

A COMPLIMENTARY EVENT

Presented by:
Chicago Bar Association
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Judicial Selection in Illinois: A Judicial Symposium on Election and Appointive Systems



CHICAGO

Tuesday, October 5, 2010

Chicago Bar Association Building
321 South Plymouth Court, Chicago

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Judicial Selection in Illinois: A Judicial Symposium on Election and Appointive Systems

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Chicago Bar Association Building, 321 South Plymouth Court, Chicago

3 hours MCLE credit including 3 hours of PMCLE credit subject to approval.

This Judicial Symposium, coordinated by the joint efforts of several bar associations, will present a historical overview of how Illinois selects and retains judges and the accompanying controversies and problems with our current selection and retention process. The Symposium will also present a panel of legislators to discuss past and current legislative efforts to change how we select and retain judges. Finally, the Symposium will include a panel of judges and experts personally familiar with judicial campaigns and the appointment process. Please join us in attending this Judicial Symposium that we hope will trigger a public discussion on the importance of an independent, representative, and quality judiciary.



PROGRAM

Tuesday, October 5, 2010

- 1:00 – 1:30 p.m. **Registration**
- 1:30 – 1:40 p.m. **Welcome and Introductions**
- 1:40 – 2:10 p.m.

The History, Controversy in the Reform Effort of the Judiciary in Illinois; a History of Judicial Selection over the Past Several Decades

Presented by: Dawn Clark Netsch, Northwestern University School of Law

Professor Dawn Clark Netsch was extensively involved in legislative reform efforts of the judiciary in the 1980s after Operation Graylord. Prof. Netsch will present an outline of the history of judicial selection in Illinois along with the legislative reform efforts that have been made over the decades.

- 2:10 – 3:10 p.m.

Legislative Perspective on Judicial Selection – What is the feeling in Springfield regarding Judicial Selection? What does the future hold for this issue in Springfield?

Moderator: Lawrence J. Suffredin, Shelsky & Froelich

Panelists: Rep. Barbara Flynn Currie, Illinois House of Representatives, 25th District, Majority Leader; Sen. Kirk W. Dillard, Illinois State Senate, 24th District; Sen. Don Harmon, Illinois State Senate, 39th District, Assistant Majority Leader, Rep. Elaine Nekritz, Illinois House of Representatives, 57th District; Sen. Kwame Raoul,

Illinois State Senate, 13th District; Sen. Dale Righter, Deputy Minority Leader, Illinois State Senate, 55th District; Hon. Anthony L. Young, Circuit Court of Cook County, Illinois, Law Division.

The legislative panel, moderated by Larry Suffredin, features current and former legislators who have been involved in past efforts to reform the judiciary through legislative action and constitutional amendment.

- 3:10 – 3:30 p.m. **Refreshment Break**

- 3:30 – 5:00 p.m.

A View from the Bench: A Panel Discussion Comprising of Judges Directly Involved in the Election and Appointment Process and Players in the Political Judicial Process

Moderator: Olivia Clarke, Editor, Chicago Daily Law Bulletin

Panelists: Hon. Williams Cousins, Jr., Illinois Appellate Court, Hon. Joy Cunningham, Illinois Appellate Court, First District; Hon. Gino L. DiVito, Tabet DiVito & Rothstein, LLC; Hon. Michael B. Hyman, Circuit Court of Cook County; J. Timothy Eaton, Shelsky & Froelich, Ltd.; Paula Holderman, Winston & Strawn; Prof. Ann M. Lousin, The John Marshall Law School

This panel discussion will involve current and former Illinois judges and justices as well as experts who have significant insight into both the appointment process and the election process for the judiciary in Illinois.

- 5:00 – 6:00 **Reception**

Featured Speakers

Olivia Clarke, Editor, Chicago Daily Law Bulletin

Hon. William Cousins, Jr. (Retired), Illinois Appellate Court

Hon. Joy V. Cunningham attended the City University of New York where she obtained a Bachelor of Science degree. She later attended John Marshall Law School in Chicago where she earned a law degree in 1982. Before joining the Illinois Appellate Court, she served as Senior Vice President, General Counsel and Corporate Secretary for the Northwestern Memorial System, which includes Northwestern Memorial Hospital and Northwestern Memorial Foundation. Prior to joining Northwestern Memorial in 2000, she served as a Judge of the Circuit Court of Cook County. Over the course of her legal career, she served as Associate General Counsel for Loyola University of Chicago and Loyola University Health System, and as a litigator with the law firm of French, Rogers, Kezelis & Kominiarek. She also served as an Assistant Illinois Attorney General and as a Judicial Clerk to Illinois Appellate Justice Glenn Johnson. Ms. Cunningham was elected President of the Chicago Bar Association (2004-05), where she became the first African American Woman to lead the nation's largest municipal Bar Association. She has also served on the Board of Directors for the Chicago Bar Foundation, the Center for Conflict Resolution and the Center for Disability and Elder Law, and the Chicago Legal Clinic.

