

**Independent Voters of Illinois-Independent Precinct Organization**  
**2012 Appellate Court**  
**CANDIDATE INSTRUCTIONS**

In order to be favorably considered for an IVI-IPO endorsement, you should follow these instructions carefully.

**YOUR RESPONSES SHOULD BE TYPED AND INCLUDE BOTH THE QUESTIONS AND THE ANSWERS.** Questionnaires are in Microsoft Word and can be downloaded from our website [www.iviipo.org](http://www.iviipo.org) to be filled in. If you are unable to download the questionnaire, please email us at [iviipojrc@yahoo.com](mailto:iviipojrc@yahoo.com) and we will email the questionnaire to you.

Please be sure to complete the contact information and the background questions on the first sheet. Following the cover sheet is a brief questionnaire which also should be completed.

**Your interview with IVI-IPO members from Cook County will be scheduled in September** and will take approximately 10-15 minutes. Please bring twenty (10) copies of your completed questionnaire to the interview session and email a copy of your completed questionnaire to [iviipojrc@yahoo.com](mailto:iviipojrc@yahoo.com) no later than 5pm Friday, August 29, 2008. After hearing from all candidates, the members will vote to recommend to the Board that one candidate be endorsed or that the Board make no endorsement.

Completed IVI-IPO questionnaires will be posted on our website after the Board completes the endorsement process on September 24. For privacy purposes, your home address & phone number will be removed from the questionnaire prior to posting.

All candidates who appear for an interview will be notified by email of the endorsement decision. IVI-IPO will arrange a press conference to announce our recommendations. The Independent Campaign Committee (ICC) will work with IVI-IPO supported candidates to publicize our endorsements.

If you have any further questions, please contact our office at [iviipojrc@yahoo.com](mailto:iviipojrc@yahoo.com). We wish you good luck in your endorsement application and in your campaign.

**NOTE: Our questionnaire is meant to elicit your thoughts and impressions of certain aspects of the law, not to obtain a commitment on how you may rule in a given case, or on any particular issue, that may come before you as a judge.**

We are aware that Canon 67 of the Illinois Canons of Judicial Ethics purports to restrict your ability to appear to commit yourself to a position that you may later have to rule on. We are also aware that Republican Party of Minnesota v. White, 536 U.S. 765 (2002), struck down a similar, if not identical, canon in Minnesota as a violation of the First Amendment to the United States Constitution. In an effort to accommodate any conflict you may still feel between Illinois Canon 67 and the White case, we hereby acknowledge that any answer you give to any of our questions does not commit you to rule in any particular way in a given case. **Thus, kindly answer each and every question without invoking Canon 67.** Candidates who answer all of the questions will be given preference in endorsement over those who do not.

**Independent Voters of Illinois-Independent Precinct Organization**  
**2012 APPELLATE COURT QUESTIONNAIRE – page 1**

DATE: January 11, 2012

NAME: Kay Marie Hanlon

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CAMPAIGN MANAGER: Jim Hanlon

***Please provide the following background information:***

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

Northfield Township Trustee (1990s, sorry I can't be more precise); Cook County Circuit Court Judge, 12<sup>th</sup> Judicial Circuit 2004 (elected) and retained in 2010

Other elective offices for which you have been a candidate.

None

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

Practice of law, Judgeship, teaching at Kaplan University; teaching New Judges School

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

Teaching at New Judges School and other Judicial CLE programs; hearing felony cases, including trials

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

Deputy Committeeman, Northfield Township Republicans (some point in the late 1990s until July 2004)

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>
2/04	Circuit Court	Chicago Bar Association	Qualified
2/04	Circuit Court	Illinois State Bar Association	Qualified
2/04	Circuit Court	Lesbian and Gay Bar Association	Recommended
2/04	Circuit Court	Decalogue Society	Recommended
2/04	Circuit Court	Women's Bar Association	Highly Recommended
2/04	Circuit Court	Northwest Suburban Bar Ass'n	Highly Recommended
2/04	Circuit Court	Chicago Council of Lawyers	Qualified
2/04	Circuit Court	Asian American Bar	Qualified
10/10	Retention	All Alliance of Bar Ass'n Members	Recommended
10/10	Retention	Chicago Bar Association	Qualified
10/10	Retention	Chicago Council of Lawyers	Qualified

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2012 APPELLATE COURT QUESTIONNAIRE – page 2**

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

Strength is growing diversity of the Court. Weakness is too little communication with Circuit Court Judges.

2. Please discuss the Appellate Court's practice of assigning each case prior to oral argument to one member of the panel to write the opinion?

It is a fair distribution of the initial workload. So long as the Justices confer and deliberate together, I see nothing wrong with having a designated lead.

3. What would be the reasons for not publishing an opinion?

I believe all Appellate Court opinions should be published.

4. What is the role of dissent in an intermediate appellate court? Under what conditions would you write a dissenting or concurring opinion?

A dissent or concurring opinion should be written in every instance where my position differs from the majority of if some clarification is necessary.

5. What procedural changes, if any, do you think would be helpful to ensure that Appellate Court decisions in child custody disputes are made effectively and promptly?

There should be an expedited track for child custody matters.

6. The Lockstep Doctrine that the protections of the Illinois Constitution's Bill of Rights must be interpreted in lockstep with the U.S. Supreme Court's interpretation of parallel provisions of the Federal Bill of Rights please comment.

We are one nation and the rights afforded by the Bill of Rights must be honored in favor of all citizens, regardless of the State.

7. What is the appropriate role of economic analysis, and particularly cost benefit analysis, in appellate jurisprudence?

It should not play a role.

8. What are the pros and cons of an elected, an appointed, or a hybrid system for the judiciary? How might the Illinois courts benefit or suffer from a change?

I think the entire process of selecting Judges must be re-examined. I do believe in the people's right to have a say, but there are significant issues with the current election process.

9. How has mandatory sentencing affected the criminal justice system in Illinois?

The individual Judge's discretion has been constrained too much. They are in the best position to assess each individual who appears before them.

10. How has automatic transfer of juveniles affected the criminal justice system in Illinois? How has it affected the recidivism rate of juveniles?

Automatic transfer serves to punish rather than rehabilitate. It has not affected recidivism rates as far as I can tell, other than for the period the juvenile is incarcerated.

11. Do you think the juvenile justice system should focus on rehabilitation or punishment? Why?

Rehabilitation. I served as Deputy of the Juvenile Justice Division of the State's Attorney's Office and saw firsthand the impact of the system on juveniles. The kids need services and punishing them does not get them the services they need. As Frederick Douglass observed: "It is easier to build strong children than to repair broken men."

12. How do you account for the disproportionate number of minorities prosecuted and incarcerated? What can the courts do to correct the disparity?

I can't begin to assess the many and complex answers to this question. The Courts must be part of the solution, but the causes are many and require the involvement of legislative, community, employment, housing, parenting, police and prosecution inputs.

13. 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?

A Judge must have all of the facts. Each case is individual.

14. What options available to a judge under Illinois law do you consider most effective in sentencing perpetrators of hate crimes? Please explain your choices.

Enhanced sentencing. The "stick" approach works better than the carrot, in this area.