

# ILLINOIS LOCAL GOVERNMENT LAWYERS ASSOCIATION

*23<sup>rd</sup> Annual Conference*

**FEBRUARY 15, 2016**

Naperville Campus, Northern Illinois University  
1120 East Diehl Road, Naperville, Illinois



- FOIA/Open Meetings Act Update
- Civil Rights Update
- Sign Ordinances in Compliance with the Reed Case
- Police and Community Relations Improvement Act
- Navigating Statewide Property Tax Freeze for Public Bodies
- Employment Law Update
- Can We Be Civil Now? What History & Ethics can Teach Us about Attorney Incivility

## **LUNCHEON KEYNOTE SPEAKER:**

**VIC FILIPPINI, Esq.**

Addresses The Gurba Case

**ILGL is an Accredited CLE Provider!**



# PROGRAM

8:30 – 9:00 a.m.	<b>Registration &amp; Continental Breakfast</b>	
9:00 – 10:15 a.m.	<b>Recent Developments in FOIA/Open Meetings Act</b> <i>Michael Zimmerman</i> <i>Tressler LLP</i>	<b>Sign Ordinances in Compliance with the Reed Case</b> <i>Kristen Foley</i> <i>City of Naperville</i>
10:15 – 10:30 a.m.	<b>Break</b>	
10:30 – 11:45 a.m.	<b>Police and Community Relations Improvement Act</b> <i>Daniel J. Bolin &amp; Ellen K. Emery</i> <i>Ancel Glink</i>	<b>Section 1983: Civil Rights Case Law Update</b> <i>Mike Bersani</i> <i>Hervas, Condon &amp; Bersani</i>
11:45 a.m. – 1:30 p.m.	<b>Lunch and ILGL Awards</b> <b>Keynote Address:</b> <b>When Joshua Fought the Battle of Jericho:</b> <b>The Gurba Case</b> <b>by</b> <b><i>Vic Filippini</i></b> <i>Filippini Law Firm</i>	
1:45 – 2:45 p.m.	<b>Navigating a Statewide Property Tax Freeze – S.B. 318</b> <i>Kelly Kost</i> <i>Chapman &amp; Cutler</i>	<b>Employment Law Update</b> <i>Jill O'Brien</i> <i>Laner, Muchin, Dombrow, Becker, Levin &amp; Tominberg, Ltd.</i>
2:45 – 3:00 p.m.	<b>Break</b>	
3:00 – 4:00 p.m.	<b><i>Can We Be Civil Now?</i></b> <b>What History and Ethics Can Teach Us About Attorney Incivility</b> <i>(Earn 1 Hour of Professionalism Credit)</i> <b>Mark Palmer</b> <i>Professionalism Counsel</i> <i>Illinois Supreme Court Commission on Professionalism</i>	
4:00 – 4:15 p.m.	<b>Annual Business Meeting</b>	

## ILGL REGISTRATION INFORMATION

The registration fee includes continental breakfast and lunch as well as all online handout materials.

**Member Registration is \$100**

**Non-Member Registration is \$175**

**NON MEMBER SPECIAL: \$275 of which \$225 goes towards membership in ILGL**

### DATE

**Monday, February 15, 2016**

### LOCATION

Northern Illinois University, Naperville Campus  
1120 East Diehl Road  
Naperville, IL 60563

### HOTELS

There are a number of hotels available for overnight accommodations including:

Courtyard by Marriott: 630-505-0550 or 800-321-2211      Hampton Inn: 630-505-1400 or 800-426-7866  
Fairfield Inn-Naperville: 630-577-1820 or 800-228-2800      Country Inn & Suites: 630-505-3353 or 800-830-5222  
Best Western: 630-505-0200

### CLE CREDIT

**ILGL is an Accredited CLE Provider. This program provides 5 hours of CLE credit.  
One hour of professionalism credit has been applied for with the  
Illinois Supreme Court Commission on Professionalism.**