State Representative Barbara Flynn Currie has served the people of the 25th District since 1979. In 1997, she became the first woman Majority Leader in the history of the Illinois General Assembly. As the second ranking House official, Currie works closely with colleagues from both parties and all regions of the state to fashion solutions to the problems that face Illinois. Her legislative accomplishments include sponsorship of the Illinois Earned Income Tax Credit Act, and the Illinois Freedom of Information Act. Currie graduated with honors from the University of Chicago, where she also earned a master's degree in political science. A past vice president of the Chicago League of Women Voters, she serves on the board of directors of the American Civil Liberties Union of Illinois. She also is a member of the Hyde Park Kwans Club, Women United for South Shore and the Sierra Club.

State Senator Kirk Dillard has been the chief sponsor of many landmark pieces of legislation, including Illinois' first campaign finance/ethics reforms in 25 years, truth-in-sentencing to make sure felons serve their full sentences, mandatory DNA testing of all felons, the "Safe to Learn" Act ensuring school safety, the reorganization of the public higher education system, and the tough anti-gun crime law known as "15-20-Life." He cosponsored the comprehensive reform of Illinois' capital punishment system, and has been a strong advocate for tort reform and medical malpractice insurance reform to assure access to health care in Illinois, especially for cases involving women, children and emergency situations.

Gino L. DiVito co-founded the Chicago law firm of Tabet DiVito & Rothstein LLC in February 2001. Since his retirement from the judiciary on August 1, 1997, he has concentrated in trial and appellate advocacy in all types of cases, primarily focusing on commercial and complex civil litigation. Licensed to practice law in Illinois since 1963, he has represented individuals, corporations, and governmental entities in trial courts throughout the state, and in appeals in the Illinois Supreme Court, in the Illinois Appellate Court, and in the Seventh Circuit Court of Appeals. DiVito served as a judge for more than 20 years (May 1977 to July 1997). For the last eight of those years (April 1989 to July 1997), he was a justice of the Illinois Appellate Court. During that time, he served as the presiding justice of the First District's second division, as a member of the court's executive committee, and as the chairman of the court's computer and information committee. For the preceding 12 years (May 1977 to March 1989), he served as a trial judge in the circuit court of Cook County, presiding over both civil and criminal cases.

J. Timothy Eaton, Shareholder with Shelsky & Froelich, is a seasoned veteran in both commercial litigation and appellate litigation. Eaton earned his JD in 1977 from Southern Illinois University School of Law, cum laude and his LL.M. in 1979 from Washington University School of Law. Eaton's professional affiliations include having served as Past President of the Illinois State Bar Association and the Appellate Lawyers Association of Illinois, and; Secretary of the Chicago Bar Association. Eaton served as a member of the American Bar Association's House of Delegates (1999-2002) and is a Fellow of the American Academy of Appellate Lawyers.

Sen. Donald F. Harmon was first elected to the Illinois State Senate in 2002. He is the Assistant Senate Majority Leader, the Vice-Chairman of the Senate Judiciary Committee, and a member of the Senate Executive Committee; Senate Environment Committee; Senate Executive Appointments Committee; Senate Redistricting Committee; and Senate Telecommunications Committee. Senator Harmon is also one of three members of the Senate Democratic Caucus to serve on the Senate Committee on Assignments which directs the flow of legislation to substantive Senate committees. Prior to his election to the Illinois Senate, Senator Harmon served as Deputy Legal Counsel to then House Democratic Leader Michael J. Madigan and prior thereto he was a Public Interest Law Initiative Fellow in the City of Chicago Law Department in the Special Prosecutions Division. Mr. Harmon joined Burke Burns & Pinelli, Ltd. as a Partner in January 2005. Mr. Harmon practices in the areas of corporate and municipal law. He concentrates primarily on transactional matters, serving both private and public sector clients. Mr. Harmon has counseled corporate and municipal clients on general organizational and operational matters as well as in complex transactions, including lending and financing transactions, real estate development matters, land use and zoning matters, and corporate mergers and acquisitions.

