

IVI-IPO 2006 COOK COUNTY CIRCUIT COURT QUESTIONNAIRE – Section 1
(Revised 1/5/06)

DATE January 11, 2006 PARTY Democratic

CANDIDATE FOR Circuit Court Judge – 1st Subcircuit VACANCY Hon. Wilbur E. Crooks

NAME Carly Anthony Walker

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CAMPAIGN MANAGER Richard Barnett

NUMBER OF PETITION SIGNATURES FILED 1600 NUMBER REQUIRED 500

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

Local School Council @ McDade Classical School (2002-Present)

Other elective offices for which you have been a candidate. None

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

Attorney at Law (1992-Present)	Administrative Hearing Officer (1995-Present)
Univ of Iowa Law School (1992)	Univ of Illinois – Accounting (1985)
Member of the Iowa Law Review	Registered Certified Public Account (1988)
Chesterfield Community Council	LSC and PTA – McDade Classical School
Regional Legal Council of Phi Beta Sigma Fraternity, Inc.	
Trinity UCC – Legal Counseling Ministry	

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

Completed the National Judicial College Fair Hearing Skills Course

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

16th Ward Political Task Force – Area Coordinator (1983-1988)

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?

Upon information and belief, the other candidate has not gone before the Alliance of Bar Associations. I believe that I am qualified to serve as a Judge of the Circuit Court of Cook County because of my legal and

professional experience. I have practiced law continuously since November 1992. During my years of practice, I have handled a wide variety of legal matters. My legal practice has consisted of Personal Injury, Criminal, Domestic Relations, Contract Disputes, Evictions, Probate, Commercial Transactions, Insurance Litigation, Estate Planning, Employment and Labor Law and Commercial and Residential Real Estate Transactions.

In addition to maintaining a busy law practice, I have served as an Administrative Hearing Officer with the City of Chicago since June of 1995. As an Administrative Hearing Officer I have conducted hundreds of contested hearings regarding vehicle impoundments for guns, drugs, solicitation and loud music. In addition, I have written opinions after conducting contested cases for the Chicago Housing Authority contract terminations. As an Administrative Hearing Officer, I have become accustomed to managing heavy court calls while giving every individual an opportunity to be heard.

I have completed the Fair Hearing Skills Course at the National Judicial College, and I am aware of the importance of granting a fair hearing/trial to all parties regardless of wealth, race, gender, sexual orientation, national origin, religion, etc. In addition, I have the Integrity, Judicial Temperament, Diligence and Patience necessary to serve as a Circuit Court Judge.

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:

Date	Position	Bar Association	Rating
11/2005	Circuit Court Judge	Illinois State Bar Association	Qualified
11/2005	Circuit Court Judge	Cook County Bar Association	Recommended
11/2005	Circuit Court Judge	Chicago Bar Association	Recommended
11/2005	Circuit Court Judge	Asian-American Bar Association	Qualified
11/2005	Circuit Court Judge	Black Women Lawyers Assoc. of Chicago	Recommended
11/2005	Circuit Court Judge	Chicago Council of Lawyer	Not Recommended
11/2005	Circuit Court Judge	Decalogue Society of Lawyers	Recommended
11/2005	Circuit Court Judge	Hispanic Lawyers Association of Illinois	Recommended
11/2005	Circuit Court Judge	Lesbian and Gay Bar Assoc. of Chicago	Recommended
11/2005	Circuit Court Judge	Puerto Rican Bar Association	Recommended
11/2005	Circuit Court Judge	Women's Bar Association of Illinois	Recommended

IVI-IPO COOK COUNTY CIRCUIT COURT QUESTIONNAIRE – Section 2

In *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002), the United States Supreme Court held that it violated the First Amendment to the United States Constitution for states to forbid judges and judicial candidates from “announcing” their positions on issues of interest to prospective voters. *See id.* at 788; *see also Buckley v. Illinois Judicial Inquiry Board*, 997 F.2d 224, 229 (7th Cir. 1993). It is IVI-IPO’s position that *White* created a “safe harbor” for judicial candidates to “announce” their views without running afoul of judicial canons, such as Illinois’s current Canon 67, that purport to restrict judicial candidates’ free speech rights.

