



HWGSB News & Views

Hasselberg, Williams, Grebe,
Snodgrass & Birdsall
Attorneys and Counselors

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MEET JIM GREBE



James R. Grebe

We are pleased to announce that for the fourth straight year Jim Grebe has been named to the list of Leading Lawyers in the State of Illinois. This list is determined through a statewide survey of lawyers, and identifies the top lawyers in certain areas of law as determined by their peers.

Jim has again been appointed by the President of the Illinois State Bar Association to serve as Chairman of the ISBA Agricultural Law Section Council, having held that position previously from 2004-2005. He has been on the ISBA Agricultural Law Section Council since 1998. Jim is also a member of the National Academy of Elder Law Attorneys, the Central Illinois Estate Planning Council, the American Red Cross Estate Planning Committee and the Christian Legal Society. Jim

also serves on the Real Property Committee and the Court and Procedures Committee (Estate and Probate Division) of the Peoria County Bar Association.

Jim is one of the founding partners of Hasselberg, Williams, Grebe, Snodgrass, & Birdsall. He has been admitted to practice before the United States Supreme Court, the U.S. Tax Court, the U.S. Court of Appeals, Seventh Circuit, and the U.S. District Court (Central District and Northern District) of Illinois. He is also a fellow of the Illinois Bar Foundation.

He is a native of Peoria and a graduate of Limestone Community High School. He obtained his undergraduate degree from Concordia University Chicago, and his Juris Doctor degree from the University of Illinois. Upon graduating from law school, Jim returned to Peoria and began practicing law with several of his eventual law partners. Jim currently focuses his practice in the areas of Estate Planning, Wills, Trusts, Elder Law, Agricultural Law, Business Entities, Tax Law, and Real Estate Law.

In addition to his numerous professional activities, Jim is active with many civic organizations. He has recently been recognized for his significant contributions to his alma mater, Concordia University Chicago, including serving as a member of its Board of Regents since 2007. *(Continued on Page 4)*



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Special Points of Interest:

- New seat belt laws.
- No cell phones for drivers under age 19.
- Illinois is photographing speeders in work zones.

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THE ILLINOIS GRADUATED DRIVERS LICENSE PROCESS

Many remember a great feeling of freedom that went with turning 16 and obtaining their drivers license. Although obtaining the legal right to drive remains a major event in a teenager's life, Illinois law now places much greater restrictions on its newest drivers. Gone are the days of receiving complete driving privileges upon initially receiving a drivers license. Young drivers must now go through Illinois' Graduated Drivers License process before they can have the driving freedom shared by the general population.

The Graduated Drivers License process includes three phases. At the age of 15 those with parental/guardian permission who are enrolled in a qualified drivers course and pass vision and written tests can enter the Permit Phase of the process. Among other restrictions, drivers in the Permit Phase cannot drive unless supervised by a licensed driver at least 21 years old, and are not allowed to drive between 10 p.m. and 6 a.m. Sunday through Thursday and 11 p.m. and 6 a.m. on Friday and Saturday. Cell phone use while driving is also prohibited if the driver is under 19, except in the case of emergency. In order to move out of the Permit Phase the driver must hold the Permit for at least 9 months, and have a minimum of 50 hours of supervised driving, including at least 10 hours at night. If a driver is convicted of a moving violation during the Permit Period they must wait 9 months before applying for a drivers license.

If a driver has successfully completed the requirements of the Permit Phase and an approved driving course they may move into the Initial Licensing Phase. Drivers in the Initial Licensing Phase have the same nighttime driving and cell phone use restrictions as those in the Permit Phase. During the first 12 months of being licensed, or until turning the age 18, a driver can also only have one passenger under the age of 20. This restriction does not apply if the passenger is a sibling, stepsibling, child, or stepchild of the driver. A moving violation conviction during this 12 month period will extend the passenger restriction for 6 months. Two moving violation convictions in a 24 month period will result in a minimum one month suspension of the drivers license. A moving violation conviction may also extend the restrictions of the Initial Licensing phase beyond the driver's 18th birthday.

Upon turning 18 and successfully completing the Initial Licensing Phase, drivers can move to the Full Licensing Phase. This Phase lasts until the driver reaches the age of 20. There are no nighttime driving or age-related passenger restrictions during this Phase. Cell phone use while driving is still prohibited for drivers under the age of 19, except in the case of an emergency. Drivers in this phase are limited to only one court supervision for serious moving violations, and two moving violations in a 24 month period will again result in a minimum one month suspension of their license.

BEWARE OF RENEWED ENFORCEMENT OF WORK ZONE SPEED LIMITS

The Illinois Department of Transportation, the Illinois State Police, and the Illinois Tollway have announced renewed efforts to curtail and punish speeding in construction work zones this summer. Included in this effort will be the deployment of five vans throughout the state which are equipped to photograph speeders in work zones. The Illinois State Police will review the resulting tickets, and they will be sent to the owners of the vehicle by mail. The owners will not be liable, however, if the owner was not driving the vehicle at the time. The minimum fine for a first time offender of speeding in a work zone is \$375. Second offenses could result in a \$1000 fine and a nine month loss of license.



If you have any questions regarding any traffic or criminal matters, please contact Boyd Roberts at (309) 637-1400.



