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No fear at the Daley Center

Stellato says more civil defendants should let cases go to trial in Cook County Circuit Court

BY JOHN FLYNN ROONEY
Law Bulletin staff writer

In this era of casual dress at work, the personal appearance of the lawyers at Stellato & Schwartz Ltd. is important to the firm's founder.

To that end, lawyers can get shoeshines at the office three times a week to make sure their footwear is gleaming.

"It gives you an idea of the professionalism we want to see from our people," said Donald E. Stellato, who is also the 25-lawyer firm's managing partner. "We dress up during the week. Saturday is a casual dress day."

Stellato & Schwartz, which marked its 25th anniversary last week, defends clients in civil litigation. Late last month, one of its lawyers obtained the firm's 249th jury verdict, a not-guilty finding for a trucking company and truck driver in a personal-injury case stemming from an accident.

Stellato himself has handled between 60 and 70 jury trials. He said he has achieved favorable results in all but three of those matters.

He also oversees the trial work by the rest of the firm members.

The firm, which also handles insurance coverage matters and defends against workers' compensation claims, regularly receives cases from 35 to 40 insurance companies, self-insured corporations and municipal corporations including park districts. Its clients include USAA, GEICO, Liberty Mutual Insurance and Enterprise Rent-A-Car.

The firm partners' average hourly billing rate is about \$200.

"We're a good deal," Stellato said.

Born and raised in Melrose Park, Stellato wanted to work as a professional and decided to become a trial lawyer.

His interest in the law grew while working during law school as a researcher for Prentice H. Marshall, who ran the trial advocacy program at the University of Illinois College of Law. Marshall later served as a federal judge here.

After graduating from law school in 1973, Stellato joined the Chicago law firm known as Williams, Montgomery & John Ltd.

He had a heavy trial practice, defending clients in business and insurance matters. Stellato became a partner within six years and, in 1989, left to start his own firm.

He spoke with the Daily Law Bulletin about the firm's longevity, its long-term client relationships and growth plans.

Law Bulletin: Did you expect the firm to be around 25 years later?

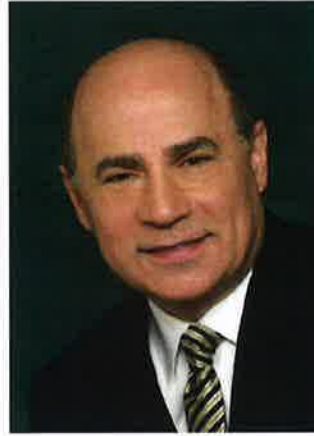
Stellato: I was very optimistic. I knew we had a great deal of support from clients that I felt would follow us or at least do business with me. We got off to a terrific start.

"(W)e are always prepared. I've always worked more than full time. ... I expect the firm to be hard-working."

LB: How do you approach client relationships?

Stellato: USAA has been a client for 25 years. We do like those long-term relationships. It's a competitive business, and a lot of companies might go with the flavor of the month. I prefer to develop long-term relationships.

We like to partner with our



Donald E. Stellato

Managing Partner, Stellato & Schwartz Ltd.

- **Location:** Chicago, and a small Schaumburg office
- **Revenue:** Declined to reveal 2013 figure
- **Lawyers:** 25
- **Age:** 68
- **Law school:** University of Illinois College of Law, 1973
- **Organizations:** Board member, First Nonprofit Foundation
- **Interests:** Playing golf, landscaping at home and spending time with his wife, Paula, and their four French bulldogs

clients. It leads to more reliance on our judgment. If you have a relationship with a client, you trust them and they trust you.

LB: What is the main challenge facing you as the firm's managing partner?

Stellato: It's a constantly changing landscape, in terms of the relationship we have with insurance companies and self-insureds. For one thing, I don't think our clients take as many cases to trial as they should.

It's not just us. I think it's an industrywide issue. It's fewer trials and more mediation.

LB: How do you address that challenge?

Stellato: Cook County has an undeserved reputation, in my opinion, of being a hot spot for plaintiff verdicts.

I think it's not a bad place for a

defendant to take a case to trial. The judges are very sophisticated, and your jury pool is huge. The only thing I can do is to take more of their cases to trial and show them it's not a place to fear.

LB: What are your plans and goals for the firm?

Stellato: I want to develop more long-term relationships with quality clients. We have one client we are developing right now — a personal lines insurance carrier — that is very large. I'd like to develop it through a lot of personal attention and hands-on work until they can understand what we're all about and we can understand what they're about.

Another goal is to be a full-service defense firm by continuing to get personal and commercial insurance clients, more insurance coverage clients and more workers' compensation clients.

LB: How does the firm distinguish itself from competitors?

Stellato: We develop these long-term relationships with clients and we come up with alternative-billing arrangements to make it easier on them. Those arrangements include retainer agreements and phased billing based on sections such as discovery or trial work.

LB: How has your practice changed over the last 25 years?

Stellato: I think technology has had a big impact. It made us more efficient. It's a lot easier these days to e-mail clients. Most clients have electronic files now. There are also personnel differences due to technology.

Initially, we had one secretary for every lawyer. Now there is one secretary for every three or four lawyers.

LB: What are the firm's growth plans?

Stellato: We hired six lawyers in 2013. We could hire more lawyers later this year. Typically, there are between two to four new hires each year.

LB: What are the keys to your accomplishments as a trial lawyer?

Stellato: No. 1, we are always prepared. I've always worked more than full time. I work on Saturdays. I expect the firm to be hard-working.

And I think you have to be sincere in advocating your case. You have to be truthful and you have to call it fair and straight.

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