



Memorial Service

Held in the Supreme Court of Illinois
at the November 2013 Term on the
Life, Character, and Public Service
of the Late Justice Mary Ann G. McMorrow
and Justice John L. Nickels

Wednesday, November 20, 2013
1:30 p.m.

Supreme Court Courtroom
Michael A. Bilandic Building
Chicago, Illinois

SUPREME COURT OF ILLINOIS
JUSTICES

RITA B. GARMAN, Chief Justice
Danville, Illinois (4th District)

CHARLES E. FREEMAN
Chicago, Illinois (1st District)

ROBERT R. THOMAS
Wheaton, Illinois (2nd District)

THOMAS L. KILBRIDE
Rock Island, Illinois (3rd District)

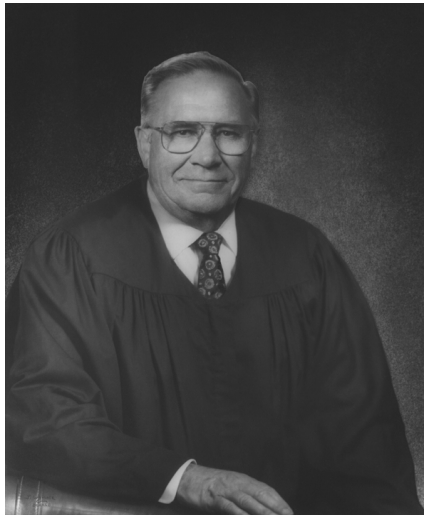
LLOYD A. KARMEIER
Nashville, Illinois (5th District)

ANNE M. BURKE
Chicago, Illinois (1st District)

MARY JANE THEIS
Chicago, Illinois (1st District)



Justice Mary Ann G. McMorrow
January 16, 1930 – February 23, 2013



Justice John L. Nickels
January 16, 1931 – June 24, 2013

At 1:30 p.m. on Wednesday, November 20, 2013, other business being suspended, the following proceedings were had:

CHIEF JUSTICE GARMAN:

Good afternoon, ladies and gentlemen, and welcome to the Illinois Supreme Court. This year we lost three of the shining lights of the Illinois judiciary, Justices Mary Ann McMorrow, John Nickels, and Moses Harrison. This afternoon we meet to honor two of these, Mary Ann McMorrow and John Nickels.

On behalf of the Illinois Supreme Court, I welcome the family and friends and colleagues of our dear departed friends. I welcome you to this ceremony remembering and celebrating their lives, their careers, and their lasting legacies. Mary Ann McMorrow and John Nickels were about the same age; in fact, I think they shared the same birthday. They arrived at the Court at the same time, but their backgrounds and their paths to the Court could not have been more different.

Justice McMorrow was from the city. She grew up on the northwest side. She learned to play the piano as a child. She remained close to home as she made her way through college in River Forest and law school in Chicago. She was the only woman in her graduating class at Loyola University School of Law, where she reported being generally well treated despite the presence of very few women in the profession in the early 1950s. Upon graduation she worked for a law firm for a bit and then was hired as an assistant state's attorney in Cook County, and she was the first woman to prosecute major felony cases. This was one of many circumstances in which Justice McMorrow was the first woman to achieve a particular milestone. Her last was her role as Chief Justice of this very Court, the Illinois Supreme Court.

While young Mary Ann McMorrow was taking piano lessons in Chicago, John Nickels was growing up on a farm in rural Kane County. He attended school in a one-room schoolhouse, and he was always proud of his agrarian roots. He served in the military before he attended college at Northern Illinois University, and although he ventured into the city of Chicago to attend law school at

DePaul, he returned to Kane County and practiced there for over 20 years before becoming a circuit judge and later an appellate justice.

The paths of Mary Ann and John merged in 1992 when both were elected to the Illinois Supreme Court. John Nickels and Mary Ann McMorrow were from different political parties and from different backgrounds, yet they were colleagues in the truest sense of the word. Both were known for their thoughtfulness, deliberation, and collegiality. Both could hold and defend a strong opinion without engaging in unpleasant argument. Both cared deeply about justice and service over personal advancement.

I didn't have the privilege of serving with Justice John Nickels. Even though he left the Court several years before I arrived, I saw him frequently at bar events and other meetings. Even in his retirement, he was vitally interested in the work of the Court and even more so in the effectiveness of the judicial system and serving the people of the state of Illinois. His presence is still felt; many of the opinions he offered remain important as we decide cases today. More importantly his reputation as a fair and independent judge continues to serve as a model for us all.

I was a colleague of Justice McMorrow, and because of the years we served together on the Court and as an appellate judge, I considered her a friend as well. Mary Ann McMorrow was gracious and kind. She was an inspiration not only to young women in the profession but to all lawyers who admired her wisdom and her character. All of us gathered here today pay respect to the memories of Justice McMorrow and Justice Nickels, not only as jurists but as friends, colleagues, and beloved family members. Their contributions to the State of Illinois and to the work of the Illinois Supreme Court will not be forgotten. I would now like to call on my colleague, the Honorable Charles Freeman, to make remarks at this time.

