

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

DATE December 19, 2011

NAME Patrick J. Sherlock

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CAMPAIGN MANAGER Edward T. Joyce, Campaign Chair

Please provide the following background information:

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

I was appointed to the position of Circuit Judge by the Illinois Supreme Court in March 2007. In February 2008, I was elected to that position. I have continuously acted as a Circuit Judge since March 2007.

Other elective offices for which you have been a candidate.

None.

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

Business: October 1994 - March 2007 Law Office of Patrick J. Sherlock.

Prior to opening my law office in 1994, I was a member of the law firm of Beigel & Sandler, Ltd., a national law firm with law offices in Chicago, New York, New Jersey and Los Angeles. While a member of Beigel & Sandler, I represented plaintiffs in litigation across the United States. Throughout my professional career, I represented plaintiffs and defendants in a broad array of cases. Examples of significant cases I handled in my law practice include:

Environmental Litigation

- *Muniz v. Rexnord Corp.*, (Northern District of Illinois) (Darrah, J.). I represented a certified class of DuPage County residents whose groundwater was contaminated by TCE and PCE. The case settled in the amount of \$15,750,000.

Protecting the Rights of Section 8 Residents

- *Elliott v. Chicago Housing Authority*, (Northern District of Illinois) (Manning, J.) Represented what may have been the first certified medical monitoring class in Illinois on behalf of Section 8 residents against CHA that resulted in a settlement including a monitoring program and the payment of over \$1 million.

Protecting the Rights of Mortgage Borrowers

- *Flaxman v. Countrywide Home Loans, Inc.*, (Circuit Court of Cook County, Illinois) (Bush, J.). I represented a class of consumers who were overcharged by their mortgage company for appraisal fees. The case settled for in excess of \$20 million benefits to class members.

- *Flaxman v. Countrywide Home Loans, Inc.*, (Circuit Court of Cook County, Illinois) (Reid, J.) I represented a class of individual consumers in class action against Countrywide Home Loans, Inc. for collecting loan release fees in violation of contracts. The Court certified this case as a nationwide class action and approved a settlement valued in excess of \$15.6 million.

Protecting the Rights of ComEd Customers

- *Crotty v. Commonwealth Edison*, 95 CH 6849 (Circuit Court of Cook County, Illinois) (Reid, J.). I represented a class of individual consumers in class action against Commonwealth Edison Company for failing to provide electrical service for up to 66 hours to its Chicago customers. The Court certified this case as a class action and approved a settlement valued in excess of \$2 million.

Ensuring Fair Payment of Minimum Wages

- *Andressakis v. Leona's Pizzeria* (Circuit Court of Cook County, Illinois) (Billik, J.). Representing certified opt-out class of restaurant workers in minimum wage action. The case was settled for \$1,500,000.
- *McClain v. Leona's Pizzeria* (Northern District of Illinois) (Schenkier, M.J.). I represented an opt-in class of tipped employees in action against Chicago-based pizza restaurant chain in action based upon violation of federal wage laws. The settlement was approved by the trial court.
- *Vance v. Ala Carte Entertainment, Inc.* (Northern District of Illinois) (Grady, J.) I represented class of tipped employees in an action against Ala Carte Entertainment, Inc. in an action based upon violation of state and federal wage laws. The case settled for \$3,185,000 with class members receiving up to 100% of their claimed damages.

Cases Involving Financial Issues

- *Gateway Services of Illinois v. Mt. Hope Cemetery Assn.* (Circuit Court of Will County, Illinois) (Bertani-Tomczak, J.). I successfully represented an Illinois corporation obtaining a summary judgment against the defendants for specific performance of a real estate contract. My client ultimately obtained title to real property with in excess of \$2 million in equity and defeated defendants' counterclaims of breach of fiduciary duty and fraud.
- *Foundation for Human Advancement v. Shiman*, (Circuit Court of Cook County, Illinois) (Bush, J.). Represented an Illinois charitable foundation successfully recovering benefits valued in excess of \$1 million for the Foundation and one of its trustees.
- *In re: Boeing Derivative Litigation*, (Circuit Court of Cook County, Illinois) (Arnold, J.). I acted as liaison counsel representing derivative shareholders in a dispute involving Boeing Corporation's governmental aircraft business. A settlement was approved by Judge Nancy Arnold which obtained approximately \$29 million for the corporate plaintiff and wide ranging corporate governance modifications.
- *In re: Nicor, Inc. Shareholder Derivative Litigation*. (Circuit Court of Cook County, Illinois) (Hall, J.). I represented derivative shareholders in a dispute involving Nicor, Inc. A settlement was approved by Judge

Sophia Hall which obtained approximately \$33 million for the corporate plaintiff and numerous corporate governance modifications.

