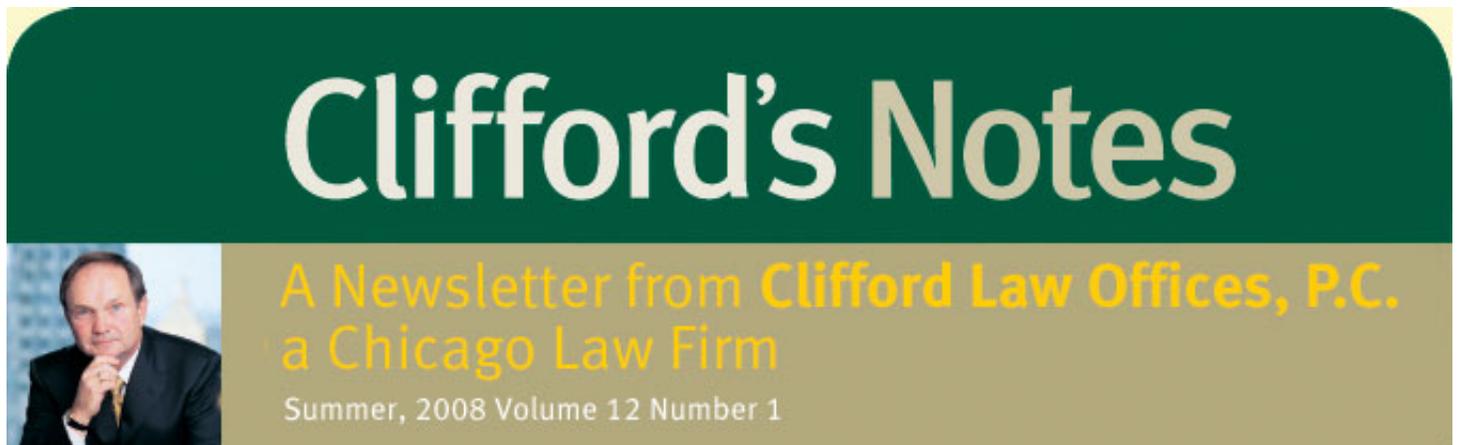


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## Clifford's Corner

**Robert Clifford** was elected Treasurer of the Chicago Bar Association for 2008-09.

Bob Clifford spoke at the 9th Beaumont International Aviation Conference in London, England, in June. He was on a panel that discussed "Justice in the U.S. Tort System."

Bob Clifford served on the faculty of the prestigious University of Virginia's week-long Trial Institute program earlier this year.

Mr. Clifford will speak on an all-star panel on "Managing the Media in High Profile Cases" for the Illinois Institute for Continuing Legal Education. Joel Daly, attorney and former WLS-TV anchor, will serve as moderator.

He also spoke on health courts at Loyola University Chicago School of Law's Beazley Institute for Health Law and Policy.

**Clifford Law Offices** will appear again in Chicago Magazine's August special section on Best Lawyers in Chicago.

Ten partners at the firm were selected as Leading Lawyers in Illinois and were featured in its special Consumer Issue. They also were chosen as Illinois Super Lawyers. Each organization selects lawyers based on a process of peer recommendation and other published standards of excellence.

Bob Clifford was listed as one of the 500 Leading Lawyers in America by Lawdragon, a lawyer-ranking service based in Los Angeles, California.

## **Feature Article**

### **Hiring a Lawyer \***

**By Robert A. Clifford and Keith A. Hebeisen, Chicago Lawyer, September, 2007**

Our firm decides every day whether to accept a particular case. Many factors go into that decision, but I think it is just as important to see it from the perspective of the client. What can a consumer expect after hiring an attorney?

There is some basic information that can be helpful to someone who has never had reason to speak to a lawyer. These same points also can serve as a poignant refresher even for those who have had previous contact with the legal system.

A person has to be realistic about whether her case is viable. Too often people think that hiring a lawyer automatically solves their problems. If a person has been wrongfully injured and has suffered damages, a lawyer

can help. Solutions of revenge, retribution and retaliation have no place in the legal system.

It is important to meet the lawyer, if possible, in the office. The client should see where the lawyer works. Observe the feel of the office to see if it will be a good fit. After all, the lawyer is being asked to be responsible for representing the client in a matter of great importance, often involving intimate details.