JUSTICE FREEMAN:

Thank you, Chief. Merita and members of the Nickels family, friends, and colleagues, though we are saddened by this loss I personally am honored to pay tribute to Justice John L. Nickels. A man, upon being elected to the Supreme Court and without more,

became my colleague, but by the time of departure from judicial service had become to me and to his fellow Supreme Court colleagues a highly regarded jurist and a wonderful friend.

The first day when John came into the conference room and was introduced around, he said the usual kinds of things that you would expect. But when I heard that slight twang in his voice, all of my stereotypes kicked in. I was dead wrong, as conclusions from stereotypes usually are. When we shook hands, I felt a heartbeat. I knew there was more to this man than my stereotyped initial impression.

I think many in this room will recall, in my opinion, one of the most infamous and heart-wrenching cases ever to be decided by this Court to my memory, *People v. Rolando Cruz*. Twice the defendant *Cruz* had been convicted in the lower courts, and twice the conviction and death sentence was upheld by this Court. Shortly after Justice Nickels joined the Court, a petition for rehearing was filed, and John joined me and others in granting that petition. Since I had led the charge in dissenting in *Cruz II*, and since I had written in favor of rehearing in the case, the case was assigned to me. Drafting judicial opinions involves not only precision and objectivity in writing but also an effort to reach out to your colleagues for support for your position. Through the Court's deliberation in that case, I heard Justice Nickels express a strong concern about the parents, the family of this young victim, a family who continued to experience so much pain. Sharing John's sentiments, I was prompted to write a different kind of paragraph in the body of the opinion using words to directly address the victim's family. Although an opinion and particular words of an opinion, even though so carefully selected, may over time be forgotten by the authoring justice, I remember writing these words in *Cruz*: "We have denied you closure not once, not twice, but three times." Clearly our duty and obligation required us to grant this defendant another trial. Neither John nor I had forgotten that duty, but these few added words, which were in effect an apology to the family for putting them through yet another trial, were just as much a part of that duty. Not only did John vote for my majority opinion, but he granted me special concurrence, and some-

how I don't think that my special effort ensured John's support for my position—I think he was already there.

It became clear to me over the months and the years that followed that our Court had changed somewhat with John as a member. I think we became more open to arguments that presented, raised, and examined the issues. Writing in *Cruz*, I realized then as I do now that although our politics differed, that difference was then, as it must be and in fact was, irrelevant to the common principles of justice and a keen sense of fairness that the Court shared.

I am reminded of words spoken nearly a century ago in an address at the College of William and Mary Law School. “If it is true that the greatest things of life are not material, then those fields of endeavor which offer greatest opportunities for public service are the best to labor in. Then he who enters the legal profession with a proper conception that duties require and the opportunities afford it may look forward to a measure of satisfaction greater than the possession of riches or the intoxication that popular applause may ever yield.” Justice Nickels approached each case, and it received nothing less than a thorough review of the facts, a fair application of the law, and his most thoughtful recitation of the founders' position.

I think he achieved in six years on our Court that which others in the legal profession may only achieve over a course of a lifetime. His unwavering respect for the rule of law and the sometimes uncomfortable disposition that his pure application yield taught us more about this man's character than any report detailing the number of cases won as a practicing lawyer or opinions written as a sitting judge ever will. The speaker at the College of William and Mary Law School also said, “the world knows little of its greatest men.” That's a reality I think no doubt will be of little concern to Justice Nickels. Even so, those of us gathered here today know and can boast of this man, of his strong devotion to family, his enduring passion for tilling the soil, his quiet dignity, his deep sense of humility, his consistent congenial spirit, and his unwavering commitment to public service. Thank you.

CHIEF JUSTICE GARMAN:

Thank you, Justice Freeman. I'd like to call on our colleague, the Honorable Robert Thomas, now to make remarks.

JUSTICE THOMAS:

Thank you, Chief Justice. Let me begin by saying it is a tremendous privilege to be speaking today. Merita, thank you for the invitation. I count it one of the great honors of my career to hold the Illinois Supreme Court seat once held by John Nickels. When I think back about John, the phrase that comes immediately to mind is "setting the tone." John is a man who in everything he did set the tone for those around him. He was a thoughtful and a gentle man. He was fiercely independent and yet a peacemaker. He commanded a room not through the force of his will or the strength of his voice but through the force of his spirit, which was quiet and confident and inspiring.

I can remember many conference meetings when I sat on the Second District Appellate Court. At that time, and it continues even to this day, the Second District was a court of strong personalities filled with strong opinions and strong desires to persuade others of those opinions. The result is that our conference meetings were often loud and contentious and defined as much by a spirit of combat as collegiality. That always changed when John Nickels stepped into the room. Without exception, on those occasions when John would sit in on our conferences, his quiet spirit of collegiality, civility, and genuine open-mindedness to all that was being said instantly set a new tone. Through his example, he showed us a better way to deliberate, a better way to debate, a better way to even argue, and we are all better for having sat under his leadership. In many ways I think that sums up John Nickels. No question, John was a powerful and effective leader, but he led not with orders or with force or with coercion. John led always and only through example.

