



NEWS

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Serving the Interests of Lawyers Dedicated to Government Service

A Message from the President



Thank you to all of our members for making the past year another great success for the Government Bar Association. Our membership continues to grow, fueled in large part by our consistently high quality luncheon presentations. We started the year with a presentation from Senate President Cullerton, who spoke about the new concealed carry legislation. Judge Melnick, corporation counsel for the City of Springfield, followed President Cullerton. In some unfortunate timing, Jonathon Monken (Director) and Jenifer Johnson (Chief Counsel) from the Illinois Emergency Management Agency, spoke in November on the heels of the devastating tornados in Washington, Illinois.

In January, Suzanne Yokley-Bond, General Counsel, Illinois State Police and Jessica Trame, Bureau Chief of ISP Firearms Services Bureau spoke about the implementation of the concealed carry law. In honor of Black History Month, Frank McNeil, Don Craven, and Archie Lawrence spoke in February on the 1987 voting rights lawsuit in Springfield. John Myers, lead counsel in *Kanerva v. Weems*, gave an update on the pension reform litigation. April saw Mike Farmer (Director of Office of Planning and Economic Development) and Tracy Pedersen (attorney and project manager) discuss TIF funding and business districts. We closed our year of speakers with a presentation from Justice Carol Pope of the Illinois Appellate Court, who provided a Freedom of Information Act primer and a discussion of relevant FOIA case law.

In June we celebrated with our traditional wine and cheese party, at which we said goodbye to three board members (Frank Martinez, Gabe Grosboll, and Kay Marie Philon), but welcomed two new board members: Roma Larson and Rosalie Lowery. Finally, Rob Patino organized another very successful CLE, this one a “road show,” which traveled to various regional courthouses at which Abraham Lincoln practiced law.

We are looking forward to another exciting year, and hope to see you all at our first luncheon in September.

M. Delcomyn

February Luncheon and the Voting Rights in Springfield

The February 20, 2014, GBA meeting featured an insightful discussion of the 1987 Voting Rights Law suit that changed Springfield’s form of government – from 5 at-large elected commissioners to 10 district-elected Aldermen.

A packed room of thirty-five GBA members received “inside” perspectives from three of the knowledgeable participants in the locally historic litigation. Frank McNeil and Archie Lawrence were two of the plaintiffs in the case and Don Craven was one of their attorneys.

Frank McNeil graduated from law school out East below the Mason-Dixon line and came to Springfield thinking the racial climate and political structure would be more progressive in the Land of Lincoln than what he found. Since 1908, only one east-sider had ever been elected Commissioner, and only one from the north side - William Cellini.

Upcoming Events:

Government Bar Association:

Sep. 18 – Luncheon: TBD

Central Illinois Women’s Bar Association:

Sep. 16 – Luncheon: TBD @ Maldaner’s

Sangamon County Bar Association:

Not Available

According to Don Craven, who assisted his then former Appellate Judge father in the case, the Plaintiffs needed to establish that Springfield had a history of racially polarized voting that combined with at-large local district elections prevented minority representation. When then Mayor Mike Houston and the sitting Commissioners were unwilling to settle, the case went to trial and ultimately resulted in a federal consent decree which still remains in place 25 years later.

Viet Nam veteran and attorney Archie Lawrence grew up in E. St. Louis and began his legal career in Springfield at the General Assembly's Legislative Reference Bureau. He then went to Peoria with the IRS, came back to Springfield to join the Illinois Department of Revenue, and finalized his career with the Illinois Attorney General.



Archie Lawrence explained the difficulties of coordinating the local Minority community into litigation and to gain the support of national organizations including the NAACP of which he was the local Chapter President at the time.

Frank McNeil, who had been serving on the Sangamon County Board, went on to serve five terms on the newly established Springfield City Council beginning in 1987 representing the heavily black east side Ward 2. Ironically, another black alderman was elected to the first Council, from the almost all white 10th Ward on the far south west part of Springfield.

GBA members posed a series of probing questions to the panel including whether the local Republican and Democratic parties at the time held different views as to the litigation. In answer, the speakers described a common adverse attitude premised on "why change things?". The then power-sharing deal-making pattern allowed top power brokers to divide jobs among partisan supporters. This extended even to the School District, Parks District, and SMEAA Board. In

answer to another question, none of the speakers predicted when the current Federal Consent decree would end.