It is best to put in writing an agreement on the terms of representation by the lawyer. Handshakes and a wink are not acceptable. The terms of the agreement should be explained to the client's satisfaction. If the lawyer is working on an hourly basis, billing must be clear and thorough. There are no secrets or surprises here. The more straightforward the lawyer is, the better. Now is not the time for anyone to be coy or shy.

Clients need to know what to expect. The lawyer should explain that in the Chicago area a civil claim can take two to five years to reach completion as the case winds its way through the system. For a complicated case involving numerous parties and complex facts, it could possibly be even longer.

Clients need to know that they have the responsibility of gathering records and any other pertinent materials to which they have access. If the event has been in the news, it is probably better to have your lawyer deal with the press. Any statements made to the media should be carefully thought out. Sometimes it is difficult for the person involved in the events to think clearly and realize all of the ramifications involved in speaking publicly about something so close to them. The instinct may be to immediately try to explain one's self or point blame. Leave that to the lawyer's judgment.

Check out the firm's website. Make sure that the firm has experience in the area in which you are dealing.

Beware of lawyers who advocate early settlement. Certainly a lawyer and client must be open to early resolution if it is the right result, perhaps in alternative dispute resolution such as arbitration and mediation, but it is not a good idea to be working up the case assuming that it will settle. Every case should be prepared as if it is going to trial. If it is settled before verdict, the lawyer needs to clearly explain her recommendation for settling to the client. The client needs to work with the lawyer in providing names, contact information and details that will help build a winnable case.

Most importantly, the client needs to know the lawyer is accessible.

A comfortable, trusting relationship is being built during a very stressful time for the client. The lawyer needs to listen, be empathetic and offer advice. The client should not be seeking a best friend but should be looking for a strong advocate.

*\*This article initially appeared in the 2008 Attorney Guide of the Northwest Suburban Bar Association.*

## **Press Room**

**Tom Prindable** was named Attorney of the Month in February by Illinois Legal Aid Online. Tom, who organized the firm's pro bono effort with the Chicago Volunteer Legal Services, was recognized for his outstanding contribution to help the disabled and elderly with the organization's guardian ad litem program in the Probate Division of the courts in Cook County.

Mr. Prindable also spoke at the Illinois Trial Lawyers Association seminar on Liens and Settlements with his perspective on "Ethical Issues for Settlement."

**Timothy Tomasik** will speak in July at the Annual Convention of the American Association of Justice in Philadelphia on Air Traffic Control Liability.

**Kevin Durkin** received the prestigious Accipiter Award from his alma mater, Fenwick High School, in recognition of his outstanding service to the legal profession. He also was named the first President of the DePaul University College of Law Center for Public Interest Advisory Board.

**Robert Strelecky** and **Sean Driscoll** spoke at the DePaul Law School Student Bar Association Lunchtime Practicum Series. The monthly series allows students to learn about various types of practice areas to help make decisions about their career paths.

**Kim Collins** spoke at the DePaul University College of Law as part of the Women's Law Caucus and Women's Bar Association Professional Insight Panel.

## Final Judgment

**Bob Clifford speaks at press conference on behalf of victims of Cook County fire**



**Robert Clifford**, lead counsel for the plaintiffs in the fire that killed six and injured 16 others at the Cook County Administration Building, announced a \$100 million settlement on April 28, just moments before jury selection.

The settlement is believed to be one of the highest personal injury settlements in Chicago's Cook County history, according to the Jury Verdict Reporter. The city of Chicago, Cook County and other defendants admitted no wrongdoing in the settlements, but Clifford said that the dollar amount spoke for itself. Kevin Durkin, partner, worked extensively on the case.

"This settlement allows the people involved in this tragedy and their families to avoid the trauma of having to testify in multiple trials," Chicago Mayor Richard Daley said in a statement. "I would like to again extend my deepest sympathies to the families of the victims of this tragedy."

A county panel that investigated the fire in the 37-story building leveled harsh criticism at the Chicago Fire Department and recommended sweeping changes. It concluded that the firefighters fought the blaze from the wrong stairwell, wrongly placed more emphasis on battling the blaze than on saving lives and failed to direct building workers away from trouble. A second report commissioned by the state criticized the building management for everything from inadequately training staff to equipping stairwell doors with one-way locks that trapped victims trying to flee the fire in smoke-clogged stairwells.