Illinois’s Canon 67 A.(3)(d)(i) states that all judges and candidates shall not “make statements that commit or appear to commit the candidate with respect to cases, controversies, or issues within cases that are likely to come before the court.” IVI-IPO hereby expressly states that by answering the following questions we do not intend you to “make statements that commit or appear to commit [yourself] with respect to cases, controversies, or issues within cases that are likely to come before the court.” However, it is IVI-IPO’s position that in order for Canon 67 to survive constitutional scrutiny after *White* (at least “as applied”), it must permit judicial candidates to “announce” their positions on issues such as those the following questions present.

We have included this list of questions to assist us in determining whether to endorse your candidacy. Of course, you may answer or not answer the questions as you may choose. Although IVI-IPO strongly believes that “announcing” your answers to these questions without committing or appearing to commit yourself to ruling a certain way on them does not violate Canon 67, we recognize that the Illinois Judicial Ethics Committee has issued a different opinion. IVI-IPO disagrees with that opinion.¹ But if you are not comfortable answering the questions as posed, please respond as best as you can with an answer that can give us greater insight into who you are and how you feel personally about these issues. Any answer you are able to give will help us in our endorsement decision.

1. Without committing or appearing to commit yourself with respect to the issue of capital punishment that may come before you as a judge, please “announce” your position concerning the death penalty. First, irrespective of the current moratorium on carrying out the death penalty in Illinois, are you for or against the death penalty? Second, whether you are for or against the death penalty, please “announce” your reasons for being for it or against it, with particular reference to the four traditional goals of criminal punishment (deterrence, retribution, incapacitation, and rehabilitation), as well as any other reasons that you care to add.

Illinois Supreme Court Rule 67(A)(3)(d)(1) prohibits judicial candidates from “mak[ing] statements that commit or appear to commit the candidate with respect to cases, controversies or issues within cases that are likely to come before the court ...”. While the U.S. Supreme Court decision of *Republican Party of Minnesota v. White*, 536 U.S. 735, 122 S.Ct. 2528, 153 L.Ed. 694 (2002), struck down the Minnesota rule prohibiting a judicial candidate from, “announcing his or her views on disputed legal or political issues,” with whether the Candidate’s Conduct does not contain an announced clause. Instead, the Illinois rule deals with whether the Candidate’s statements will commit or appear to commit the Candidate. I believe that providing answers to the questions may violate Illinois Supreme

¹ In particular, IVI-IPO vigorously disputes the opinion’s statement that it “defies credulity to suppose that [IVI-IPO] would have asked the Questions unless it believed the answers would have some bearing on how the candidates would rule on those legal issues.” Op. at 3. We most decidedly do not so believe. We are merely asking the questions to determine your political orientation in general, across a broad spectrum of issues, not to determine how you might rule on any given issue in any given case.

2. Without committing or appearing to commit yourself with respect to abortion issues that may come before you as a judge, please “announce” your position concerning the right of a woman to have an abortion. First, are you for it or against it? Second, whether you are for it or against it, please “announce” your reasons for being for it or against it.

Illinois Supreme Court Rule 67(A)(3)(d)(1) prohibits judicial candidates from “mak[ing] statements that commit or appear to commit the candidate with respect to cases, controversies or issues within cases that are likely to come before the court ...”. While the U.S. Supreme Court decision of Republican Party of Minnesota v. White, 536 U.S. 735, 122 S.Ct. 2528, 153 L.Ed. 694 (2002), struck down the Minnesota rule prohibiting a judicial candidate from, “announcing his or her views on disputed legal or political issues,” with whether the Candidate’s Conduct does not contain an announced clause. Instead, the Illinois rule deals with whether the Candidate’s statements will commit or appear to commit the Candidate. I believe that providing answers to the questions may violate Illinois Supreme

3. Without committing or appearing to commit yourself with respect to the issue of mandatory minimum sentencing that may come before you as a judge, please “announce” your position concerning mandatory minimum sentencing. First, are you for it or against it? Second, whether you are for it or against it, please “announce” your reasons for being for it or against it.

