



Supreme Court of Illinois

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FOR IMMEDIATE RELEASE

JUSTICE MARY ANN G. MCMORROW

Justice Mary Ann G. McMorrow was a pioneer in opening opportunities for women in the law. She was greatly admired for her elegance, grace and style over a legal career that spanned five decades.

Justice McMorrow passed away Saturday after a brief illness.

Justice McMorrow was the first woman to serve on the Illinois Supreme Court and—as its Chief Justice from September 2002 to September 2005—was the first woman to head a branch of Illinois government. Or, as she put it at her swearing in as Chief, "I am the 115th Chief Justice of the Supreme Court of Illinois. You will notice after I take off my robe that I am the only one of the 114 chief justices who preceded me that wears a skirt."

Justice McMorrow had a remarkable legal career.

It began with graduation as the only woman in her class from the School of Law at Loyola University in 1953, continued as the first woman to try felony cases as an assistant Cook County state's attorney and culminated with her selection as Chief by her colleagues on the Supreme Court.

She served on the Supreme Court from 1992 until her retirement July 5, 2006. Her tenure as Chief Justice began September 5, 2002 and concluded September 4, 2005.

Throughout her career, indeed throughout her lifetime, Justice McMorrow assumed and maintained a strong mentor's role for women who wished to enter and serve in the law. She accomplished this always in graceful fashion, earning the respect, admiration and fondness of colleagues, legal adversaries and ordinary citizens crossing gender lines.

During her years on the Supreme Court, Justice McMorrow authored 225 majority opinions, or opinions delivering the judgment of the Court. She authored an additional 85 separate concurring and dissenting opinions. Including opinions in which she participated, cases in which she considered granting or denying

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review by the Court, attorney discipline and other matters, Justice McMorrow was involved in Supreme Court cases numbering into the tens of thousands.

She wrote the opinion for the majority of the Court in *Best v. Taylor Machine Works (1997)*, which held that so-called "tort reform" legislation seeking to put a cap on non-economic damages for persons injured through negligence was unconstitutional because it benefitted special interests by discriminating against the most seriously injured plaintiffs.

In *Happel v. Wal-Mart Stores Inc., (2002)*, Justice McMorrow wrote an opinion which improved pharmaceutical safety by imposing a duty on pharmacies to warn individual customers of possible severe side effects if known to the pharmacy.

Though a former prosecutor of serious felony cases, she wrote the opinion of the Court in overturning the conviction and death penalty of a defendant accused of killing a police officer, citing an abuse by prosecutors in using inflammatory closing argument. (*People v. Blue 1999*).

One of her noteworthy dissents involved the question of holding parents and other social hosts liable for injury and death resulting from minors allowed to drink to the point of intoxication. The majority of the Court found no liability, and Justice McMorrow wrote that the result was "an injustice and an outrage". (*Charles v. Seigfried 1995*).

During her tenure as Chief, the Supreme Court began to require attorneys to disclose as part of their licensing procedures whether they have malpractice insurance to better inform consumers and would-be clients; and amended its rules to allow appellate review at an early stage of class actions suits in an attempt to lessen the cost of court resources and the financial resources of parties.

Justice McMorrow used her frequent speaking appearances as Chief Justice to call on lawyers to serve the poor; and by example, deed and exhortation sought to instill greater civility and professionalism among practitioners.

Under her tenure, the Court raised the fee attorneys pay for licensure in Illinois with the increase raising more than \$2 million annually for the Lawyers Trust Fund, which provides funds to legal aid organizations serving low income Illinoisans. While she was Chief, the Court began a program under which justices of the Supreme Court addressed the incoming classes of new law students encouraging civility as they mature into practitioners.

Justice McMorrow received numerous awards and much recognition during her career.

The American Bar Association honored her in 2005 with its prestigious Margaret Brent Award, named for the first woman lawyer in America who arrived in the colonies in 1638. She was the recipient of the Myra

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Bradwell Woman of Achievement Award, the highest award given by the Women's Bar Association of Illinois, named after the woman who won her law license in the U.S. Supreme Court after being rejected by the Illinois Supreme Court.

The Chicago Bar Association and the Chicago Bar Foundation awarded her the Justice John Paul Stevens Award given to Chicago area attorneys whose careers exemplify the highest standards of the legal profession.

She was named by the Chicago Sun Times as the most powerful woman in the law in Chicago; named by Crain's Chicago Business as one of Chicago's 100 most influential women; and by Chicago Lawyer Magazine as its 2003 Person of the Year.

The story has often been told that when she was an assistant state's attorney in Cook County, she worked tirelessly on a brief for a case to be argued in the Supreme Court; but when it came to decide who was going to argue the case before the justices, she was told by her male supervisor that women did not argue before the Supreme Court and a man would be arguing the points in the legal brief she wrote.

It is an ironic story since she went on to become Chief Justice of the same Court where she was once denied the opportunity to argue and it is a profound statement of her personal journey over her lifetime.

Although Justice McMorrow was the only woman in her graduating class, her male colleagues at Loyola elected her class president and associate editor of the law review. Upon graduation from law school, she was employed by Loyola under a Ford Foundation Grant doing research about race and education.

After working for a short time with a law firm, she was hired as an assistant in the state's attorney's office. It was there she met her husband, Emmett, who was a gregarious, well-liked police officer. They were married in 1962 and spent 24 happy years together until Emmett died of cancer.

When their daughter, Mary Ann, was born, Justice McMorrow left the state's attorney's office and eventually started a law practice. Friends persuaded her to run for Circuit Judge, and she was elected in 1976. She was assigned to the Appellate Court in 1985 and was elected to that court in 1986, where she was the first woman to serve as chairperson of the Executive Committee of the Appellate Court. She was elected to the Supreme Court in 1992 and retired in 2005.

Justice McMorrow often said she never set out to be a pioneer; she never set out to be the first. "I just simply," she said, "tried to do my best in every task that was presented to me."

At her retirement from the Supreme Court, she noted that she had served at the trial, Appellate and Supreme Court levels for approximately 30 years. "And, oh, what grand and glorious years they were!" she said.

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She also quoted Lincoln in her goodbye from the Court:

"Let us have faith that right makes might, and in that faith let us to the end dare to do our duty as we understand it.' This has been our guiding principle," she said.

Justice McMorrow is survived by her daughter, Mary Ann, and her sister Frances.

Arrangements were incomplete.

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