## Bill of Particulars "Tort Reform" Alert

### Patients Sick and Tired?

The U.S. Health and Human Services Department conducted the first national survey on how patients rate the care they receive in hospitals. Overall, Illinois hospitals matched national averages in most categories such as room and bathroom cleanliness, timely help from staff and noise levels.

For example, just 57 percent of Illinois patients surveyed said that staffers always explained the medicines they were being given and what side effects they could expect. Although hospitals often conduct their own patient surveys, they do not make the results public.

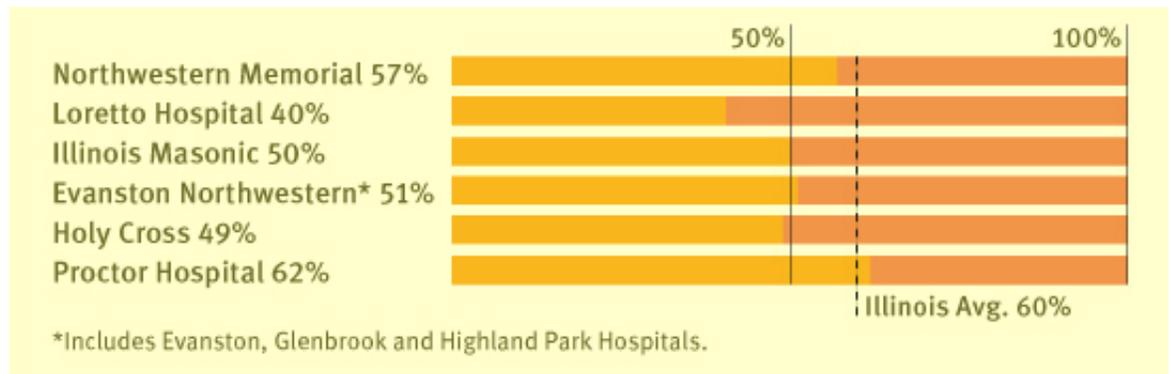
The results are available in a searchable database published by the U.S. Department of Health and Human Services at [www.hospitalcompare.hhs.gov](http://www.hospitalcompare.hhs.gov)

It should be noted that some major Chicago hospitals, such as the University of Chicago Hospitals, Loyola University Medical Center in Maywood and Rush University Medical Center, did not participate in the voluntary survey. More are expected to do so once the U.S. government withholds Medicare payments to those who do not.

Future plans call for quarterly updates.

## How patients rate Chicago-area hospitals

*Said they always got help quickly from hospital staff:*



## Unfriendly Skies

Airlines woes have been reported in newspapers and on television across the country for the past several months. Here are just some of the headlines:

- **Despite a new rule that doubles compensation for bumped passengers (up to \$800 for domestic round-trip flights), most major airlines are tacking on a new surcharge for checked bags.**
- **Airlines received the lowest grades from passengers since 2001, according to the annual American Customer Satisfaction Index released by the University of Michigan in May.**
- **Airlines, including Chicago-based United, will slash routes and jobs as fuel prices soar. United announced shedding 22 percent of its aircraft fleet in a downsizing. Most cuts will occur after the peak summer travel season.**
- **Many carriers have doubled or even tripled their nonstop U.S. fares.**

## Medicine Mix-Ups Hurt 1 of 15 Children

Medicine mix-ups, accidental overdoses and bad drug reactions harm roughly one out of 15 hospitalized children, according to the first scientific test of a new detection method.

Medicine mix-ups hit the front page of newspapers around the country last November when the newborn twins of actor Dennis Quaid and his wife Kimberly were overdosed. They filed a lawsuit in April in Chicago against Deerfield-based Baxter Healthcare Corp. for its labeling of a blood-thinner that the Quaid family say seriously injured their babies.

Researchers found a rate of 11 drug-related harmful events for every 100 hospitalized children, reflecting that some children experience more than one drug treatment mistake.