- *In re: Hartmarx Securities Litigation* (Northern District of Illinois) (Kocoras, J.) I represented a class of shareholders against hostile suitors of Hartmarx Corporation in securities class action. This case resulted in a settlement of \$2 million in which claiming class members received a settlement distribution of virtually all of their losses.
- *Bailey v. Aldinger*, (Circuit Court of Cook County, Illinois) (Flynn, J.). I represented derivative shareholders of Household International in a derivative action and a class action against the company resulting in significant additional disclosures relating to a pending \$14 billion merger transaction and modification of the merger document in Household's favor.
- *BCS Financial Corporation v. Coopers & Lybrand*, (Circuit Court of Cook County, Illinois) (Richard Neville, Arbitrator) Represented a Blue Cross/Blue Shield affiliate in an arbitration against Coopers & Lybrand involving accounting malpractice issues. The arbitrator awarded the plaintiff substantial damages.
- *Siegler v. Illinois Superconductor*, (Circuit Court of Cook County, Illinois) (Henry, J.) I represented a former director of a publicly traded firm in an action against the company for breach of its oral agreement to sell the former director stock and warrants in the firm. After approximately two weeks of trial, the jury awarded the plaintiff \$6.55 million in damages.
- *Golden v. ALAS*, (Circuit Court of Cook County, Illinois) (Douglas, J.). I represented a former McDermott, Will and Emery lawyer in an action against his former legal malpractice carrier for tortious interference with, and causing the termination of, the partner's law partnership. After nine days of jury trial, the lawsuit resulted in a settlement in which the plaintiff received a significant seven figure settlement.

Professional: March 2007 – Present Circuit Judge, Circuit Court of Cook County

In March 2007, I was appointed to complete the term of Judge David Donnersberger. I was subsequently elected to the bench from the 3rd Judicial Subcircuit, Cook County. As a judge, I have been assigned primarily to two roles. I have served in the traffic section handling all manner of traffic cases, from simple traffic tickets to criminal misdemeanors punishable with imprisonment of up to 364 days in jail. I served in traffic court for approximately one year.

In approximately March 2008, I was assigned to Courtroom 1401 in the Daley Center, the judgment enforcement call for all of the First Municipal District, as well as some Chancery judgments and some Domestic Relations judgments. Courtroom 1401 is one of the busiest courtrooms in the country and during my tenure I have handled more than 175,000 cases per year.

In addition to acting as one of two judges in the Enforcement Section, I have been asked by Judge Wright to preside over the following additional type of courtrooms:

- a. Non-jury civil courtrooms where I have handled countless motions and trials,
- b. Forcible Entry and Detainer courtrooms where I have heard trials on the rights of tenants and landlords,
- c. The Jury Assignment call in Courtroom 1501 where I was responsible for ruling on dispositive motions, discovery motions and a variety of other pre-trial motions,
- d. Building Court cases, involving City of Chicago building code violations, and
- e. Jury Cases in the municipal section.

In Courtroom 1401, we work with many legal aid organizations, including most specifically CARPLS, which has an on-site presence in my courtroom.

Civic Activities:

I am a member of the Chicago Bar Foundation's Pro Se Litigation Committee in an effort to improve equal access to the Cook County court system for self-represented litigants.

I have lectured to children from the Chicago Public Schools, participated in Law Day sponsored by the Cook County Bar Association, spoken with at-risk youths at Chicago State University, lectured widely on protection from identity theft and done my best to give back to the community.

