

The Appellate Strategist

INSIGHTS ON APPELLATE ISSUES, TRIAL CONSULTATIONS, AND EVALUATING APPEALS

[Four New Civil Opinions Coming on Thursday at the Illinois Supreme Court](#)

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The Illinois Supreme Court has announced that on the morning of Thursday, May 19th, it will file opinions in [four civil cases](#) (pdf):

- ***General Motors Corporation v. Pappas, No. 108893***-- (1) Does the 2005 amendment to the Property Tax Code, 35 ILCS 200/23-20, providing for the payment of interest on property tax refunds at the lower of 5% or the percentage increase in the urban CPI for the previous year, apply prospectively only? (2) Did trial court retain jurisdiction to grant judgment interest after the notice of appeal was filed? See [Taxation](#).
- ***O'Brien v. O'Brien, No. 109039*** -- (1) Does the standard set in 735 ILCS 5/2-1101(a)(3) for a motion for substitution of a judge for cause, which requires a showing of actual prejudice, survive the due process standard set forth in *Caperton v. A.T. Massey Coal Co.*, 129 S.Ct. 2252 (2009)? (2) If so, where a party alleges that a judge has had *ex parte* communications with a party, does the statutory standard apply, or is the objective appearance of impropriety standard set forth in Rule 63(c)(1) of the Judicial Code applicable? See [Civil Procedure](#).
- ***The Board of Education of Auburn Community Unit School District No. 10 v. The Illinois Department of Revenue, No. 110395 & 110422*** -- Does the Property Tax Extension Limitation Law ("PTELL") apply to all portions of a community unit school district following annexation of territory in a separate county which had not opted into PTELL? See [Taxation](#).
- ***Bell v. Hutsell – No. 110724*** -- (1) Where defendants did not personally furnish alcoholic beverages, is liability for breach of a voluntary undertaking to monitor and inspect barred by the bar on civil social host liability? (2) Is there a private right of action under the Liquor Control Act for permitting one's minor child or his or her invitees to possess, distribute or consume alcoholic beverages? See [Tort Law](#).