John was an articulate champion of a truly independent judiciary: a judiciary that is not beholden to political interests or whims, that is immune to the swings and sways of public opinion, and that is willing to issue hard unpopular decisions when that is what the law requires. These were not mere words to John or lofty platitudes or

abstract principles; this is exactly the kind of judge that John Nickels was. Tim Eaton, president of the Chicago Bar Association, was exactly right when he said about Justice John Nickels, “He always was searching for not only the right decision but the fair decision.” He was not someone who was predictable in terms of how he might vote. That is the very definition of a truly independent jurist, and John Nickels embodied that definition.

John was also a champion of equal access to the law, of ensuring that the poor and the disadvantaged and the vulnerable enjoyed full access to the justice system even if they couldn’t afford it. He made this a centerpiece of his work on the Illinois Supreme Court, and for his efforts he was given the Access to Justice Award by the Illinois State Bar Association. But again, John Nickels didn’t just talk the talk, he did walk the walk. During his more than 20 years of legal practice before joining the bench, John Nickels established a reputation for and a track record of public service, of giving back to the community that had given him so much; again, he led by example.

Finally, John was a fierce champion of and one of the earliest voices calling for a restoration of civility and collegiality within the legal profession, a cause that is very near to my heart. In 2005, the Illinois Supreme Court established for the first time a permanent Commission on Professionalism, a body established to improve civility between and among lawyers, their clients, and judges in Illinois, and this commission has served the legal profession well. But eight years before that, when most people were talking more about chasing business and getting ahead than about civility or collegiality, John Nickels was a voice crying in the wilderness. In the speech announcing his retirement from the Illinois Supreme Court, John challenged us with these words: “Lawyers in both the private and the public sectors have an important role in the public image of the courts,” John said. “As stated by Abraham Lincoln, a lawyer’s word is his bond. Lawyers must always remember and practice that truism in all ethical matters. We must be fair and courteous to our adversaries. Under the canons of ethics, common courtesy, and human dignity there is really no place in our profession for what is commonly called ‘Rambo tactics.’ It is extremely divisive and rarely serves the

client or the courts.” That is exactly the mindset that drove the formation and establishment of the Commission on Professionalism, and I am proud that my Second District predecessor was an early and articulate voice in that cause. Again, and this is the last time I will say it, these were not mere words for John Nickels: this spirit of courtesy and civility and professionalism permeated everything John did as a judge. That is apparent in what I shared earlier about the impact his presence would have on the Second District conferences, but it is also apparent in the tone of his legal writing, which was always courteous and always civil and always generous to the opposing or losing side. Try to even find a trace of rancor in one of John Nickels’s opinions or better yet in one of his dissents—it’s just not there. Because that’s who John Nickels was, and that is how he lived and breathed.

In his 82 years, John Nickels wore many hats: husband, father, grandfather, great-grandfather, friend, colleague, student, lawyer, judge, soldier, reformer, advocate, conservationist, farmer, and man of faith. But the best thing about John Nickels and the thing that made him so rare, so influential, so dearly loved, is that whichever hat he was wearing, and so often he wore many at once, he was always the very same man underneath. His humility, his quiet wisdom, his compassionate heart, his listening ear, his desire to identify and bring about the very best in whatever or whoever was in front of him, those things were always with him wherever he went. All of us who knew him and worked with him are blessed for having had that privilege.

Merita, to you and all your incredible family, let me just say that I was moved powerfully at the wake seeing the strength and cohesion and sheer size of your family. To all of you, I offer my deepest condolences, but with that I also express my deepest gratitude for sharing with us this great man. His impact was profound, his influence was strong, and his example was powerful. For all of this and so much more, Justice John Nickels will be remembered, but more than that he will be missed. Thank you.

CHIEF JUSTICE GARMAN:

Thank you, Justice Thomas. I’d like to now call on the Hon-

orable Thomas More Donnelly, Associate Judge of Circuit Court of Cook County.

JUDGE THOMAS MORE DONNELLY:

Thank you, Madam Chief Justice. Mary Ann Grohwin McMorrow: playful, passionate, and principled. I got a call in 1993, five years after my appellate clerkship ended, and Justice McMorrow wanted to know if I could write some remarks for her to deliver in Ireland. She was going there to give a talk to some Irish judges, and she thought since my last name was Donnelly and she was only Irish by contagion that perhaps I could give her something to say to the Irish folks. She went over to Ireland, and she got back, and she gave me a call a couple of weeks after the trip, and she said, “Tom, I met some of your cousins at the airport.” That was a code word for meeting up with some bad actors because apparently anybody who was up to no good was somehow related to me. I said, “Well, what happened?” “They took my purse.” I said, “Oh that’s terrible.” She said, “I lost my passport, my credit cards, my cash.” I said, “Oh that’s horrible, I’m so sad to hear that.” She said it wasn’t a complete tragedy though. I knew a zinger was coming. “Your speech was in the purse,” she said, “I spoke extemporaneously and they loved it.” That kind of humor was quintessentially Mary Ann because there was always a little bit of teasing going on, as Fran and Mary Ann know. It was as if to say you’re going to be my friend forever, and so we can tease each other. I used to tease her about her going off to shopping and the fact that she couldn’t refuse an invitation to speak at any luncheon. I said that she viewed every luncheon speaking invitation as an offer she couldn’t refuse, and I joked with her about a really sad incident, but even that wasn’t out of bounds for her. She had fallen and broken her hip at Lord & Taylor, but it was at the sale rack. I said well that shows she would do anything for a deal.

