

B S L B V

BARRICK, SWITZER, LONG, BALSLEY & VAN EVERA, LLP
ATTORNEYS AT LAW

**PROPOSAL FOR MUNICIPAL
PROSECUTOR LEGAL SERVICES
&
STATEMENT OF QUALIFICATIONS
VILLAGE OF ROSCOE**

**6833 STALTER DRIVE
ROCKFORD, ILLINOIS 61107
(815) 962-6611
www.bslbv.com**



Village of Roscoe, Illinois

Statement of Qualifications for Legal Services

Firm Overview

Barrick, Switzer, Long, Balsley & Van Evera, LLP was established in 1938 by William Barrick and has a long established presence in the Northern Illinois region. Our firm has had a major emphasis in municipal law for over 60 years and is proud to be amongst the most-trusted providers of legal counsel to municipalities in Illinois, currently representing over 15 municipalities, municipal districts and governmental agencies. Our firm represents local communities as their general corporate counsel as well as counsel for community development, special taxing districts and litigation issues. Our strong roots in municipal law, decades of experience, and staff training all help us provide powerful solutions at affordable rates. We measure ourselves on the quality of our advice, the relationships we have with our clients, and the personal attention we provide.

Currently 17 lawyers make up our law firm, each with general practice experience as well as a degree of specialization. Our municipal practice group is comprised of Attorney James Stevens, Attorney Thomas Green, Attorney Douglas Henry, Attorney R.C. Pottinger, Attorney Darron Burke, Attorney Shawn Fulbright and Attorney Luke Carlson. Our municipal attorneys are highly skilled and trained in municipal law and provide our municipal clients practical advice based on decades of experience in Illinois municipal law. In conjunction with our municipal engagements, we have prosecuted traffic, DUI and ordinance violations for over 30 years. We currently have a dedicated minor traffic call (Wednesday mornings) along with a dedicated DUI call (Thursday afternoons) – both occur every week. Mr. Fulbright has been handling these prosecutorial responsibilities exclusively since 2019.

When, inevitably, municipal operations become entangled in other legal areas, our law firm is equipped to evaluate and move forward with the municipal directive. We utilize a rich background in practical business representation which brings a special insight into the development and application of local government regulations, procedures, and operations. Coupled with attorneys with decades of experience in the prosecution of municipal code violations, misdemeanor DUIs, and traffic offenses along with civil litigation, insurance defense, foreclosures, bankruptcy, banking and real estate development, our firm is prepared to advise our municipal clients in other areas of law which may become applicable. Our lawyers work as a team and our municipal practice group has access to other disciplines that allow them to provide their municipal legal opinions in the context of particular situations. Our firm's real world perspective has been honed over decades of applying municipal law principals to everyday situations to arrive at practical solutions.

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Barrick, Switzer, Long, Balsley & Van Evera, LLP operates under a core belief that quality representation starts with knowing your client and serving them faithfully. Over decades of municipal representation, our firm has consistently served its local government clients through personal service and attention to details. The value of our service to local governments is based on our taking the time to understand their communities and build meaningful relationships with them and their leaders. With a passion for service, a foundation rooted in a full and keen understanding of the law and advice that takes into consideration other important facets such as business and economics, Barrick, Switzer, Long, Balsley & Van Evera, LLP provides *complete* representation and service to our municipalities.

Responses to Requested Information

1. In 2000, Barrick, Switzer, Long, Balsley & Van Evera operated as a general partnership. The firm was a general practice firm with attorneys specializing in various practice areas including, municipal, real estate, litigation, bankruptcy, family law, corporate organizations and banking law. In March of 2005, the firm formally organized as a limited liability partnership and became Barrick, Switzer, Long, Balsley & Van Evera, LLP. The firm has operated as a limited liability partnership since March of 2005.
2. Attorney Shawn Fulbright will provide the vast majority of prosecutorial services for the Village and will be the primary prosecuting attorney. Mr. Fulbright has been licensed to practice law in Illinois, uninterrupted, since 1996. He has not been subject to any malpractice claims or disciplinary actions. Since joining our firm in 2019, Mr. Fulbright has prosecuted municipal traffic, misdemeanor DUI, and ordinance violations exclusively for the firm; including bench trials and jury trials. If Mr. Fulbright is unavailable to handle a particular call or court appearance, there are multiple other attorneys within the firm that have prosecutorial experience and are otherwise qualified to cover.

A. Educational Background.

Douglas R. Henry: University of Toledo College of Law; graduated 1995; admission to Illinois State Bar in 1995; 29 years in practice.

Thomas A. Green: Northern Illinois University College of Law; graduated in 1984 (Cum Laude); admission to Illinois State Bar in 1984; 40 years in practice.

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James E. Stevens: Gonzaga University School of Law graduated 1979; admission to Illinois State Bar 1980; 44 years in practice.

Darron M. Burke: New England School of Law; graduated 2010; admission to Illinois State Bar 2010; 14 years in practice.

Shawn C. Fulbright: Drake University Law School; graduated 1996; admission to Illinois State Bar 1996; 28 years in practice.

Luke H. Carlson: Northern Illinois College of Law; graduated in 2021; admission to Illinois State Bar 2021; 3 years in practice.

