
March 21, 2017	Board of Governors Meeting	MCBA Office	Noon
March 28, 2017	General Meeting	Home State Bank, Woodstock	Noon
April 6, 2017	Criminal Law Section Meeting	MCBA Office	Noon
April 11, 2017	Family Law Section Meeting	MCBA Office	Noon
April 18, 2017	Board of Governors Meeting	MCBA Office	Noon
April 20-21, 2017	Destination Seminar	The Osthoff Resort, Elkhart Lake, WI	

McHenry County Bar Association

110 South Johnson Street, Suite 210

Woodstock, IL 60098