Passionate. I managed to get from the Illinois Appellate Court records the first draft opinion I ever tendered to Justice McMorrow. There was more red ink than paper or print, and I had never heard anyone excoriate someone so vehemently about a misplaced comma or the fact that I had deleted an “and” in a quotation. I never

had anyone review my writing who reviewed every single case that I cited. I learned very quickly that she was passionate, but I was not the only object of her furor. I worked with her on a dissent in a case named *People v. Escobar*, and in that case mysteriously—this was a really heated case about a Hispanic activist who was shot and killed, really closely contested evidence—mysteriously the State’s Attorney’s entire trial file ended up in the jury room during deliberation, and at issue was whether there was overreaching. Justice McMorrow, when we were back in chambers talking about it, was outraged. She was outraged as a former assistant State’s Attorney, but she was outraged as an attorney because she believed that attorneys were quasi-judicial officers that they had a duty to honesty that was not paralleled by any other duty under the law and that the practice of law was a privilege, not a right. When you look at the dissent she actually wrote in the case, none of that passion emerged. All there was was a discussion about how the trial judge had no basis to make a decision as to whether there was overreaching, and that clued me in to one of her principles, and that was understatement. She was understated in many things.

I looked through her 94 dissenting opinions—that’s out of a total corpus of 500 opinions—to look and see what things were really important to her. There were two opinions in which she said that she respectfully but strongly dissents. I wanted to look to those to see what principles were involved because Justice McMorrow was always a person who looked first to principles. She always wanted to look not just at the statute we were construing or the decision of law but what was the purpose of all of this. I looked at both of those cases, one that was done at the beginning of her term on the Illinois Supreme Court, and that was *Bryson v. American News Publications, Inc.*, and *People v. Santos*, which was a 2004 case towards the end of her term as Chief Justice. At the core of those two cases were constitutional issues. I thought that’s so appropriate because those principles were so important to her. One was a case that involved an author’s freedom to use strong language in a story, her first amendment freedom to say what she wanted. The second case was a case about a defendant’s right to confront his accuser with lies that she made, during the course of the investigation, it was the subject of

the criminal case. For those two occasions, she strongly but respectfully dissented.

On February 23, 2013, I was on a mission to go to Northwestern Hospital because Justice McMorrow, very ill though she was, wanted to see a newspaper clipping that I had mentioned in a conversation. She said, “I don’t want to see you. I’m not in any shape, my hair is a mess, but just leave it at the desk.” As I took the elevator up to the ninth floor after getting my little ID done, the nurse stopped me as I was coming up to the counter, and he said she’s not here, and she had died 60 minutes before I got there. I think that nurse was wrong because Justice McMorrow is here. She’s here in all the justices and judges she appointed. She’s here in the 541 opinions and 94 dissents that she authored, and she’s in all of us whenever we are playful, passionate, and principled.

CHIEF JUSTICE GARMAN:

Thank you, Judge Donnelly. I’d now like to call on the Honorable Benjamin K. Miller, former Chief Justice of the Illinois Supreme Court.

JUSTICE BENJAMIN K. MILLER:

May it please the Court. Chief Justice Garman, Justices of the Supreme Court, relatives and friends of Justice McMorrow and Justice Nickels, colleagues and friends, I’m honored to have been asked to speak for a few moments in memory of Mary Ann McMorrow, who was the first woman in the state’s long history to have become a Justice and then a Chief Justice of the state’s highest Court. The 1950s were difficult for women practicing law. There were very few women lawyers, and those women who were lawyers were generally associates in law firms handling probate and trust with little chance of partnership. At her mother’s suggestion, who thought that she was a great debater, Mary Ann applied for admission to Loyola University’s Law School. She was admitted in 1950, and though she was the only woman in her class, she was elected class president twice.

Following graduation she worked for a short time for a Chicago law firm before joining the office of the State’s Attorney where

she became the first woman in Cook County and perhaps the entire state to try a felony murder case. Mary Ann won the case, which was then appealed to the Illinois Supreme Court. When a supervisor saw her preparing for argument, the supervisor said that women didn't appear in the Supreme Court, and the case was assigned to another attorney. Disappointed but not discouraged, Mary Ann carried on. As her reputation as a successful trial lawyer grew, her career progressed.

She was elected to the trial court in 1976 and assigned to the appellate court in 1985. She was elected to that court the following year, and seven years later in 1992, she was elected to the Supreme Court of Illinois. Mary Ann's election as the first woman Justice in the Supreme Court of Illinois has completed a 102-year journey for women in the law that began in 1890 when, after a long legal battle, Myra Bradwell became the first woman lawyer licensed to practice in Illinois. It was my good fortune to be Chief Justice when Mary Ann was elected to the Court, and we all knew her, and we looked forward to having her join us.