3. A list of municipalities represented by the firm is attached.
4. Mr. Fulbright has been licensed to practice law in Illinois since 1996. Since joining the firm in 2019, he has exclusively handled the prosecution of municipal traffic, misdemeanor DUI, and ordinance violations for our municipal clients; including both bench trials and jury trials.
5. Our prosecutorial philosophy and approach. We believe that a prosecutor is essential to the administration of justice. A prosecutor serves the public interest and should utilize his/her discretion in a manner that increases public safety. We believe that a prosecutor's goal is to protect the innocent and convict the guilty. In pursuing charges, the prosecutor must consider the interests of victims, witnesses and the community we represent. Finally, a prosecutor must ensure that the constitutional and legal rights of all persons involved, including defendants, are honored and upheld.

As experienced municipal prosecutors, we carefully review all citations, reports and videos along with each Defendant's driving and criminal history in order to formulate an appropriate plea offer to present at the arraignment. In the event that plea negotiations fail, then our attorneys are prepared to proceed with trial. We are diligent in promptly subpoenaing any officers and civilian witnesses necessary for the successful presentation of our case. It is Mr. Fulbright's priority to respond to correspondence received from victims and witnesses under subpoena to ensure they understand the current posture of

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their case and the value of their participation in the judicial process.

All Roscoe Police Officers will be provided Mr. Fulbright's mobile telephone number and are encouraged to reach out with questions and concerns. Mr. Fulbright likes to have the mobile number for all Police Officers to confirm or cancel testimony, discuss exceptional plea offers or consult with regarding possible amendments or dismissals.

6. We have completed a comprehensive search for any pending or potential conflicts with the Village of Roscoe and confirmed that we have none. In the event that a conflict may arise, then we will promptly notify the parties and abide by our ethical obligations by withdrawing, obtaining waivers where appropriate or making alternate arrangements.
 7. We propose to prosecute the Village's traffic, misdemeanor DUI, and ordinance violations for a flat monthly fee of \$3,500.00. This will include all intake, pretrial representation and bench trials. If a case is set for a jury trial, then we will notify the Village and seek approval to convert the fee to an hourly basis going forward. Hourly work will be billed at \$150.00 per hour and all time will be calculated at increments of .10 an hour. Jury trials occur so infrequently, we don't feel it is fair to the Village to calculate that into our flat fee quote and, instead, propose to consider jury trials as "extraordinary service."
 8. See 7 above.
 9.
 - a. We would aspire to have a tour of the police station along with an introductory meeting with the Village Administrator, Police Chief, officers and staff. We believe it is beneficial to conduct periodic meetings with the Village Administrator, Police Chief, officers and staff to discuss procedures, strategies and any legal updates. As with our other municipal clients, we like to exchange mobile telephone numbers so that we can communicate easily with officers and staff; even when present at the courthouse.
 - b. We propose to work closely with the Village Administrator and Police Chief to ensure we obtain a functional knowledge of the Village's systems and procedures; starting with an introductory meeting and following up periodically thereafter until everybody is confident that we share a common nomenclature and understanding of each other's goals, processes and workflow.
 10. Our office currently maintains malpractice insurance that indemnifies our current municipal clients. We will ensure that the Village of Roscoe is included if our office is the successful proposer.
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BARRICK, SWITZER, LONG, BALSLEY & VAN EVERA, LLP

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11. A list of our professional/client references is below.

12. Our office currently has one (1) malpractice claim pending regarding an old bankruptcy matter that we are vigorously defending against.

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Municipalities Represented:

Village of Caledonia	City of Loves Park (Conflict and TIF Counsel)
Village of Capron	Kirkland Community Fire District
Village of Cherry Valley	Cherry Valley Fire Commission
Village of Lena	West Suburban Fire Protection District
Village of Machesney Park	New Milford Fire Protection District
Village of Monroe Center	Blackhawk Fire Protection District
Village of New Milford	Roscoe Township
Village of Poplar Grove	Rockton Township
City of South Beloit (Special Litigation Counsel)	
Village of Stillman Valley	
Village of Durand	



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Client References:

James Richter II
Village Administrator
Village of Machesney Park
300 Roosevelt Road
Machesney Park, IL 61115
Phone: 815-877-5432

Anthony Miceli
Deputy Chief of Police
Machesney Park Division
300 Roosevelt Rd.
Machesney Park, IL 61115
Phone: 815-877-5519

Steve Bank
Village President
Village of Capron
250 W. Main St.
Capron, IL 61012
Phone: 815-569-2351

Steve Buss
Village President
Village of Lena
122 E. Main Street
Lena, IL 61048
Phone: 815-369-4016



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Subject: Proposal regarding Village of Roscoe Legal Services
Date: Friday, May 3, 2024 at 2:51:19 PM Central Daylight Time
From: Shawn Fulbright
To: Josef Kurlinkus
CC: Thomas Green, Douglas Henry
Attachments: image001.jpg, Proposal for Services Roscoe.Final.05-03-2024.pdf

Dear Mr. Kurlinkus –

Thank you for inviting Barrick Switzer Long Balsley & Van Evera, LLP, to submit a proposal to represent the Village of Roscoe for Traffic and Misdemeanor DUI matters. We are excited about the opportunity to represent your Village. To that end, please find attached our proposal. We invite you to contact us with any questions.

Shawn C. Fulbright | Barrick Switzer Long Balsley & Van Evera, LLP|
6833 Stalter Dr. Rockford, IL 61108 | 📞: (815) 962-6611 | 📠: (815) 962-1758 |
✉: sfulbright@bslbv.com | www.bslbv.com



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