Paula Hudson Holderman, Winston & Strawn's chief attorney development officer, is responsible for the design and implementation of the firm's program of coordinated learning opportunities. Prior to joining the firm, Ms. Holderman was director of hiring, recruiting, and continuing legal education for the Cook County, Illinois, State's Attorney's Office. She also previously served as associate director of the Center for Advocacy and Dispute Resolution/Director of Clinical Education at John Marshall Law School. She was an assistant state's attorney for the Champaign County State's Attorney's Office in Urbana, Ill., from 1979-1989. Ms. Holderman was appointed by the Illinois Supreme Court to its committee on Character and Fitness in 2009. She previously chaired the Supreme Court's Advisory Committee on MCLE and was a member of the Supreme Court Rules Committee on Professional Responsibility (1998-2006). In addition, she is a member of the Illinois Supreme Court Commission on Professionalism CLE Advisory Group. In February 2010, Ms. Holderman became the third Vice-President-Elect for the Illinois State Bar Association. She will assume the presidency of that organization in June 2013. She has been an elected governor of the ISBA Board since 2005. She is a past board member of the Chicago Bar Association, Illinois Bar Foundation, Women's Bar Association of Illinois, and the National Conference of Women's Bar Associations. Ms. Holderman is a member of the ABA and served three years as Liaison to the Commission on Women in the Profession. She is a Fellow of the American Bar Foundation, Illinois Bar Foundation, and U.S. Supreme Court Historical Society.

Judge Michael B. Hyman, a Cook County Circuit Court judge since 2006, currently serves in the Domestic Relations Division. He was appointed by former Chief Justice Mary Ann G. McMorrow and elected to a full six year term in November 2008. Before joining the bench, his practice primarily concentrated in trial work on antitrust, securities fraud and consumer fraud matters in federal and state courts throughout the country. He was an Assistant Illinois Attorney General assigned to the Antitrust Division from 1977-1979. Hyman received his undergraduate degree from Northwestern University's Medill School of Journalism and his law degree from Northwestern University School of Law. Hyman is a former president of the Chicago Bar Association. He currently serves as chair of the Lawyers Conference of the ABA Judicial Division and previously held many leadership positions in the ABA Section of Litigation. He is secretary of the Illinois Judges Association Foundation. He served as president of the Chicago Bar Association (2005-06) and the Decalog Society of Lawyers (2004-05). In addition, at the CBA, Hyman has been the editor-in-chief and columnist for the CBA's flagship publication, CBA Record for over 15 years. He is a member of the board of the Chicago Bar Foundation (2003-present) and the executive committee of the Land-A-Hand For Youth Program (2007-present). He also is one of the CBA representatives on the American Bar Association's House of Delegates (2005-present) and chair of the Lawyers Conference of the ABA Judicial Division (2008-2009). Hyman has held numerous leadership positions in the ABA Section of Litigation including chair of the Antitrust Litigation Committee, the Consumer and Personal Rights Committee, and Monographs and Unpublished Papers Committee, and editor-in-chief of Litigation News and Litigation Docket. Other organizations in which Hyman has held or holds leadership positions include the Illinois State Bar Association (chair of several committees and four terms on Assembly), the American Society of Writers on Legal Subjects and the Coalition for Equal Justice. He is a member of the Chicago-Lincoln Inn of Court.

Ann M. Lousin has been a member of the faculty of The John Marshall Law School since 1975. She received her B.A. from Grinnell College (IA) in 1964; studied at The University of Heidelberg (Germany) the following year; and received her J.D. from The University of Chicago in 1968. She was a research assistant at The Sixth Illinois Constitutional Convention in 1970. From 1971 to 1975, she was a staff assistant to the Speaker of the Illinois House of Representatives, including two years as Parliamentarian of the House. She continues to be active in state government and public policy discussions. She has written widely on Illinois state constitutional and governmental issues, recently as a regular columnist for The Chicago Daily Law Bulletin. Her book, The Illinois State Constitution: a Reference Guide, was published in 2009. In 2006 she co-chaired the Task Force on the Judiciary and Judicial Independence established by The Chicago and Illinois State Bar Associations.

State Representative Elaine Nekritz is serving her fourth term in the Illinois House of Representatives, representing the 57th District. Government Accountability, the environment, and transportation are the main components of Representative Nekritz' legislative agenda. Prior to her election as a representative in November 2002, Nekritz was a member of the law firm of Altheimer and Gray, working as a real estate attorney and later becoming a partner with the firm. She also worked as legislative aide to Jeff Schoenberg, now the State Senator of the 9th District, while he served as the state representative of the 58th District. Representative Nekritz is a past public affairs chairperson for the National Council of Jewish Women, member of the Glenview League of Women Voters, member of the Sierra Club, and a Board Member of the Chicagoland Bicycle Federation.