It was an historic occasion and it was a great interest in what it would be like to have the first woman on the Court. There was one question that was asked over and over again that I didn't anticipate, and that question was what were we going to do about the bathroom? The Supreme Court building in Springfield was built in 1908, eighteen years after Myra Bradwell was admitted to practice law. It was rare at the time to see a woman in the Court, and the building was built with only one bathroom adjoining the conference room where the Court did most of its work. The problem was solved by putting a lock on the door and renaming the room the women's restroom, and the men were allowed to use it.

Justice McMorro's real contributions to the Court were much greater, they were substantive, they were immediate, and they were important. The law doesn't look any different to a man than it does to a woman—a contract is a contract, and a tort is a tort. Mary Ann brought to the Court a different perspective and added a new dimension. It reminded me of the story that Justice Clark once told about the first Mayor Daley. Daley, according to Clark, was speaking to a group extolling the virtues of Chicago. Daley concluded his

remarks by saying that Chicago is a great city and the reason it's a great city is that it has men and women in it. That drew a pause because all cities have men and women in them, but when you think about it, Daley was right. Men and women working together give life and soul to the city, and Mary Ann gave it to the Court.

She was a kind, caring, and compassionate person who had great intellect, wonderful good judgment, and was a delight to work with. Her opinions were well written, and when she thought she was right she wasn't afraid to lead, when she thought you were right she wasn't afraid to follow, and when she thought you were wrong she wasn't afraid to say so. For an example of not being afraid to say when she thought something was wrong, you have only to look at her dissent in the *Charles* case, which is printed in your program.

Myra Bradwell litigated the question whether a woman should be allowed to practice law for seventeen years before becoming the first woman licensed to practice law in Illinois. Mary Ann was an admirer of Bradwell's story and an heir to her will and to her determination. It's interesting to note that in writing for the U.S. Supreme Court, affirming the earlier decision of the Illinois Supreme Court denying Bradwell's admission to practice, Justice Bradley wrote, and I quote, "The natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life. The paramount destiny and mission of women are to fulfill the noble and benign offices of wife and mother. That is the law of the creator." While Justice Bradley didn't know Mary Ann McMorrow, we knew Mary Ann, and this Court and all of us are the better for it.

CHIEF JUSTICE GARMAN:

Thank you. I'd now like to call on Mary Ann McMorrow Junior to make remarks.

MS. MARY ANN MCMORROW JR.:

Mary Ann Grohwin McMorrow was the most extraordinary human being that I've ever known. She was a woman of many firsts, but of course to me she was first and foremost my mother. Because I can't begin to capture her wonderful life in just a few minutes, I

thought I would focus on three main areas: her family life, her character and personality, and her love of the law.

As many of you know, Ma was the middle of three children born to a Polish-American family on the northwest side of Chicago. She was a loving daughter to her parents Roman and Emily. One time I asked her what was the worst thing she ever did as a child, and I think you can imagine that it's probably not too bad. She said the worst thing was "One time I got so angry at my brother Roman that I threw his watch out of an upstairs window, and our father was furious." Needless to say, she and her dear brother made up, and they were very close until his passing in 1999. Ma had many great stories about growing up with her sister Fran and one of my favorites, as some of you have heard, is about the fact that when Ma was a teenager she worked at a candy store and Fran thought that because her sister worked there she could get a little bit of extra candy for free, but that did not prove to be the case. Ma said, "No, Fran you'll have to pay for it just like everybody else." Ma and Fran remained extremely close throughout their lives and became even closer over these past few years as Ma started to have health problems. Fran was a great source of help and comfort to Ma. They certainly had their frequent trivial arguments, some of which were quite entertaining to observe and could have even made it on to a *Saturday Night Live* sketch, but, of course, indeed they were the most loving and loyal of sisters.

When I think back to my younger years, several things come to mind. One is my mom making my Halloween costumes from scratch. She never wanted me to be anything bad like a witch or a vampire; I could only be good things. So I remember her dressing me as an angel, a pumpkin, and a Christmas tree. My parents enjoyed having people over and entertaining. Ma was famous for her homemade spaghetti sauce that she would make in bulk and freeze to have when people came over. Some of my favorite memories include our springtime trips to Disney World in Florida and our time at our cottage in Saugatuck, Michigan.

I was thirteen when Ma decided to run for judge in 1976. I remember that campaign very fondly because it was something so different than anything I had ever done and so very exciting. Dur-

ing the campaign and in all ways, my dad was my mom's greatest supporter. His personality and sense of humor were larger than life. I remember my mom was a little more demure back then, and one time they made a campaign stop, and while my dad was parking the car my mom already went in, came back out, and told my dad that she didn't know anybody there and she didn't want to go. He said, "Well, let's just give it a try," and they went back, and of course he knew many people there, and the evening was a success. I was always struck by the fact that he was never threatened in any way by her success. Her success was his success. They made a great team, and we were a very happy little family.

