



NEWS UPDATE

OCTOBER 2003

PRESIDENT'S MESSAGE

by Cindy M. Johnson

CHICAGO, IL — Welcome back to everyone from the lazy days of summer into the hustle and bustle of the fall season. When I was young, I was one of those children who looked forward to Autumn's "back to school" and to all it meant to me: fresh school supplies, an anticipation that something new and wonderful was to be learned and a renewed sense of dedication to the school year and tasks ahead. I felt refreshed after the summer break and ready to take on anything. Of course, as you can probably guess, by the end of September, the excitement wore off and the feeling of being in a rut had started to descend. By that point, the Thanksgiving weekend seemed an awfully long time away.

As an adult, I still find myself with a renewed sense of Autumn vigor when daytime temperatures are in the 60s and 70s and when the sun doesn't laze in the sky anymore until 9:00 p.m. Even as I now find myself a few months into my first year as the ICBA's president, in many ways I feel as though I am just beginning the journey. After a long summer—one without Board meetings, where the ListServ has been fairly inactive, and where I tried not to stay at the office too late (or on weekends) so that I could enjoy the nice weather—I now feel like it's time to get back to work.

The ICBA's work for this coming year, in many ways, is much as it has been. Education and networking remain primary in the association's goals. Sometimes education just means a ListServ response to someone who has not encountered a particular situation or sometimes it

means a formal seminar on new and emerging topics in our field. There are times when networking will get an attorney in western or downstate Illinois a referral from a Chicagoland attorney and sometimes networking is merely commiseration on the List-Serv for someone who was the recipient of a bad court decision. Those who started this association understood that creditor's rights attorneys were an isolated, informal group who would benefit greatly from a formalized society that filled those roles. The ICBA continues to respect those aims with the continued activity of the ListServ, with a "hot topic" type of seminar planned for November 11, 2003, with continued newsletters and with occasional brown bag seminars scheduled throughout the year.

Yet, to be successful, we must also broaden our horizons. I have two additional goals for the ICBA during my tenure as president. As an Association, we have recently moved into the arena of trying to influence legislation to be more creditor-friendly, and we have met with some successes. I will strive to have the association continue and expand this effort. I also believe our membership should receive more Association benefits than those that are in place today. You'll recall that last year we obtained a reduced price for ADP payroll services and discount for Lexis usage. The Board is working on adding more member benefits like these for this upcoming year.

With the help of the very dedicated Officers and Board of the ICBA and of the members at large, I'm sure that, unlike in my "back to school" days, my enthusiasm will not wane. I thank you for electing me to this position of responsibility and honor. I will try my best to use it to serve each of you and our profession. ■



ICBA Seminar

When: Monday, November 11
Noon to 3:00 p.m.

Where: The Illinois State
Bar Conference Room
20 S. Clark St.
9th Floor
Chicago, IL

What: Luncheon and Seminar

Fee: \$20 Members
\$35 Non-members

RSVP: 312-360-0563
by Friday, October 31

Come and network with friends!

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NOVEMBER SEMINAR

On November 11, the Association will present a seminar designed to provide important information and updates to all attendees.

The seminar is being held on the 9th floor of the Illinois State Bar Association, 20 S. Clark St., Chicago, from Noon to 3:00 p.m.

The fee, \$20 for members and \$35 for non-members includes a box lunch and ample time to network with other industry professionals.

(continued)

Topics include an overview of the Soldiers and Sailors Relief Act by Michael Polk. There is an increasing number of people affected by this Act, some of whom might be Debtors of your clients; property levies and 5/2-1401(e), presented by Ira Helfgot; a look at HIPPA and the problems it poses in collecting medical debt; FDCPA; and updates in the law regarding Forcible Entry & Detainer.

Please mark your calendars and watch for e-mail updates. You can register by phone (312-360-0563), fax (312-360-0388), or e-mail (info@ilcba.org). Please plan to do so by Friday, October 31. ■

NARCA HOLDS FALL 2003 CONFERENCE

The National Association of Retail Collection Attorneys, the largest national group serving this sector, offers a variety of seminars and social events at its Conference October 23-25, 2003 at the Disney Coronado Springs Resort in Buena Vista, Florida.

NARCA Conferences historically provide attendees with substantive seminars that provide practical information applicable to running their practices. Attendees also have the opportunity to meet hundreds of professionals and vendors in the retail collection field. If you would like to attend, contact NARCA at 800-633-6069, at narca@narca.org, or visit their Web site www.narca.org. You also may call ICBA member Ira Liebsker at 312-704-9440 for details.

MEMBER BENEFITS

Insurance

One of the efforts of last year's board was to try to find a company to provide a group healthcare type of policy for the members and their law firms. Unfortunately, the Board has not found any company willing to provide "association" insurance. The insurance agents and providers insist that those policies are becoming "a thing of the past."

However, two agents gave the Board presentations about an emerging

type of healthcare product for small businesses: consumer driven health plans. The programs emphasize employee education and participation in their healthcare decisions, giving the employees the tools to make informed, responsible, and cost-effective healthcare decisions. Both of the plans should save the employer money because the employees are given incentives to keep their healthcare costs as low as possible. There are different models of the plan, because it is rare that one plan would fit every type of employer. As this author understood the presentations, the plans, however, generally work along the following lines.

Statistics show that 82% of employees use their health insurance for routine office visits, 17% have minor emergency room or hospital visits, and only 1% have major health problems. For the 82% of routine visits, a Health Market Savings Account is created and the employee manages the \$1,000 benefit in this account (or whatever denomination selected by the employer) by choosing how and when it is used: for routine physicals, tests, etc. If all of the funds are not used during the year, the unused portion rolls over to the next year. If more than \$1000 is needed, then the health insurance covers 80% of the reasonable and customary charge after and employee deductible. The 20% remaining, and anything over the reasonable and customary charge, is the responsibility of the employee. There are special exceptions for catastrophic and emergency situations.