Dawn Clark Netsch, in her roles as an attorney, educator, author, state legislator, advocate for civil rights, state comptroller, and 1994 Democratic gubernatorial candidate, has built a reputation for outstanding public service to the people of Chicago and Illinois. From her years as a student and professor at Northwestern University to her distinguished career in politics, she has remained devoted to the ideals that first led her into public service. Her influence has been felt in matters of public education, state fiscal issues, and human rights. Dawn Clark Netsch is a Board Member of the Illinois Campaign for Political Reform (ICPR) and a previous recipient of ICPR's Paul Simon Public Service Award. More recently Dawn Clark Netsch has been working with the CHANGE Illinois Coalition to bring campaign finance reform to the state of Illinois.

Senator Kwame Raoul was appointed to fill the vacancy of U.S. Senator Barack Obama on November 6, 2004. Sen. Raoul is a graduate of the University of Chicago Laboratory High School, DePaul University (B.A., Political Science) and the Chicago-Kent College of Law. As a former prosecutor, he has represented the interests of abused and neglected children, and criminal victims. Later, in his private practice, he zealously represented many low-income clients in a variety of areas including civil rights, education, employment, and public benefits. In his most recent position, he served as the chief internal negotiator for the City Colleges of Chicago for the college district in labor/management relations. In his short time in the General Assembly, Raoul has served as Chairman of the Senate Black Caucus and he currently serves as Chairman of the Senate Committee on Redistricting. Senator Raoul also serves as Vice-Chairman of the Senate Criminal Law Committee and on the Judiciary, Telecommunications and Consumer Protection Committees. He has also served on the Board of Directors of the Union Park High Schools, Cook County Bar Association, International Child Care USA and Kappa Alpha Psi Fraternity (North Central Province).

Senator Dale Righter was appointed to the Illinois Senate in 2003. He previously served five years in the Illinois House of Representatives and was elected to a four-year term for the 55th District in November 2002. Righter is currently the Republican spokesperson for the Senate Health & Human Services Committee and as a member of the Financial Institutions and Transportation Committees. He is also a member of the Legislative Audit Commission, the Senior Pharmaceutical Review Committee and the Council on Aging. During his time in the Illinois General Assembly, Senator Righter has spearheaded legislative initiatives on a wide variety of issues, including economic development, school funding, health care and governmental accountability. Additionally, he sponsored legislation expanding newborn screening in Illinois; measures to expand the Freedom of Information Act; and laws promoting the use of ethanol and other renewable fuels. Righter graduated from Eastern Illinois University in 1988 then attended Saint Louis University School of Law, where he received his Juris Doctor in 1991. He is currently Of Counsel with a small law firm in Charleston and works as a part-time college instructor.

Lawrence J. Suffredin, Shareholder with Shelsky & Froelich, has nearly three decades of extensive federal and state trial experience. Larry is also known for his broad knowledge of government and politics, and has a strong emphasis on government relations work. He has been politically active for many years, assisting a number of candidates and campaigns and serving in a variety of public leadership posts. In 2002 he was elected to the Cook County Board of Commissioners and represents 310,000 people living on the north side of Chicago and in Evanston, New Trier and Niles Township. Before joining the firm, Larry was a Cook County Public Defender and Federal Defender Panel member. Following his law school graduation he served as a Captain in the United States Air Force Reserves, receiving an Honorable Discharge.

Hon. Anthony L. Young, Circuit Court of Cook County, Illinois, Law Division

Symposium Leadership

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James Covington, Illinois State Bar Association,
Robert E. Craghead, Illinois State Bar Association
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Jeremy L. Dershow, Mulhern, Rehfeldt & Varchetto, P.C.

Jennifer K. Gust, Hinshaw & Culbertson, LLP
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Robert H. Jump, Jump & Associates, P.C.
Michael E. Kujawa, Judge, James & Kujawa
Beth McMeen, Chicago Bar Association

Jack J. Murphy, Clausen Miller, P.C.
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Registration

Registration

This event will be offered at the offices of the Chicago Bar Association, 321 South Plymouth Court, Chicago and as a live webcast via internet for those unable to attend in person. Registration is complimentary; however, we ask that you register as soon as possible.

Please Note:

Online registrants will receive electronic confirmation. No confirmation will be issued for mail, fax or phone registration.

Accessible services are available for persons with disabilities. Please call 312-554-2056 or TDD 312-554-2055 to allow time to provide the necessary accommodations.

Materials will be available via an Internet download at www.chicagobar.org. Registrants will receive an email prior to the program informing them how to access the materials.



REGISTRATION FORM

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October 5, 2010

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