## FDA Investigating Possible Tampering

As many as 62 people are believed to have died and hundreds more injured as a direct result of an unidentified foreign substance contaminating the blood-thinning drug heparin, according to the Food and Drug Administration (FDA).

Heparin is produced from an enzyme found in the mucous lining of pig intestines and the FDA is investigating whether the harmful substance came from a cheaper substance derived from animal cartilage in China, the largest supplier of raw heparin ingredients in the world.

Some manufacturers of the drug, including Baxter International, recalled the pre-filled syringes containing the drug from the U.S. market as a precautionary measure.

A probe by the U.S. Senate Appropriations subcommittee that oversees FDA spending is investigating whether the contamination was accidental or was done intentionally to make more money. The FDA has been under criticism from lawmakers who say that regulators haven't done enough to ensure the safety of food and drugs produced overseas and shipped to the United States. Following the heparin tragedy, the FDA reportedly plans to station eight employees in three Chinese cities to inspect food and drug facilities and assist Chinese regulators. The agency now requires testing of imported raw heparin before it enters the U.S.

## Trial Notebook

Please visit our website to view some [new cases](#) at Clifford Law Offices and our [record of justice](#).

### Robert A. Clifford

## Giving Back to the Profession

### Chicago Bar Association/Chicago Bar Foundation



The 2008-09 officers of the Chicago Bar Association were sworn in at the Annual Meeting June 19.

They are (left to right):

**Terri Mascherin, Second Vice President**  
**Robert Clifford, Treasurer**  
**Hon. E. Kenneth Wright, Jr., President**  
**Aurora Abella-Austriaco, Secretary**  
**Anita Alvarez, First Vice President**



Robert Clifford has been part of the Steering Committee of the Investing in Justice Campaign, the Chicago Bar Foundation's effort to raise money for pro bono work of the bar. The Committee has raised nearly \$2 million to help those who have dedicated their careers to legal aid. The goal is to raise the salaries of those involved in pro bono work by 8 to 10 percent. "I am gratified to be part of such a worthwhile endeavor," Clifford said. "I also think that the Investing in Justice Campaign helped to raise the awareness of the work of legal aid attorneys and the thousands of Chicagoans who depend upon them for their invaluable services."

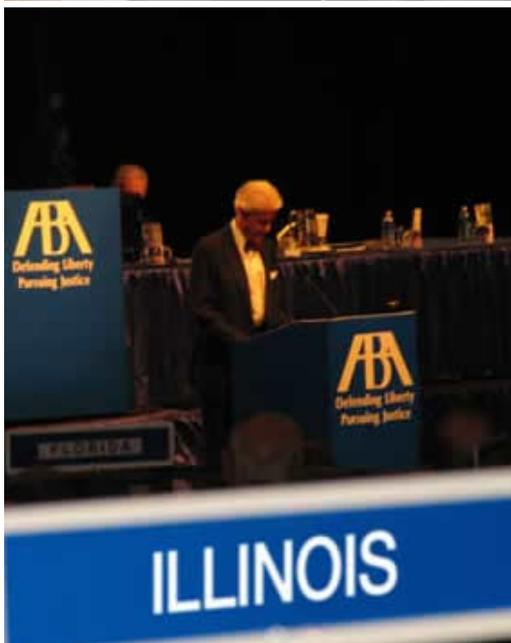
### American Bar Association



Bob Clifford speaks to judges, lawyers and law students at a recent ABA networking event in Chicago. The Honorable James Holderman, Chief Judge, U.S. District Court, Northern District of Illinois, and Judge Daniel Locallo, Cook County Circuit Court (left to right in the background) were among the attendees.



Bob Clifford will be sworn in for a second term as the Illinois State Delegate to the ABA House of Delegates at the Annual Meeting in New York in August. He is pictured here with the Hon. Marvin Aspen, U.S. District Court Judge for the Northern District of Illinois, as the delegation meets regularly to discuss issues that come before the House of Delegates.



Bob Clifford has accomplished much during his first three-year tenure as the Illinois State Delegate. Raising the awareness of the ABA and all bar associations in the state was among his priorities marked by the hosting of a law student event (pictured at top) at which Illinois Supreme Court Justice Anne Burke spoke.