I have made presentations on Identity Theft to senior citizens in Orland Park, Proviso Township, Park Ridge, Winnetka, Crestwood, River Grove and have several such presentations scheduled throughout Cook County.

I served on the Athletic Board at my children's grammar school, Christ the King Elementary School, from 2008-2011 and also from 2004-2007.

I was selected recently by the Illinois Supreme Court's Education Committee to teach judges across the State of Illinois on topics involving consumer protection and consumer rights. I am an active member of the Illinois Judges Association and serve on its Budget Committee.

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

The role of an Illinois Appellate Court judge is to decide issues presented from both civil courtrooms and criminal courtrooms. The job is one that requires significant skill in legal analysis and legal writing. As an attorney, my practice concentrated on complex, commercial litigation matters. I was required to write more than I was required to try cases. I represented parties on a variety of different areas of the law: environmental, securities, shareholder, consumer matters, labor matters, fraud, breach of fiduciary duty and other areas.

An Appellate Court judge must be capable to quickly learning an area of law that is foreign to him or her. I spent 17 years as a litigation attorney doing just that. Among Chicago litigation attorneys dealing with the type of complex cases that I handled, the diversity of my practice was unique and I believe it uniquely qualifies me for the Illinois Appellate Court.

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

None.

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:

FOR CIRCUIT COURT JUDGE.

Chicago Council of Lawyers	January 8, 2007	Qualified
Lesbian and Gay Bar Assn	December 23, 2006	Recommended
Women's Bar Assn	December 21, 2006	Recommended
Puerto Rican Bar Assn	January 2, 2007	Recommended
The Decalogue Society of Lawyers	January 10, 2007	Highly Recommended
Cook County Bar Assn	January 11, 2007	Recommended
Chicago Bar Assn	September 27, 2006	Qualified
Illinois State Bar Ass	December 12, 2006	Qualified
Hellenic Bar Assn	January 12, 2007	Recommended
Black Women Lawyer's Assn	January 8, 2007	Recommended

FOR ILLINOIS APPELLATE COURT JUDGE:

Chicago Bar Association		Qualified
Cook County Bar Association	October 20, 2011	Recommended
Black Women Lawyer's Assn	October 21, 2011	Recommended
Hellenic Bar Association		Recommended
The Decalogue Society of Lawyers	November 9, 2011	Recommended
Hispanic Bar Association		Qualified

Awaiting the results from several bar associations

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?

A major strength of the Illinois Appellate Court is that it is required to provide a secondary review for all civil and criminal cases from which review is sought. All litigants are able to present issues for review

without approval from the Court. Another strength of the Appellate Court is that it draws judges from all areas of the law. For example, Justice Lavin has extensive experience in personal injury law, Justice Hall has extensive experience in discrimination matters having worked for and run the Illinois Human Rights Commission, and Justice Karnezis has extensive experience in criminal law matters. As a consequence, the Illinois Appellate Court has a broad base of experience.

A major weakness of the Appellate Court is that it does not divide panels into specialties, i.e. between civil and criminal cases. As a general proposition, few Cook County attorneys and few Cook County judges have handled complicated criminal cases and complicated civil cases. For example, Appellate Judge Lavin's experience was almost exclusively in the civil arena and Justice Karnezis' practice was almost exclusively in the criminal arena. Both were excellent in their respective areas of the law. Other jurisdictions (Texas, Alabama and Tennessee, to name a few) have panels that specialize in one field or the other; Illinois would be better served were it to adopt this approach.

Another weakness is the appointment of Circuit Court judges to serve at the request of the Supreme Court. Often these positions are granted in consideration of past relationships, not merit based necessarily. If Appellate Court judges are to be elected (as under the current system), then the electorate should be able to elect all their judges. The Supreme Court has created an Appellate Court position akin to Associate Judge and I do not believe the six positions currently designated for Supreme Court appointment is appropriate.

Its members do not determine the functions of the Appellate Court. I would encourage the Supreme Court to consider these issues and decide whether improvement can occur.

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?

