

# IVI-IPO COOK COUNTY CIRCUIT COURT QUESTIONNAIRE – Page 1

DATE 1/12/04

CANDIDATE FOR Siracusa VACANCY PARTY Democratic

NAME Terrence J. McConville

VOTING ADDRESS 115 N. Seminary Avenue, Park Ridge, IL 60068

HOME PHONE (847) 698-2599 BUSINESS PHONE (312) 814-2201

E-MAIL [McConville4Judge@aol.com](mailto:McConville4Judge@aol.com) WEB SITE N/A

CAMPAIGN ADDRESS 115 N. Seminary Avenue, Park Ridge, IL 60068

CAMPAIGN PHONE (847) 685-0653 FAX (847) 685-0655

CAMPAIGN MANAGER Terrence J. McConville

NUMBER OF PETITION SIGNATURES FILED 5166 NUMBER REQUIRED 2450

**See Exhibit “A” attached for answers to the following questions.**

Elective or appointive public and/or party offices previously held including dates.

Other elective offices for which you have been a candidate.

Principal business, educational, professional and civic activities of the past ten years.

What subjects have you studied and what experience have you had which will be most helpful to you in the office you seek?

Please detail your prior political activity, if any. Give positions held, dates, organizational memberships, role you played in political campaigns.

As concisely as possible, state why you feel you should be endorsed over the other candidate(s). What goals for the office you seek are most important to you personally?

Please state any evaluation ratings you have ever received for any judicial office by any bar association. List the office and the date of the election for which the evaluation was made. Please use the following format:

<i>Date</i>	<i>Position</i>	<i>Bar Association</i>	<i>Rating</i>
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## **IVI-IPO COOK COUNTY CIRCUIT COURT QUESTIONNAIRE – Page 2**

**See Exhibit “B” attached for answers to the following questions.**

- 1) What do you believe are the major strengths and weaknesses of the Circuit Court? Would you change the manner in which the Circuit Court functions?
- 2) How should the Chief Judge of the Circuit Court be chosen?
- 3) How should judges be assigned to the various divisions of the Court? If you are elected, to what division would you like to be assigned and why?
- 4) What is your position on how judges are selected and/or elected? Please explain.
- 5) As a circuit court judge, how would you balance any moral or ethical/philosophical disagreements that you may have with any existing statutes or legal precedents?
- 6) If a sitting judge were indicted, should the judge remain on the bench, resign or take a leave of absence? Please explain.
- 7) What are your views concerning mandatory sentencing for criminal offenses?
- 8) What are your views concerning treating minors as adults for criminal offenses?
- 9) What do you consider the important aspects of a judge's decision in handling a petition by a minor for a waiver of parental notice with the intent to have an abortion?

**EXHIBIT “A”**  
**IVI-IPO COOK COUNTY COURT QUESTIONNAIRE – Page 3**

Elective or appointive public and/or party offices previously held including dates.

- 1) Appointed “Parent Representative” - School District 64 – Curriculum Council – Approx. 1994-1999
- 2) Maine Twp. Regular Democratic Party – Board of Directors – 1995-2003

Other elective offices for which you have been a candidate.

- 1) Circuit Court Judge – 1994
- 2) Maine Township Clerk – 1997

Principal business, educational, professional and civic activities of the past ten years.

Business and Professional:

- From 1999 to Present; Office of the Secretary of State; Position: Assistant General Counsel
- From 1996 to Present; Chicago-Kent College of Law; Position: Adjunct Professor of Law
- From 1996 to 1999; Law Offices of Terrence J. McConville; Position: Sole Practitioner
- From 1994 to 1996; Law Offices of Carrol and Sain; Position: Associate Attorney

Educational:

For the past eight (8) years, I have been a Adjunct Professor of Law at Chicago-Kent College of Law. I have taught the following courses during my tenure at Chicago-Kent: Legal Drafting; Family Law; and Legal Writing III. Additionally, in 1999, I became Certified as a Municipal Ordinance Enforcement Hearing Officer after a several day Continuing Legal Education (CLE) Seminar. I have taken several other CLE seminars in fields related to my area of practice, including Business Organizations, Limited Liability Practice, Uniform Commercial Code (Article 9), etc.