The second area I'd like to focus on is Ma's character and her personality. She had a wonderful, cute sense of humor, didn't she? Sometimes it came out at times you would least expect. Perhaps her greatest traits were her compassion and her generosity. Many people have told me that they always felt that she gave whoever was talking to her her full attention. One friend noted that Ma never looked over her shoulder for anyone more important when she was talking to someone. I think that that carried through to the courtroom where she always smiled at attorneys and tried to help them feel comfortable. She did all of this with her own unique style and grace, wearing the beautiful clothes she enjoyed. One friend commented her hair was legendary. Ma particularly enjoyed the little shopping trips and breakfast at the Union League Club with her dear friend Justice Burke.

She was kind to others and so appreciative of any kindness shown to her. As you may know, she was really big on sending thank-you notes written in her own beautiful script, and sometimes I would say to her, "Have you done this" or "Have you done that," something that I thought was pretty important, and she would say, "Oh no, I have too many thank-you notes to get out." Please know that if you ever sent her a thank-you note, she treasured it and saved it; we found many, many thank-you notes.

She was generous in helping many of you advance your careers. She really enjoyed that and was excited to do it, especially for other women. She was generous in donating her time and resources to many causes she cared about, especially her dear Misericordia.

Ma's devout and unwavering Catholic faith was always at the center of her life. She lived the words of the gospel in her thoughts, words, and deeds. She enjoyed her great friendships with many priests, a number of whom are here today, and some of her greatest friendships were with fellow parishioners from her beloved St. Mary of the Woods parish. I know that she is now safe in God's hands.

Before talking briefly about Ma's love for the law, I just want to take a moment to express my condolences to Justice Nickels's family. Ma always talked about him so fondly and with such great respect. I didn't know until I read the program that they had the same birthday, and I thought that was pretty neat—two great legal minds just one year apart. Although they lived long lives and accomplished so much, it's still a tremendous loss. I would also like to thank everyone for coming today, especially your eminence Cardinal George, the other clergy members, Attorney General Madigan, and the other Justices, judges, attorneys, and friends. Your presence is a wonderful tribute to my mother and to Justice Nickels.

In closing, I just want to emphasize how much Ma loved the law and how much joy she had from her career. I just watched a video of her from when she was a panelist on a symposium for women in the law about two years ago. When she was asked what she thought about her time in the State's Attorney's office her face actually lit up, and she said it was wonderful. She explained that she chose that job because she loved doing trial work and that job gave her the best opportunity to work on trial after trial one day after the other. Then she spontaneously added, "In fact I've loved almost every day of my legal career." She often focused on the nobility of the law. In her last public remarks in October of last year she said, "Set your goals high. We can be and we must be a pervasive influence for good in both our profession and in the broader society. Never ever forget that ours is a noble profession. You must respect it and by your upstanding conduct command the respect of others for it. Let us remember the humanity of those whom we work with and those whom we judge. Let us never ever forget about simple humanity and that the law is first and foremost about people and their problems." As the saying goes, "A high tide raises all boats," and she raised a lot of boats. As Michelle Jochner said upon hearing

of Ma's passing, "Mary Ann McMorrow was indeed the one we all looked up to." I think Ma deserves to have the last word today, so I'm going to end with my favorite quote of hers from that symposium on women and the law. Here it is: "Most importantly I think we always have to be nice, a simple word but most important, it will get you very, very far."

CHIEF JUSTICE GARMAN:

Thank you. I'd now like to call on Margaret Mangers to make remarks.

MS. MARGARET MANGERS:

Members of the Court, your eminence Cardinal George, distinguished guests. My brother Philip gave a beautiful eulogy at my father's funeral. We immediately thought of Philip to speak on behalf of the family at today's memorial service, but he and his wife Sarah are serving as missionaries in Tanzania, East Africa, and he is unable to be with us today. Instead he has sent us his words, and I am very pleased to share them with you.

"I am honored to address you this afternoon albeit from 7,000 miles away through this written message and the voice of my dear sister. Thank you for this privilege. My father was a great Justice, but as his children, we considered him even more remarkable in the context of our family and in the community where his good qualities could shine more freely.

"I was only five or six when I began to notice that my father was a respected man. He was not only respected but also listened to. No doubt this had an effect on us children. We may not have understood why people responded to him the way they did, but we knew it was special and that there was something special about him. I was in my early teen years when I began to understand what a good provider my father was. It was more than having money; it was the environment he was instrumental in creating. We children had the opportunity to flourish with 4-H cattle and horses we showed at the county fair and the daily chores that went with them. We had a creek to fish in, a treehouse to play in, an old jeep to learn to drive,

and an old family farm to connect us to our history. These only touched on the experiences and opportunities we were afforded.

“One of the unique blessings that my parents brought into my life was six sisters. To say the least, life was interesting. I’m thankful for Dad’s example as a man, especially among all those females. We shared the same plight in dealing with female overload. Also special in those early, fun, and crazy years were our family’s weekly times of attending mass. It was a refuge in the week when our family would sit quietly together and my sisters might even behave themselves.” I had a hard time keeping that included in here, by the way. “This weekly blessing could be counted on without fail. It was part of Dad’s steady way. He was faithful to bring us close to the things of God. Weekly mass was a practice my parents maintained through their entire 56 years of marriage.