The practice of assigning a case to one member prior to oral argument has its advantages and disadvantages. One of the disadvantages of this assignment practice is that the members of the panel not assigned to write the opinion might be too reliant upon the writer and not prepare adequately for oral argument. Thus, two-thirds of any panel may not be fully prepared for the oral argument and issues otherwise explored by

three judges are, in practice, explored orally only by one appellate judge. I have experienced appellate arguments where it might as well have been the litigants and one justice, because the other two sat and did not participate in the process.

On the other hand, the assignment practice does require at least one of the judges to become completely versant in the facts and law of the case. Moreover, if that judge actively engages the other panel members in an oral argument preparation session, the concern expressed in the above paragraph is lessened. An actively engaged judge will, by Socratic method, engage the other panel members so that at argument each panel member is interested in the issues to be argued.

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

Our system of jurisprudence is based upon past precedent; therefore, publishing legal opinions is critical to a consistent application of the law and consistent reasoning. Notwithstanding this basic tenet, the Illinois Supreme Court has issued Rule 23 to prevent the publication of opinions that do not establish a new rule of law or modify, criticize or explain an existing rule of law.

The rule has some common sense application because we do not need opinions that merely reiterate a commonly accepted legal tenet. Rule 23 becomes problematic in criminal cases because the rights of a criminal defendant are sacrosanct. Publication of more criminal opinions would lead to more legal precedents available for the trial court's consideration and for the appellate court's consideration. Therefore, trial attorneys and trial judges would be able to weigh, argue and consider the results of a wider variety of fact scenarios in making legal decisions affecting the case at bar (even if the basic legal tenet is not disputed).

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

The role of a dissent in at the intermediate appellate court level is to educate other panels within the district and outside of your district of a different viewpoint. I would write a dissent or a concurrence in each instance when I disagreed with either the result or the reasoning of a result with which I agreed.

It appears based upon the unanimity of most decisions issued by the appellate court that the appellate judges do not agree with my basic premise. It is rare to see dissenting or specially concurring opinions. Based upon my Lexis search, Justice Karnezis has dissented only once while on the appellate bench and Justice Neville has dissented in only 2 civil cases and in 13 criminal cases. The most common way for an issue to make its way into the Illinois Supreme Court is a conflict between the appellate districts. If the appellate judges in my district shared an opinion with which I disagreed, my only means of causing the issue to be addressed further would be convince other appellate districts that my view was correct. The means of communicating that disagreement would be through a dissenting or specially concurring opinion.

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?

The most significant change I would make is to have all child custody disputes decided on an expedited basis. Under the current Rule 311, the appellate court has 150 days to decide the appeal -- this is most of a child's school year and, as a practical matter, is simply too slow. The best interests of the child require prompt action at the trial level and even more prompt action at the appellate level where the record has already been developed. In addition, I would allow oral argument as a rule to which limited exceptions would be allowed. Each parent should be able to promptly obtain a decision concerning custody, the child's well-being is too important to be used as a pawn in a domestic relations dispute.

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.

The question as worded seems to suggest that the Illinois Constitution's Bill of Rights must be interpreted in lockstep with the U.S. Supreme Court's interpretation of parallel provision of the Federal Bill of Rights. While this may be the way the courts have actually interpreted the provisions, the Illinois Supreme Court's approach is not necessarily as constrained as one might believe. Recently, in *People v. Caballes*, 221 Ill. 2d 282, 302-303 (Ill. 2006) the Illinois Supreme Court was asked to reconsider its long-standing position regarding the lockstep doctrine. As it noted, the Illinois Supreme Court has recognized exceptions to the lockstep doctrine. In *People v. Washington*, 171 Ill. 2d 475, 665 N.E.2d 1330, 216 Ill. Dec. 773 (1996), the Court made an exception to the lockstep doctrine holding, as a matter of due process under the state constitution, that a free-standing claim of innocence is cognizable in a proceeding under the state Post-Conviction Hearing Act, even though the United States Supreme Court decided in *Herrera v. Collins*, 506 U.S. 390, 122 L. Ed. 2d 203, 113 S. Ct. 853 (1993), that such a claim was not cognizable as a violation of due process in a federal habeas corpus proceeding.