Illinois Supreme Court Rule 67(A)(3)(d)(1) prohibits judicial candidates from “mak[ing] statements that commit or appear to commit the candidate with respect to cases, controversies or issues within cases that are likely to come before the court ...”. While the U.S. Supreme Court decision of Republican Party of Minnesota v. White, 536 U.S. 735, 122 S.Ct. 2528, 153 L.Ed. 694 (2002), struck down the Minnesota rule prohibiting a judicial candidate from, “announcing his or her views on disputed legal or political issues,” with whether the Candidate’s Conduct does not contain an announced clause. Instead, the Illinois rule deals with whether the Candidate’s statements will commit or appear to commit the Candidate. I believe that providing answers to the questions may violate Illinois Supreme

4. Without committing or appearing to commit yourself with respect to the issue of treating juvenile criminal offenders as adults that may come before you as a judge, please “announce” your position concerning treating juvenile criminal offenders as adults. First, are you for it or against it? Second, whether you are for it or against it, please “announce” your reasons for being for it or against it.

Illinois Supreme Court Rule 67(A)(3)(d)(1) prohibits judicial candidates from “mak[ing] statements that commit or appear to commit the candidate with respect to cases, controversies or issues within cases that are likely to come before the court ...”. While the U.S. Supreme Court decision of Republican Party of Minnesota v. White, 536 U.S. 735, 122 S.Ct. 2528, 153 L.Ed. 694 (2002), struck down the Minnesota rule prohibiting a judicial candidate from, “announcing his or her views on disputed legal or political issues,” with whether the Candidate’s Conduct does not contain an announced clause. Instead, the Illinois rule deals with whether the Candidate’s statements will commit or appear to commit the Candidate. I believe that providing answers to the questions may violate Illinois Supreme

5. Without committing or appearing to commit yourself with respect to the issue of gay rights that may come before you as a judge, please “announce” your position concerning gay rights. Putting aside whether this is an issue for the legislature instead of the judiciary (since the Massachusetts Supreme Judicial Court seems to have done so), are you in favor of gay marriage? If not, are you in favor of civil unions instead?

Illinois Supreme Court Rule 67(A)(3)(d)(1) prohibits judicial candidates from “mak[ing] statements that commit or appear to commit the candidate with respect to cases, controversies or issues within cases that are likely to come before the court ...”. While the U.S. Supreme Court decision of Republican Party of Minnesota v. White, 536 U.S. 735, 122 S.Ct. 2528, 153 L.Ed. 694 (2002), struck down the Minnesota rule

prohibiting a judicial candidate from, “announcing his or her views on disputed legal or political issues,” with whether the Candidate’s Conduct does not contain an announced clause. Instead, the Illinois rule deals with whether the Candidate’s statements will commit or appear to commit the Candidate. I believe that providing answers to the questions may violate Illinois Supreme

6. 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 diversity. Diversity is a strength because there are a variety of personalities and personal experiences which contributes to the appearance of fairness and objectivity. The judicial system depends greatly on the litigants and attorneys maintaining a level of trust and faith. Citizens very often believe that individuals who have experienced life as the Citizens will understand and appreciate the Citizens positions, arguments and stand on a given issue. The major weaknesses of the Circuit Court is the mistaken belief that money can buy justice. Citizens often believe that the best attorney is the most expensive attorney.**
7. How should the Chief Judge of the Circuit Court be chosen? **The Chief Judge should continue to be chosen by the other full circuit judges.**
8. 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 various divisions of the Court based on the Judges’ legal experience and law practice. I do not have preference for an assignment because my law practice has been so varied and extensive such that I would be comfortable in most the divisions of the Court.**
9. 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? **As a Judge I will follow the law regarding of the moral or ethical/philosophical disagreements that I may have with any existing statutes or legal precedents.**
10. 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 would need to balance whether he/she can continue to be a fair, objective and impartial arbiter. If there is any doubt, the Judge should take a leave of absence or resign.**