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## ILGL REGISTRATION FORM

### 3 EASY WAYS TO REGISTER:

- |  |   |
|--|---|
| 1. FAX: 815/753-7278   | <input type="checkbox"/> Member Registration: \$100   |
| 2. MAIL: ILGL<br>Center for Governmental Studies<br>Northern Illinois University<br>DeKalb, IL 60115 | <input type="checkbox"/> Non-Member Registration: \$175<br><input type="checkbox"/> Non-Member Special: \$275<br>of which \$225 goes toward ILGL<br>membership (new members only) |
| 3. ONLINE: <a href="http://www.ilgl.us/events/conference/">http://www.ilgl.us/events/conference/</a> |   |

Questions about registration? Call 1-815-753-6575

Name: \_\_\_\_\_ Attorney Registration  
Title/Position: \_\_\_\_\_ & Disciplinary Commission Number: \_\_\_\_\_  
Organization: \_\_\_\_\_ Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Email: \_\_\_\_\_

Questions about conference? Call Dawn Peters at 815/753-0923 or email [dpeters@niu.edu](mailto:dpeters@niu.edu)  
No Refunds once registered

## About the Speakers...

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**Mike Bersani** is a partner with Hervas, Condon & Bersani, P.C., located in Itasca, Illinois. Mike received his undergraduate degree from the University of Illinois, Urbana-Champaign in 1985, and his law degree from John Marshall Law School in 1988. Following law school, Mike clerked for the Honorable Judge Edward T. Barfield, State of Florida Court of Appeals, 1st District. In 1990, he entered private practice and, since then, he has concentrated his practice almost exclusively in defending local governments and local governmental officials and employees in federal civil rights and municipal tort litigation throughout the State of Illinois. Mike currently serves as the Chairman of the Illinois State Bar Association Local Government Law Section Council.

**Dan Bolin** is an attorney with Ancel Glink representing public entities in a wide range of local government matters. Dan defends local regulations against novel civil rights challenges under the Second Amendment, and counsels police and local officials regarding Illinois' Firearm Concealed Carry Act. Dan earned his B.A. from the University of Illinois at Urbana-Champaign, and graduated *magna cum laude* from the University of Illinois College of Law, where he served as an associate editor on the University of Illinois Law Review. Dan regularly speaks and writes on emerging local government topics, authoring the "Second Amendment and Zoning" chapter in the book "Land Use Law: Zoning in the 21<sup>st</sup> Century." Recently, Dan was the lead author of the "New Police Policies for 2016" series on the local government blog *Municipal Minute*.

**Ellen Emery** is a litigation partner with the law firm of Ancel Glink in Chicago, and an associate member of the Illinois Chiefs of Police. She is lead counsel for municipalities and police departments throughout Illinois in civil rights, excessive force, coerced confession, and wrongful incarceration cases. She is often called in to represent officers in Task Force Investigations, and frequently speaks on Crisis Management and Catastrophic Response. As a former elected Village Trustee with the Village of Westmont, and a municipal attorney, she has witnessed first hand the emotional behavior regarding the public's reaction to deadly force incidents and to the responses and decisions of public officials. She is here to give us a quick overview of the legal and practical realities of dealing with the new legislation affecting police operations.

**Victor P. Filippini, Jr.** is a partner at the Filippini Law Firm LLP, which he founded in June 2014. Previously, Filippini was a partner at Holland & Knight LLP, where he formerly headed the firm's Illinois Land Use & Government Group. Filippini focuses his practice principally in the areas of state and local government law, as well as land use and development law representing both governmental and private clients. He also has extensive experience in Illinois water and sewer law. Mr. Filippini has authored or co-authored various articles in law journals and publications, and he is a frequent lecturer on municipal law and land use issues. He is the corporation and special counsel for numerous Illinois local governmental units. Mr. Filippini is an Adjunct Professor of Law at Northwestern University Law School and an officer and Board member of the Constitutional Rights Foundation Chicago. Filippini attended Harvard University, where he received his A.B. in Government *magna cum laude*, and he received his J.D. *cum laude* from the University of Michigan law School, where he was an editor of the *Journal of Law Reform*.