Additionally, this Court appeared to depart from the lockstep approach in *People v. Krueger*, 175 Ill. 2d 60, 675 N.E.2d 604, 221 Ill. Dec. 409 (1996), by declining to follow the holding of *Illinois v. Krull*, 480 U.S. 340, 94 L. Ed. 2d 364, 107 S. Ct. 1160 (1987), which recognized a good-faith exception to the exclusionary rule when the search was authorized by a statute later determined to be unconstitutional. The threshold issue in *Krueger* was the constitutionality of a state statute permitting the issuance of a warrant authorizing "no-knock" entry into a building where the judge found that the occupant had possessed firearms within a reasonable period of time prior to the application for the warrant. *Krueger*, 175 Ill. 2d at 64. Citing *Tisler*, the court engaged in lockstep analysis of the fourth amendment and article I, section 6, of the state constitution to determine whether the statute was constitutional. *Krueger*, 175 Ill. 2d at 65-69. Finding the statute unconstitutional under fourth amendment principles, the next question was whether the evidence seized during the search should be suppressed. The court concluded that the "Krull good-faith exception does not comport with article I, section 6,

of the Illinois Constitution of 1970." *Krueger*, 175 Ill. 2d at 70. Noting this state's history of applying the exclusionary rule under the state constitution as well as a long-standing tradition of barring evidence gathered under the authority of an unconstitutional statute, this court rejected the Krull good-faith rule as creating a "grace period for unconstitutional search and seizure legislation," during which constitutional rights of Illinois citizens could be violated with impunity. *Krueger*, 175 Ill. 2d at 75. Thus, the Illinois Supreme Court "knowingly depart[ed]" from the lockstep tradition to give effect to another tradition--the exclusion of evidence gathered in violation of the state constitution's prohibition of unreasonable searches and seizures. *Krueger*, 175 Ill. 2d at 74, citing *People v. Brocamp*, 307 Ill. 448, 138 N.E. 728 (1923) (noting the Supreme Court's adoption of a federal exclusionary rule in *Weeks v. United States*, 232 U.S. 383, 58 L. Ed. 652, 34 S. Ct. 341, T.D. 1964 (1914), and adopting a similar rule under the state constitution).

A commentator in the Illinois Bar Journal stated:

"In both Washington and *Krueger*, the court found broader protections for Illinois citizens than those afforded under recent U.S. Supreme Court decisions without any showing of a difference in the language of the constitutional provisions being construed and without any reference to the debates of the Illinois Constitutional Convention." 85 Ill. B.J. at 271.

He further opined that the Court had "clearly moved from lockstep application to mere deference. That is, the court will continue to apply U.S. Supreme Court precedent when it is persuasive." 85 Ill. B.J. at 271.

More recently, the Illinois Supreme Court acknowledged that its approach to determining the relationship between cognate provisions of the Illinois Constitution and the United States Constitution was an "interstitial," or "limited," form of the lockstep doctrine, citing *Caballes*, 221 Ill. 2d at 309. *People v. Colon*, 225 Ill. 2d 125, 153 (Ill. 2007). *See also People v. Griffith*, 404 Ill. App. 3d 1072, 1084 (1st Dist. 2010) ("our supreme court has observed that a case may arise that warrants a departure from federal law under the lockstep doctrine.")

Additional commentary on this issue would likely result in a violation of Canon 67 of the Illinois Canons of Judicial Ethics.

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

Cost-benefit analysis is often used by governments to evaluate the desirability of a given intervention. It is heavily used in today's government. It is an analysis of the cost effectiveness of different alternatives in order to see whether the benefits outweigh the costs. The aim is to gauge the efficiency of the intervention relative to the status quo. The costs and benefits of the impacts of an intervention are evaluated in terms of the public's willingness to pay for them (benefits) or willingness to pay to avoid them (costs). Inputs are typically measured in terms of opportunity costs - the value in their best alternative use. The guiding principle is to list all parties affected by an intervention and place a monetary value of the effect it has on their welfare as it would be valued by them.