Civic:

The primary focus of my civic activities for the past ten (10) years has been my family. My involvement has ranged from scouting and fundraising activities with the Park Ridge Indian Scouts/Princesses; to being active with my wife, Luann, in the local Parent Teacher Organization at Carpenter School (District 64) in Park Ridge, including helping to organize and work at the Family Fun Fair for several years. Moreover, I have coached Boy’s Baseball and Girl’s Softball with the Park Ridge Baseball organization; assisted as a basketball coach for several years in the park district league; and been active with the Park Ridge Falcon Traveling Football Team as a parent, supporter and fundraiser. As stated above, I was also appointed the Parent Representative for Carpenter School on the District 64 Curriculum Council, where we reviewed, helped to select, and approved the curriculum and text books for the elementary and middle schools. I have been an avid supporter of the Maine South H.S. Athletic Department and Drama Department.

During this time, I have also been active in the Maine Township Regular Democratic Organization. I have been a member of the Board of Directors of the organization from 1995 through 2003. In 1997, I was part of a slate of candidates that ran for township office in Maine Township. Unfortunately, my race for Maine Township Clerk was unsuccessful. Two years ago, I helped to co-found a new political group called the Park Ridge Democrats, to help organize and empower Democrats in a traditionally Republican community. The creation of this group helped to contribute to the election of five (5) new independent aldermen out of eight (8) aldermanic races in a historically one-party town.

**EXHIBIT “A”- Cont’d**  
**IVI-IPO COOK COUNTY CIRCUIT COURT QUESTIONNAIRE – Page 4**

What subjects have you studied and what experience have you had which will be most helpful to you in the office you seek?

Concerning the subjects I have studied and the experiences I have had which will be most helpful to me as a Circuit Court Judge, I believe my entire educational background (from parochial school to Notre Dame High School, the University of Notre Dame, and The John Marshall Law School); professional career (both non-legal and legal); litigation experience (100+ trials in my sixteen (16) years of private practice); and teaching credentials (eight (8) years as an Adjunct Professor at Chicago-Kent College of Law) have all contributed to my personal and professional development. I have appeared before the bench countless times on all manner of civil and criminal matters. I have helped to adjudicate cases as an Arbitrator with the Cook County Arbitration Program, including time as a Panel Chair. I have trained and been certified as a Municipal Ordinance Enforcement Hearing Officer. At this juncture, I believe all of the above accomplishments and experiences taken together have prepared me for the Office of Circuit Court Judge

Please detail your prior political activity, if any. Give positions held, dates, organizational memberships, role you played in political campaigns.

For the most part, I have chronicled my political activities in my answers to the previous questions. My first political activity was as a precinct worker when I was a Junior in High School in 1972. Probably as a result of growing up in the Chicago area, a political “hothouse”, I majored in Government and International Relations at the University of Notre Dame. Following the path of many other political science majors, I went to law school.

I have been a precinct worker, precinct captain, a board director for a township party organization and a candidate for both judicial (1994) and local government (1997) offices. I have worked on many local campaigns and on many election days. I have been a member of the Maine Township Regular Democratic Organization since 1994 and the Park Ridge Democrats since its founding in 2001.

As concisely as possible, state why you feel you should be endorsed over the other candidate(s). What goals for the office you seek are most important to you personally?

As concisely as possible, a judge must be honest, fair, just and impartial, with a very good knowledge of the law and how it should be applied. A judge must render justice to all parties involved in a dispute or crime, whether plaintiff, defendant, victim or accused. As I stated in one of the questions above, at this time, I believe all of my accomplishments and experiences taken together have prepared me for the Office of Circuit Court Judge. I think I am worthy of your endorsement.

As to my goals for the office I seek (concisely), to be an honest, fair, just and impartial jurist.

Please state any evaluation ratings you have ever received for any judicial office by any bar association. List the office and the date of the election for which the evaluation was made. Please use the following format:

<i>Date</i>	<i>Position</i>	<i>Bar Association</i>	<i>Rating</i>
8/29/02	Associate Judge	Chicago Bar Assn.	Qualified
7/12/02	Associate Judge	Illinois State Bar Assn.	Recommended
9/27/02	Associate Judge	Women’s Bar Assn. of Ill.	Recommended
7/19/02	Associate Judge	Hispanic Bar Assn.	Recommended
7/02/02	Associate Judge	The Decalogue Society	Recommended
9/04/02	Associate Judge	Asian-American Assn.	Qualified
7/19/02	Associate Judge	Puerto Rican Bar Assn.	Recommended

**EXHIBIT "A"- Cont'd**  
**IVI-IPO COOK COUNTY CIRCUIT COURT QUESTIONNAIRE – Page 5**

7/02	Associate Judge	Chicago Council of Lawyers	Not Qualified
8/01/02	Associate Judge	Cook County Bar Assn.	Not Recommended
6/26/02	Associate Judge	Gay and Lesbian Bar Assn.	Not Recommended

## EXHIBIT "B"

### IVI-IPO COOK COUNTY CIRCUIT COURT QUESTIONNAIRE – Page 6

- 1) What do you believe are the major strengths and weaknesses of the Circuit Court? Would you change the manner in which the Circuit Court functions?