**Kristen Foley** is a Senior Assistant City Attorney with the city of Naperville. She defends the City in a wide variety of state and federal litigation, manages the City's Workers' Compensation claims, and provides general counsel on municipal issues. Kristen is often tasked with creating new ordinances for the City, such as the Pawn Brokers Licensing Ordinance, an ordinance banning Mixed Martial Arts, and now overhauling the city of Naperville's sign ordinance in light of *Reed v. Gilbert*.

Kristen graduated with the B.S. from Purdue University and a J.D. from John Marshall Law School. Kristen has spent the past 20 years representing units of local government in both state and federal court. She is a member of the DuPage and Will County Bar Associations and the Illinois State Bar Association. Kristen has presented several times to the DuPage County Bar Association and to the Chicagoland Safety, Health and Environmental Conference on the topics of Concealed Carry and Medical Marijuana.

**Kelly Kost**, who joined Illinois Public Finance Group of Chapman and Cutler in 1986, has served as bond, disclosure and underwriter's counsel for countless numbers of municipal transactions throughout the State of Illinois. Chapman and Cutler, which was founded in 1913, is widely recognized as one of the premier law firms in the nation for public finance. Because of his unique municipal law and legislative expertise, Mr. Kost has been a panelist and speaker at numerous seminars and conferences conducted by Illinois municipal corporations, associations and bond market participants. Mr. Kost received his J.D. from Vanderbilt University in 1986, after graduating from Monmouth College in 1983.

**Jill O'Brien** Upon graduation from law school, Ms. O'Brien joined Laner Muchin, Ltd. in 1989. She is a member of the Firm's Executive Committee and its Attorney Hiring Chairperson. For more than 20 years, Ms. O'Brien has represented public and private sector employers in numerous areas of labor and employment law, including: collective bargaining negotiations; grievance and interest arbitrations; anti-harassment, anti-discrimination and diversity in the workplace educational programs; drafting and enforcement of confidentiality, non-competition and other restrictive covenant agreements; prevention assistance and compliance obligations under the Americans with Disabilities Act, the Family and Medical Leave Act, the Workers' Adjustment and Retraining Notification Act, the Fair Labor Standards Act and all other state, federal and local employment and labor laws.

**Mark C. Palmer** is the Professionalism Counsel of the Illinois Supreme Court Commission on Professionalism, where he leads professionalism programming through the statewide mentoring program, collaborating with stakeholders from Galena to Cairo. Mark also supports the development and delivery of educational programming to lawyers and in law schools, and performs outreach across the state on behalf of the Commission.

Prior to joining the Commission, Mark was in private practice at the Champaign law firm Evans, Froehlich, Beth & Chamley where his law practice focused on areas including commercial litigation, municipal law, banking law, and creditor's rights, among others. He represented private and appointed clients in both civil and criminal cases in state and federal courts.

Mark continues his work as an Adjunct Professor at the University of Illinois College of Law in its trial advocacy program and as a Trial Teams' Coach since 2009. Mark received his undergraduate degree from the University of Illinois at Urbana-Champaign and his law degree from The John Marshall Law School. He is active in numerous bar and civic organizations including as an assembly member for the Illinois State Bar Association and as the chair of the Public Interest Law Initiative (PILI) 6th Judicial Circuit Pro Bono Committee.

**Michael F. Zimmermann** Michael F. Zimmermann concentrates his practice in local government law and commercial litigation. For more than 20 years, he has served as general counsel to Chicago-area municipalities and their leaders, representing them in day-to-day legal issues and as municipal prosecutor. Mike is chair of Tressler's local government law group. With respect to his local government law practice, Mike advises elected officials and administrative staff on general business matters, development personnel, Tax Increment Finance (TIF) Districts and other tax incentives, code enforcement and public policy issues. He also defends and prosecutes a full range of matters that often involve unique local government concerns. Mike joined Tressler LLP in March 2012 when his then-current firm, Raysa & Zimmermann LLC, merged with Tressler. Mike received his J.D. from DePaul University College of Law and B.A. from Marquette University.