Cost-benefit analysis is still relatively new to the criminal justice system. Its utilization is an emerging trend, but the success of the analyses proves its usefulness. Cost-benefit analysis can be used to evaluate a wide range of programs, from sentencing policies and corrections measures to law enforcement and youth crime intervention programs. Research institutions have used cost-benefit analysis to evaluate the effectiveness of drug courts and mental health courts; electronic monitoring programs for parolees and probationers; and re-entry services for parolees.

The analysis is different in the appellate arena. In the appellate arena, courts are concerned with social justice and application of facts to existing law. Lady Justice is blind to economic forces -- she weighs the facts and the law to determine justice. Appellate jurisprudence has little room for economic analysis, perhaps limited to circumstances when the court determines a measure based upon abuse of discretion.

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?

Illinois currently has a hybrid system for appellate court judges -- 18 are elected and 6 are appointed by the Illinois Supreme Court. The pros of this system are, theoretically, that the appointed judges may have specialized knowledge or diverse experiences to bring to the appellate bench. The cons of this type of hybrid

system is that it allows the appointment process to be used for improper purposes -- as a reward or acknowledgement.

The elective system creates an evaluative appellate process about which our citizens cannot complain. Judges are evaluated by the bar associations and their credentials are made known (or in some cases hidden). Voters can review the evaluations of the bar associations, make efforts to familiarize themselves with candidates and ultimately select appellate judges who they believe will be the best. The downside of this elective system is that voters do not always pay attention to judicial races. Consequently, races may be decided upon factors that have no relationship to ability.

The appointment system, too, has its pros and cons. Appointments can be used to select a diverse judiciary with extraordinary skill sets. However, appointments can also be used as a reward or improper acknowledgement of some past action.

I strongly believe in the elective process for the selection of judges.

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

Mandatory sentencing has taken away the discretion of the trial judge and as a result has led to an increase in the number of jury trials and an increase in prison populations. For example, the 25 year enhanced sentence for a crime committed with a firearm has rendered pleas of guilty a nullity. Now there is a minimum penalty for murder of 20 years, in addition to the 25 year enhancement if the murder is committed with the use of a firearm, now is a sentence of 45 years, which is a life sentence for most defendants. There is no risk in taking a jury trial.

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

The automatic transfer of juveniles has increased the recidivism rate for juveniles because when juveniles are tried as adults they are usually held until at least the age of 21. In the juvenile justice system, the focus was on rehabilitation rather than punishment. When juveniles are tried as adults, they receive the juvenile

justice systems programs usually until the age of 18, at which time they are transferred to the adult system, where the rehabilitation programs are limited, crowded, and generally not as widely available, especially to those convicted of violent crime. In the final years of their sentence, the benefits of the juvenile justice system are lost. Instead of rehabilitation followed by release to become productive members of society, juveniles automatically transferred to the adult criminal justice system are subjected to the very environment the system worked to hard to take them from.

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

The purpose and focus of the juvenile justice system should always be rehabilitation because of the nature of the defendant. Children make bad decisions; their brains are not yet developed. Therefore, they are susceptible to negative influences. In a perfect world those influences are harmless pranks, but in many areas of this County those influences are fatal. In the mid-1990s there was a push to make more and more crimes automatic transfers to the adult system, to punish juveniles as adults. But this approach to justice has proven to do nothing to ensure that the criminal behavior and bad decisions will not repeat.

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

There are a disproportionate number of minorities living in impoverished areas with limited access to quality education and few positive role models. Among the undereducated, crime becomes a means to success. When crime rates in an area are high, police activity increases, arrests increase, prosecutions increase and incarcerations increase.

As a member of the judiciary, there is an obligation to reach out and meet with students at every opportunity. I have spoken with children at the grammar school level and at the high school level about the importance of education and the successes that accompany it.

Courts can do other things: protect each person's rights under the law. As police activity increases, individual rights are sometimes abused. Courts should ensure that civil liberties are protected, bar evidence that

is improperly obtained, and prohibit testimony that is improperly obtained. Protecting of each person's civil liberties ensures those protections for all others.

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?

The maturity of the minor, the relationship she has with her parents, her school record, if she has any criminal history or work history. All would indicate the level of sophistication and maturity she has to make this decision without parental input.

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.

I believe that answering this question would require a violation of Rule 67. Therefore, I decline to answer it.