J. McMnamin

March Luncheon – Illinois Pension Wars

John Myers gave a compelling explanation why he believed the present pension law overhaul recently passed by the state legislature and signed into law by Pat Quinn should be and would be overturned by the Illinois Supreme Court. Not limited to the plain language as found in the Illinois Constitution, John cited several other similar holdings throughout the United States in similarly situated pension reform states where the pension laws were held to be unconstitutional according to the interpretation by the Supreme Courts within those states. There were several questions related to when various state employees began their service with the state, how it would affect new state employees enjoying the benefit of a previous public pension program, and how certain pension calculations were made.

John claimed that the state had an obligation to provide the benefits promised to and relied upon by the state employees and dismissed the hardship arguments made by the advocates for the new law.

R. Patino

April Luncheon – City Planning and TIF

In April, Mike Farmer and Tracy Pederson from the City of Springfield spoke about tax increment financing (TIF) districts. Tracy is an attorney for the city, as well as a project manager for CWLP. She explained the legal requirements and restrictions which come with TIF financing. Mike Farmer, the Director of Office of Planning and Economic Development for the City of Springfield, explained more of the practical considerations which go into TIF districts, how sites are selected, how businesses can tap into and use TIF funds, and the net positive impact on the specific are and the city as a whole.

M. Delcomyn

May Luncheon – FOIA and Justice Pope

Justice Carol Pope spoke about the Freedom of Information Act, asking "whether freedom of information is really free?" Justice Pope explained that the FOIA statute is designed to provide documents and government transparency and that, as a general rule, requested documents are to be turned over unless it is unduly burdensome, or if there is a listed exception (of which there are 48).



Justice Pope explained how a FOIA claim is filed, and (potentially) litigated. Although requestors can bring FOIA claims to circuit courts, there is a division of the Attorney General's office (The Public Access Coordinator) which hears only FOIA "cases." She also provided a clear walk-through of the most recent and important FOIA cases, including some which she helped decide.

Abraham Lincoln Professionalism CLE Tour

The Abraham Lincoln Professionalism Tour (ALPT) was resurrected 5 years after the first Abraham Lincoln Diamond Tour was launched by that Government Bar Association. The ALPT was an effort spearheaded by a sub-committee team that comprised of Robert Patino, Htin (James) Win and Stephanie Barton in January of 2014. The subcommittee worked on securing sites where Abraham Lincoln practiced law in Springfield, Lincoln and Mount Pulaski where a few of the places were a part of the Eighth Circuit. The subcommittee also had to organize times, speakers, food, a budget, transportation, CLE approval, site donations and record keeping. In Springfield, Judge Richard Mills spoke at the Old State Capitol Supreme Court and discussed some of the early practices of Abraham Lincoln. In Lincoln, Guy Fraker spoke at the Postville Courthouse about what lawyers can learn from Abraham Lincoln. And in Mount Pulaski, James Cornelius spoke about Abraham Lincoln's practice in Logan County and discussed the case management of Abraham Lincoln.



The ALPT included lunch, a coach bus that took the group to each site and site tours. The program culminated at the Noll Law Office which is located at the Lincoln Depot, the place where Abraham Lincoln departed Springfield for Washington D.C. to begin his presidency. Dan Noll gave the group a tour of the Lincoln Depot and the efforts by his firm to preserve the site and its historical significance. Members of his staff grilled brats and hotdogs and provided beverages and chips for those that elected to participate. A special thanks is sent to his staff and his firm.

R. Patino

GBA's Wine & Cheese Party - 2014

The 2014 Annual Wine and Cheese Program took place on June 12, 2014. It's All About Wine made its debut with the GBA as a new venue. The program featured 3 white wines and 3 red wines to taste. Food was prepared by Barbara Rowe as she persevered through a power outage. The food consisted of Italian beef, shrimp, an assortment of cheeses, crackers, chocolate covered strawberries and other delicious foods.



One of the scholarship recipients, John Abendroth, attended the event with his wife. He was recognized along with the GBA's second scholarship recipient, Alyssa Harmon. The new GBA board was sworn in for FY2015. Thank you for joining us at this annual event and we look forward to seeing you in the fall!

R. Patino

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