“I was in my twenties when I realized just how gifted my father was, both intellectually and in the field of law. I had the privilege of helping on his campaign for the state’s Supreme Court. On the campaign trail, people would come up and offer stories of how Dad had helped, how he could be trusted, or his giftedness in law. One person summed it up well in saying, ‘Your dad is just a good guy.’ That statement covers a lot of ground, and it fits my father well. To this day I’m impressed with just how many people he knew and the lives he touched.

“I was in my thirties when I realized just how wise my father was. My parents have 7 children, 7 in-laws, 23 grandchildren, and 1 great grandchild. That is a lot of life, and our family is not exempt from our share of trials. I observed my father’s patient manner of guiding and suggesting as he desired good outcomes to our trials. I observed and knew his uncanny ability to see a matter for what it was. He was so very discerning, and from this discernment would spring forth wise judgment and counsel.

“I was in my forties when I came to understand just how much my father loved and enjoyed his family. Some fifteen years ago, Mom and Dad bought a farm very close to their home. On this farm there was a small irrigation pond. The first thing Dad did was enlarge the pond and landscape a beautiful area for camping, fishing, and campfires. Honestly, at first it seemed a little frivolous. In

retrospect it was a wonderful investment in the life of our family, a place of meeting. For the ones who lived close by, the invitation to have a fire was always open and often taken up. For those of us who moved to the four corners, we could not wait to get back for a pond night. Come winter nights, Dad always loved a good game of euchre. As I write this, I can close my eyes and smell my mother's rich kitchen that so warmly invites us home.

“In the Old Testament book of Zachariah, God challenges his people anew when he says, ‘This is what the Lord almighty says: administer true justice, show mercy and compassion to one another, do not oppress the widow or the poor, in your hearts do not think evil of one another.’ Dad was faithful in his calling to administer justice, but he was also faithful in his personal obligations of goodness in regard towards others. He was a great judge, but he was not judgmental. He did not stand aloof but stood hopeful. He stood ready to help, and he did. Dad could spot fallaciousness a mile away, yet he had no spite. He was discerning but not derogatory. The hearts of his children know well his mercy and compassion. Surely the lines of his influence run long and deep, no doubt his influence will carry on. I pray that we will not only remember but also take up these good virtues and his gentle and kind way. Blessings to you from Tanzania and, again, thank you for this privilege.”

CHIEF JUSTICE GARMAN:

I would now like to call on Paula Holderman, Esquire, the President of the Illinois State Bar Association.

MS. PAULA H. HOLDERMAN:

Thank you. If it please the Court. Beloved family, distinguished guests. Over the last 34 years, I've been blessed to have personal and professional relationships with many members of our Illinois Supreme Court, and as I have said publicly many times, the ISBA and the entire organized bar is fortunate to have such a positive and mutually respectful relationship with our Court. When I attended a bar leaders' conference last month in San Diego, I wondered about one of the topics listed for discussion, improving your bar's relationship with its Supreme Court. As I listened to the issues,

I thought about our Supreme Court and its individual members, past and present, and how different our experiences in Illinois have been. I thought about the involvement of our current Justices in so many professional organizations and events within our state. I thought about past members of the Court such as Justice Nickels and Chief Justice McMorrow and their contributions to the bench and bar. In fact, each were a sterling example of a jurist who remained engaged with the profession even as they rose to attain the highest position in our state judiciary.

Both Justices were diligent, well-respected lawyers before they went on the bench. Neither ever allowed their elevated status to change who they were. We know that before Justice Nickels was a hardworking lawyer and judge, he was a hardworking farmer. There is something about working with the land and what it produces that always attaches you to the land, and it keeps you humble. Listening to my own husband's stories of growing up on an 800-acre farm and attending a one-room schoolhouse in Grundy County perhaps gives me some insight into Justice Nickels's experience growing up on an 800-acre farm and attending a one-room schoolhouse in Kane County. Working hard every day is required in farming; there are no court holidays. Yet sometimes, no matter how hard you've worked, success is out of the control of human beings: drought, too much rain too soon, disease, each one can wipe out the crop or the herd and, with it, that year's income. I suspect this background helped Justice Nickels to be the well-grounded, independent man and judge that he was.

Justice Nickels will be remembered as a staunch advocate of lawyers serving the needs of the poor and disadvantaged. Fifteen years ago yesterday, November 19, 1998, as Justice Thomas mentioned, the ISBA was honored to recognize Justice Nickels with our Access to Justice Award for his lifelong efforts to ensure and expand access to the justice system. As the Court's liaison to the Lawyer's Trust Fund of Illinois, Justice Nickels played a major role in a rule change that permitted overnight transfers to sweep accounts that paid higher interest. The then LTF president stated, "It is not an overstatement to say that without Justice Nickels's leadership, this important breakthrough would not have been possible." According

to Justice Nickels, providing free legal services to the needy was, “the work of the Lord.”