SEAT BELT USE IS REQUIRED FOR ALL VEHICULAR PASSENGERS IN ILLINOIS

Since 1985 Illinois law has required that all persons riding in the front seat of vehicles be properly restrained by seat belts. The law has also long required children passengers in the back seat of vehicles to be restrained by seat belts and car seats, depending on the child's age and size. Until last year, however, the Illinois seat belt law did not apply to adults riding in the back seat of vehicles. This changed effective July 1, 2011. Now, all people riding in vehicles on Illinois roadways must be properly restrained, which includes the wearing of seat belts for adults in the back seat. As with people in the front seat, police officers may stop vehicles solely because they see an unrestrained person riding in the back seat of a vehicle.

If you have any questions regarding any traffic or criminal matters, please contact Boyd Roberts at (309) 637-1400.



ILLINOIS' CONTROVERSIAL EAVESDROPPING LAW REMAINS IN LIMBO

Illinois is one of only a handful of states in which the making of an audio recording of a conversation is illegal unless consented to by all the parties of the conversation. Under the current law, the penalties for making such a recording are enhanced if the recording is of a police officer while performing an official duty. Making an unauthorized audio recording of a police officer is currently punishable by up to fifteen years in prison. This law came under heavy criticism after people were arrested for recording police officers with their cell phones. This criticism included some courts finding the prohibition against recording police officers unconstitutional, and the City of Chicago declaring it would not enforce the law during the recent NATO summit held in the city.



In the wake of this criticism it had appeared that the Illinois legislature passed legislation that would have changed the most controversial portions of the Illinois Eavesdropping Act. The House passed a bill which would also have removed the prohibition against making audio recordings of police officers, and would have allowed police officers to make recordings of suspects in certain situations with only the permission of the State's Attorney. Currently police officers need to obtain permission from a judge to make such a recording. Proponents of the new bill claimed this restriction was untenable when dealing with such things as the quick paced world of drug dealing. However, when this legislation returned to the Senate the original sponsor unexpectedly sought to make amendments which would have further softened the Illinois Eavesdropping Act. There was stiff resistance to these last minute amendments, and the legislation did not come to a final vote in the Senate before the end of the legislation session. It is expected that this issue will be addressed quickly when the legislature reconvenes, but until that time the Illinois law on eavesdropping will remain in limbo.

If you have any questions regarding any criminal law issues, please contact Boyd Roberts at (309) 637-1400.

ISSUES TO CONSIDER IF YOU ARE AN "ACCIDENTAL" LANDLORD

The struggling economy has caused changes in many peoples' lives, including in their living arrangements. In order to cut costs and/or raise revenue, adults have moved back in with their parents, parents have moved in with their adult children, and people have been taking in roommates at a far greater rate than when economic times were better. People have also found it difficult to sell houses when circumstances have called on them to do so, and thus have rented them out to family, friends, or strangers. As a result, many have found themselves to be "accidental" landlords.

People who did not intend to become landlords may not have fully considered the implications of the circumstances they have found themselves in. An area that may likely be overlooked is insurance. A homeowner's insurance policy may have exclusions relating to any rental activity. An "accidental" landlord may also not have considered the contractual issues that can help protect them and their property. Such a failure to consider all such potential matters could result in even larger financial issues than those that led to the decision to rent all or a portion of a property in the first place.

If you have any questions regarding any insurance or contractual issues, please contact Ken Snodgrass or Jim Lawson at (309) 637-1400.





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Hasselberg, Williams, Grebe, Snodgrass & Birdsall is a 13-attorney full service law firm with individual lawyers concentrating in particular areas of the law. The firm serves clients throughout the State with a focus on Central and Southern Illinois. Practice areas include: Federal Taxation, Litigation, Wills, Trusts and Estates, Probate, Elder Law, Estate Planning, Insurance Law, Real Estate, Personal Injury, Worker's Compensation, Agricultural Law, Corporate Law, Governmental Law, Administrative Law, Commercial Law, Criminal Law, DUI/DWI, Traffic Violations, Labor and Employment, Family Law, Adoption Law, Bankruptcy, Zoning, Planning and Land Use and Real Estate Title Insurance.

MEET JIM GREBE

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Jim is also currently an Elder at Christ Lutheran Church of Peoria. Jim has previously served as an officer, and on the Board of Directors, of the Lutheran Home of Greater Peoria, on the Board of Directors of the American Cancer Society, Peoria Division, and as a Trustee for the Alpha Park Library District.

Jim was also a long time member of the Board of Directors and an officer of the Arthritis Foundation of Greater Illinois. Jim now serves as a member of the Leadership Council of the Arthritis Foundation, Heartland Region. Hasselberg, Williams, Grebe, Snodgrass, & Birdsall has been a key sponsor of the Arthritis Foundation's Jingle Bell Run for over fourteen years.

Jim enjoys spending his free time with his wife, Sarah, and their son, Anthony. He is also an avid traveler, and has visited all fifty states.

**Find us on the web
at: www.hwgsb.com**

A special thanks to John Dundas, our editor and associate attorney, for his selection and preparation of the articles appearing in this edition of HWGSB News & Views.

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THE ARTHRITIS FOUNDATION JINGLE BELL RUN/WALK

Hasselberg, Williams, Grebe, Snodgrass, & Birdsall has been a key sponsor of the Arthritis Foundation's Jingle Bell Run for many years. This annual event is a fun and festive way to kick off the holiday season, and to raise money to help the Arthritis Foundation in its mission of helping those with arthritis and arthritis related conditions. We invite you to form a team, create holiday costumes, tie jingle bells to your shoelaces, and join us this December 1st on the 5K route near the Peoria riverfront and participate in this very worthwhile event by walking or running.

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