The major strength of the Circuit Court is its organization; both geographically and the subject-specific departmental/divisional arrangement. The major weaknesses of the Circuit Court are predominantly controlled or caused by the human element: large court calls, budgetary constraints, poor docket management, to name just a few. I would not change the manner in which the Circuit Court functions; however, I think the system could be tweaked to improve its efficiency and its efficacy.

- 2) How should the Chief Judge of the Circuit Court be chosen?

I think the present system for choosing the Chief Judge of the Circuit Court has worked relatively well; an election by your peers - the other full Circuit Court Judges. "If it ain't broke, don't fix it."

- 3) How should judges be assigned to the various divisions of the Court? If you are elected, to what division would you like to be assigned and why?

Judges should be assigned to the various divisions of the Court based upon their areas of expertise and experience. A short stint in Traffic Court is a good idea for judicial training. I would like to start out in Juvenile Court, Domestic Relations, the Municipal Department, or misdemeanor courtrooms. From there, I would hope to move up to the major courts: Law Division, Chancery, or Felony Trials.

- 4) What is your position on how judges are selected and/or elected? Please explain.

Personally, I don't like how judges are either appointed or elected. The appointment process (supposedly, based on merit) is just as political as the election process. The only difference is that there are fewer electors and it occurs behind closed doors. The election process is also flawed; resulting in the election of inexperienced and unqualified judges. A minimum standard in terms of years of experience as an attorney and litigation experience might be a start. There is no easy answer to this question

- 5) As a circuit court judge, how would you balance any moral or ethical/philosophical disagreements that you may have with any existing statutes or legal precedents?

For the most part, I would hope that any existing statutes or legal precedents are fundamentally sound from a moral and/or ethical standpoint to start. In cases where I may have serious moral or ethical problems, I still believe that I could perform my duties as a judge fairly and impartially, according to the laws and Constitutions of the United States and the State of Illinois.

- 6) If a sitting judge were indicted, should the judge remain on the bench, resign or take a leave of absence? Please explain.

If a sitting judge were indicted, the judge should **not** remain on the bench. Although judges should also be accorded the presumption of innocence in criminal matters, to avoid even the appearance of impropriety, the judge should be placed on administrative leave or take a leave of absence. Depending on the facts of the case, if a judge has brought disrepute to his or her office, the judge should resign immediately.

**EXHIBIT "B"-Cont'd**  
**IVI-IPO COOK COUNTY CIRCUIT COURT QUESTIONNAIRE-Page 7**

7) What are your views concerning mandatory sentencing for criminal offenses?

Mandatory sentencing for criminal offenses is too inflexible of a system and should be changed. Mandatory sentencing was enacted because convicted criminals were only serving short periods of their sentences and then were being released. Unfortunately, mandatory sentencing is not the solution to the problem. Mandatory sentencing robs a jurist of the ability to use judicial discretion, where the mandatory sentence is not called for based on the facts of the case. Solve the early release of convicts problem by other means. The mandatory sentencing laws should be amended.

8) What are your views concerning treating minors as adults for criminal offenses?

Depending on the age and experience of the minor, and the particular facts of the alleged criminal offense, I have no problem treating minors as adults for criminal offenses. I have practiced extensively in Juvenile Court, both on the delinquency calendar and the abuse and neglect calendar. I am aware of the cause and effect relationship between the two (2) calendars in many cases. However, I think each of these cases is unique and should be adjudged on a case-by-case basis, as stated above: "(d)epending on the age and experience of the minor, and the particular facts of the alleged criminal offense."

9) What do you consider the important aspects of a judge's decision in handling a petition by a minor for a waiver of parental notice with the intent to have an abortion?

The important aspects of a judge's decision in handling a petition by a minor for a waiver of parental notice with the intent to have an abortion are as follows: a) the language, construction and legislative intent of the parental notification statute; b) the age, experience and personal situation of the minor; c) any potential health-related problems to either the mother or the fetus; and d) the totality of facts and circumstances in the case. All of the above aspects must be weighed carefully before reaching such a major decision.