It was at the ISBA midyear meeting about a month later that Justice Nickels announced his retirement from the high Court. Reflecting on the privilege of being a judge, he thanked his colleagues on the Supreme Court for their collegiality and their friendship, and then he said, “This farmer’s son is going home. I am going back to the land that has always nourished my soul, back to the land that I never really got off my hands or out of my heart. It will receive me again with open arms, I am sure,” and indeed it did.

Thinking of Chief Justice Mary Ann McMorrow, it is sadly ironic for me to be standing here as state bar president to make remarks in her memory. For the last three years leading up to my installation, I had always hoped that the retired chief would actually make a few remarks about me at my swearing in. So while this really, obviously, is a great honor for me, it is nonetheless a bittersweet one. Justice McMorrow was particularly exceptional in that she meant so many different things to so many different people. To her daughter Mary Ann, whom we did sometimes call Junior, she was a loving and nurturing mother. To her sister Frances, she was a dear friend, a companion, and in the later years often her car passenger. To women in the profession, she was a trailblazer and a role model. To many lawyers and judges in this room, she was a mentor and a sponsor. To the Court, she was an intelligent jurist and capable leader. And to the profession at large, she was a shining example of dignity and integrity.

Some could argue that her greatest accomplishments were to her family as mother and sister, as a wife to her beloved husband Emmett. Others would argue that it was her outstanding contributions to the progress of women in the legal field that should be remembered. While others would say she should not be remembered so much as a woman but as a lawyer and judge of the highest caliber. Yet still others would say it was her authenticity, her sense of humor, her loyalty, and her elegance that were most remarkable; and, as we know, each one of them would be right.

Mary Ann had mentioned in her remarks it would be difficult to cover all of the facets of Justice McMorrow’s life in this short

space, so let me touch on just two other things that were slightly different than Mary Ann's, two things that I think I understood best about Justice McMorrow: her commitment to women and the organized bar and Mary Ann McMorrow as a friend. Justice McMorrow did have a profound effect on women in the profession. As we've heard, she's a woman of many firsts: the first woman in her law school class, the first female assistant State's Attorney trying felony cases, the first woman on the Illinois Supreme Court, and then its first female chief. I know how proud she would be that Chief Justice Rita Garman has followed in her footsteps. She was incredibly generous that way, always wanting others to succeed. She took great pains to mentor many women and men too. As I said earlier, this room is full of judges and lawyers who can tie their success to Justice McMorrow, and again how proud she was of each of you, and I can see her beaming with that great big wide grin at every step of your progress.

She served as president of the Women's Bar Association and became their most beloved possession. I say it that way because Women's Bar members felt keenly possessive of their Mary Ann. She was a beacon for many women lawyers, the representation of promise for their own futures. She was revered not only for her accomplishments but for how she reached back and brought others along with her. Of course she received many awards, many in the name of courageous early women legal pioneers like Margaret Brent and Myra Bradwell, and she always received those honors with humility and on behalf of all women. She repeatedly said she looked forward to that day when it would no longer be a big deal that a woman was on the Supreme Court or a bar president, that day when there would be no more women firsts.

Justice McMorrow took her role as leader in the legal community seriously. Just as Judge Donnelly mentioned she attended and, I must say, joyously participated in all kinds of organized bar events, from the Women's Bar to the ISBA, from the Chicago Bar to Phi Alpha Delta fraternity, from the appellate lawyers to the lawyer's Red Mass, Justice McMorrow would be there smiling and shaking hands. People would ask to have a word with her or have

their photo taken with her, and she did it all, and she made each of us feel special like she was there just to support us.

Justice McMorrow was the most genuinely regal person I have ever known, and yet she was one of the least pretentious. She carried her tall frame with incredible grace and elegance in her trademark St. John suits. She could talk about clothes and jewelry as easily as she could talk about *stare decisis* and statutes of limitations. She loved her friends, and she loved to go out to eat. She was a friend to both the great and the small in our community. I don't know how she kept up with all of her friends and colleagues and family, but she did, and she did it beautifully.

As I stand here, I'm just one person, but I hope that I speak for all the bar associations, all the lawyers, all the law clerks, all the judges who admired and loved Justice McMorrow when I extend our deepest sympathies to Mary Ann and to Fran. And likewise to Mrs. Nickels and your beautiful daughters and your son who unfortunately is not here, please know that I speak for the entire bar when I thank you for Justice Nickels's service and tell you that our thoughts are with you. Thank you so much.

CHIEF JUSTICE GARMAN:

On behalf of the Court, I want to thank the speakers and all that participated in today's program for sharing their warm and personal remembrances of our dear friends and departed colleagues Justice Mary Ann McMorrow and Justice John Nickels. I extend a Court's thanks to all of you who attended today. Your presence is deeply appreciated by the families and friends of our late colleagues. We on the Court are saddened by their passing, but I think we feel very blessed that we were able to know them and we were able to benefit from their wisdom and professionalism. There is a reception immediately following this ceremony outside in the rotunda, and we'll hope to have the chance to extend some greetings in person at that time. Mr. Marshal, the ceremony is concluded for today.