As Chair of the American Bar Association Standing Committee on Strategic Communications, Bob also has made communication important in his role as the Illinois State Delegate. He writes a biannual e-newsletter to the ABA members in Illinois, keeping them abreast of what occurred at the Annual and Midyear Meetings.

He also spearheaded the efforts to celebrate the 200-year anniversary of the birthday of Abraham Lincoln that will be marked throughout the state in 2009. To mark the event, Clifford Law Offices, an accredited continuing legal education provider in Illinois, will be presenting "The Ethics of Lincoln the Lawyer," a two-hour webinar from the Lincoln Museum in Springfield in February, 2009. Details will follow in the next newsletter.

## Community News



## Clifford Law Offices' Webinar

Hundreds of people attended via the internet the inaugural webinar presentation of Clifford Law Offices, an accredited provider of continuing legal education in Illinois. Professor Robert P. Burns (standing left) of Northwestern University School of Law conducted the free two-hour seminar on The Ethics of Trial Work at the firm. Attorneys from across the state could see and hear the professor and his PowerPoint presentation from their computers or via teleconference.

## Clifford Symposium on Civil Justice, Tort Law and Social Policy

An all-star cast of lawyers, judges and academics appeared at the 14th Annual Clifford Tort Symposium at DePaul



University College of Law. The topic of the free two-day seminar was “The Challenge of 2020: Preparing a Civil Justice Reform Agenda for the Coming Decade.”

The symposium featured faculty from around the country including the Hon. James Holderman, Chief Judge, U.S. District Court, Northern District of Illinois; Hon. Jack Weinstein, U.S. District Court, Eastern District of New York; Hon. Shira Scheindlin, U.S. District Court, Southern District of New York; Hon. Lee Rosenthal, U.S. District Court, Southern District of Texas. Also on the panel was Kenneth Feinberg, Special Master of the 9/11 Victims’ Compensation Fund; Shari Diamond, Professor, Northwestern University School of Law; Marc Galanter, Professor, University of Wisconsin Law School; and Robert Grey Jr., partner at Hunton & Williams in Richmond, Va., and former President of the American Bar Association as well as Bob Clifford, pictured at left.

### On The Web



During one of Chicago’s worst winters, Clifford Law Offices sponsored weather reports on WGN radio and its website, [www.WGNRadio.com](http://www.WGNRadio.com)



Clifford Law Offices also is sponsoring “You and the Law,” a new channel on the NBC-Chicago website that offers information on legal issues for consumers, [www.nbc5.com/youandthelaw](http://www.nbc5.com/youandthelaw)

### Advertising Material Only

Clifford Law Offices has prepared this newsletter for its many friends, clients and colleagues world-wide. It is purely a public resource of general information. Although it is not intended to be a source of either solicitation or legal advice, it must be regarded as an advertising or promotional communication in the terms of the lawyers’ professional responsibility law. Accordingly, it is necessary that certain information be supplied to and noted by the

reader.

This newsletter should not be considered as an offer to represent in any legal matter, nor should it be the basis of legal hiring decisions. Thus, the reader should not consider this information to be an invitation for an attorney-client relationship, should not rely on information provided herein, and should always seek advice of competent counsel.

All lawsuits are different, and Clifford Law Offices makes no representation or promises that it can obtain the same results as reported in this newsletter in other legal matters. Nothing in this newsletter constitutes a guarantee, warranty or prediction regarding the outcome of any future legal matter. Further, it should be noted that even where the fee arrangements are on a contingency basis, clients will still be responsible for payment or reimbursement of the costs and expenses of litigation.

The owner of this newsletter is a law firm licensed to practice only in Illinois. In preparing and disseminating this newsletter, Clifford Law Offices has made a good faith effort to comply with all laws and ethical rules of every state into which it may be sent. In the event, however, that it is found not to comply with the requirements of any state, Clifford Law Offices disclaims any wish to represent anyone desiring representation based upon viewing this newsletter in such state.

Finally, this newsletter is disseminated to our many friends around the world. We hope you find the information here useful and informative. Anyone, however, who does not wish to receive future newsletters can contact us at the numbers or locations listed here, and the matter will be promptly attended to.

Very Sincerely Yours,

Thomas K. Prindable, Managing Partner, Clifford Law Offices, P.C.

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