Although the ICBA as an association, it is not eligible to maintain such a plan, and although the Association does not endorse any particular type of health plan, agent, or company, the members and members' firms may wish to learn more about them.

As a thank you to the agents who took their time to analyze the membership's statistics, to make a presentation, and to prepare proposal information, we would like to invite the members to contact these individuals for more information:

Patrick D. Moore, President
Diversified Insurance Services of IL
Toll free: 877-723-0194
or Patrick@disi.us

Paul D. Dooley, Partner
CDC Insurance Group
Phone: 847-299-7121
or paul@cdcinsurance.com

ListServ

Having the ability to communicate with ICBA members through the ListServ is an important benefit. Take a moment to ensure your current e-mail address is on file by sending it to info@ilcba.org. The ListServ is an easy way to obtain practical information from fellow members who have expertise and can offer solutions to legal problems and procedures. Members can seek or offer Court coverage to those who need assistance. It is an efficient means of communication with attorneys whose practices are similar to your own.

LexisNexis™

The ICBA has arranged a special member rate for LEXIS computer-aided research. If your practice requires that you research legal issues, you should be on-line. You can sign up for the service by contacting them directly:

Richard Bradley
Phone: 773-348-5338
E-mail:
richard.a.bradley@lexisnexis.com

Mention you are an ICBA member in order to receive the group discounts.

ADP

The consensus of members who have processed payroll themselves and used a service is that a good payroll service is worthwhile, regardless of the size of the organization. ADP is one of the best, and offers additional services as well.

The ICBA has arranged for a 10% group discount that also includes a complimentary first month. Call Jamal Seale, District Manager, at 312-935-7164 and benefit from simplifying your financial procedures. ■

COMPUTER FIREWALLS

By Scott M. Alexander

Given the ever-increasing virus problems we confront daily, you may find this information timely, practical, and most useful.

Merriam-Webster's Collegiate Dictionary defines "firewall" as "a computer or computer software that prevents unauthorized access to private data (as on a company's local area network or intranet) by outside computer users (as of the Internet)" That definition makes the important point that a "firewall" can operate either out of a special computer, a device separate from your stand alone desktop computer or network workstation or server itself, hereinafter a "hardware firewall," or out of software, hereinafter a "software firewall."

1. A firewall is a device, either hardware or software based, that attempts to protect your desktop computer from unauthorized access, originating on the Internet.

2. One should use a firewall any time one's computer or network and / or network server(s) is / are connected to the Internet. It does not matter how long or how short the time period is that one is connected, there is always a chance that unauthorized access could occur. This potential becomes far more significant if you use any form of "always on" Internet connection such as cable, DSL, T1, etc.

3. It is not necessary to use both kinds of firewalls but whatever your choice, it is CRITICAL that you keep your firewall "firmware," (the name for the usual format for the programming for a hardware firewall), and / or software updated with the most current updates available from the manufacturer.

4. Hardware firewalls are generally recommended over software firewalls. The reason for this is that hardware firewalls exist as separate pieces of computerized hardware that are specially designed to process the Internet signal before it reaches your computer or network. Good hardware firewalls are designed so that any irregular Internet

traffic will instantly shut down the connection between the Internet and your computer or network.

Software firewalls, by definition, must run on your computer or network in order to operate. They do their job from within your computer or your network. This means that the potential unauthorized intruder has made it all the way into your computer or network before being stopped (hopefully). It is generally agreed that it is best to keep any potential unauthorized access limited to a piece of hardware, (the hardware firewall), that is not critical to the operation of your business and not take the risk that the hacker coming in to your system might just know a way around your software firewall.

5. If you have an always-on connection, you need protection immediately and constantly. This is not something to muse about. At least one member firm of the ICBA has already been the victim of an outside hacker who utilized his computing power at night thereby disrupting various functions scheduled to run at night including the backup system.



If you use a dial-up connection the danger may be decreased depending on how long you are on line. In such a case you should consult with competent technicians immediately. (Steve Protter, our in house technician is available to consult on these and other information technology matters.)

The exposure to damage from unauthorized intruders must be recognized and dealt with. It would be wise to prepare before you are victimized.

CAVEAT: Even if you follow all of my suggestions there is always the chance that there exists a smart hacker somewhere in cyberspace who may find a way around the firewall you choose, and someday, firewall or not, it is still possible to be a victim of unauthorized access. Fire-

walls are like seatbelts in automobiles; while you can sustain an injury wearing a seatbelt, you are much safer wearing the seatbelt than not.

In addition to using a firewall, one MUST always use UPDATED virus, worm, Trojan horse, etc. checking software, and, as I have noted in earlier articles, care must be taken when opening e-mail and accepting attachments at all times. No form of protection is perfect but with a good, updated firewall and good, updated virus checking software, it is possible to be reasonably secure. ■



MEET THE NEW MEMBERS

The ICBA is pleased to welcome the following new members who joined the Association this year:

Julie Beyers
Heavner, Handegan, Scott & Beyers
Decatur, IL

Sheryl Dworkin
Chicago, IL

Michelle Golden
Mages & Price
Deerfield, IL

Maureseta Hawkins
Gomberg, Sharfman, Gold & Ostler
Chicago, IL

Gregory Moody
Codilis & Associates
Burr Ridge, IL

Raymond Ostler
Gomberg, Sharfman, Gold & Ostler

Bruce Shapiro
Law Office of Bruce Shapiro
Northbrook, IL

Stuart Stein
Stein & Rotman
Chicago, IL