

2003 Annual Illinois Judicial Conference
Thursday, October 23, 2003
12:00 Noon
Wyndham Chicago Hotel
Chicago, Illinois

Ladies and Gentlemen - good afternoon. My name is Mary Ann G. McMorrow and it is my distinct honor and pleasure to welcome all of you to the 2003 Annual Meeting of the Illinois Judicial Conference. I am delighted to be here this afternoon, and honored as the Chief Justice of the Supreme Court of Illinois to have the privilege — for yet a second time — to offer some opening remarks.

It is always comforting to see among the Conference attendees familiar faces ----- judges with whom I have enjoyed the opportunity to dialogue about issues important to the judiciary. Welcome to the Annual Meeting. I am as much inspired as I am comforted to see some new judges in attendance here today. I am grateful to you for your work on the Conference this past year and extend to you, as well, welcome to the culminating event of Conference Year 2003. The Judicial Conference is a wonderful example of a process that captures the knowledge and wisdom of those more tenured members who serve, while inviting and embracing the creativity of its newest members. The diversity in our Conference membership is — without a doubt — one of our greatest strengths!

If I could offer my own three things that tell me a lot about the judges here today — the first would be your service to the Supreme Court throughout this Conference year ---- the second, your contributions to your Committee's projects and, the third, your presence here today. These three things tell me and my colleagues on the Court a lot about you — particularly about your zeal and your determination to improve the administration of justice in Illinois. Thank you again, for your service — for your contributions — and for your presence here today.

I want to talk very briefly with you today about some of the events over the past Conference year, but before I do, I want to give special recognition to the distinguished members — past and present — of our Supreme Court. If you will permit me to break with protocol in the sequencing of my introductions — I would first like to recognize the Honorable Philip J. Rarick from the Fifth Judicial District. We are — all of the members of the Court — so pleased that you could be here with us today. Justice Rarick has faced some very serious challenges in the past several months. Those challenges though, have not prevented him from — more than ably — fulfilling the duties of his office. Though challenged, he is clearly not defeated. We're honored to have you here with us ---- welcome Phil.

To my far right is former Supreme Court Justice Seymour Simon. While I did not have the privilege of serving on the Court at the same time as Justice Simon, I have had the honor of knowing him for a great many years. He has continued his interest in the work of the judiciary, taking part in this Conference annually. I wish to publicly thank him and acknowledge his distinguished career in Illinois public service. Immediately next to Justice Simon is former Supreme Court Justice John L. Nickels, with whom I did have the privilege to serve — but

regrettably, for only seven short years before his retirement from the Court in 1998. Justice Nickels — welcome, it's good to have you with us. Also seated to my right, just next to Justice Nickels, is Justice Robert Thomas from the Second Judicial District. Justice Thomas contributes significantly to the work of the court and is the Justice who brings humor to the Court. And to my immediate right is the most senior member of our Court — in tenure only, of course, and who served ably as the Court's Chief Justice — the Honorable Charles E. Freeman of the First Judicial District. Justice Freeman is one of the pillars of the Court. His insights and guidance have been illuminating and of invaluable assistance to the Court. I am pleased that both of you were able to be present at the Conference today.

To my far left is the Honorable Benjamin Miller. Justice Miller is also a former Chief Justice and while on the Court, served with distinction — making many extraordinary contributions to the law as well as to the administration of justice in Illinois. Justice Miller recently joined the law firm of Jenner and Block, and will, no doubt, continue his service of excellence to those who will now encounter him, not as a judge, but as an attorney at law. It's good to see you Ben — welcome. Next to Justice Miller, again, is Justice Rarick. The last introduction of those who join me here on the dais is that of my long time friend and colleague — seated immediately to my left --- Justice Thomas R. Fitzgerald. Justice Fitzgerald performs his duties with distinction and admiration. I would like also to acknowledge two other members of the Court who are not able to be here with us today — Justice Thomas L. Kilbride and Justice Rita Garman. To all of my colleagues — welcome and thank you all for being here today.

Finally, I would be remiss if — in my acknowledgments — I failed to recognize the contributions of the Administrative Office of the Courts and Director Cynthia Cobbs. The Administrative Office facilitates the work of the Committees and assists in the coordination of the Conference events. To all of the committee liaisons, Mike Tardy, Lisa Jacobs, Jan Zekich — to Ms. Karen Reynertson — who ably serves as conference coordinator, and all of the other members of the Administrative Office staff who participate in the planning of this Annual event — thank you. It is difficult to adequately thank our very able Director, Cynthia Cobbs. She is knowledgeable and always willing and present to assist the Court in its administrative responsibilities. My special thanks to Director Cobbs.

Although the Illinois Constitution provides the purpose and framework for the Judicial Conference — it is — of course — the vision — and the commitment of the members and the chairpersons of the Conference Committees and the staff which brings the Conference to life. In preparation for this meeting, I have reviewed the Committee reports and I look forward — not only to tomorrow's presentations — but to the work of the Committees in the next Conference years to come.

At the 2002 Annual Illinois Judicial Conference, my first as Chief Justice, I reflected on the profound changes that our society was experiencing in the one year following the attacks of September 11th. The pace of change has not slowed — in fact — quite the opposite has occurred — it has become more rapid. More than ever, we are challenged and shaped by — not only those events which occur within our own state— but by those events that happen nationally and even globally.

While a decisive military victory has been achieved in Iraq, the lives of our nation's soldiers remain at risk. We are continually challenged to change the current lawlessness of Iraq to an

ordered, safe and free society. Allegations of a White House leak threaten the security of those very persons who are charged to keep the White House and our nation secure. For the first time since 1905, the United States Treasury Department is introducing a new, color version of the twenty dollar bill.

Political change in our nation is perhaps more rapid, and potentially more divisive, than we have experienced in some time. Our nation's most populous state, and the world's sixth largest economy, California, initiated a recall of its executive officer — Governor Gray Davis — less than three months after he was elected to a four year term. Approximately three weeks ago, the people of the State of California elected a man — known to action movie buffs as the Terminator— to take his place. In every state across this great nation, governments are struggling to deliver quality services with an inadequate quantity of money. Finally, as a life-long Chicago resident, I need only look as far as Wrigley Field to see that our world is truly different from previous years. This year — for the first time in nearly a hundred years, the Chicago Cubs were playing baseball well into the middle of October.

Although many of the changes with which we are confronted challenge us — they need not and have not immobilized us. We must remain open to change — because often — it is the element of change which bears the fruit of opportunity and growth. Senator Robert Kennedy, presidential hopeful in the late 1960's, once commented that “great change dominates the world, and unless we move with change we will become its victims.” As the third branch of government, we must not only embrace — we must be the catalyst — the agents of change. As judges — we are often the focal point in our court system. Thus, it is incumbent upon us to utilize our leadership to effectuate change both within and outside of the courtroom. Only then are we able to mold and to shape our identity, but more importantly — to determine our destiny. And while there may be some who believe that our destiny is determined by fiat or accident — I would disagree. It is — I think more aptly a matter of conscious control. I hold firm the belief of Mr. William Bryan Jennings who once said that “[d]estiny is not a matter of chance, it is a matter of choice; it is not a thing to be waited for, [but] a thing to be achieved.”

I am pleased to announce that in Illinois, we as judges have capitalized on opportunities to bring about change. In just one 12-month period —throughout this short Conference year — we as a judiciary have been actively engaged in a broad array of activities, strategies, and decisions — activities which demonstrate our mission, our foresight and our leadership ability. We have demonstrated that we possess the high caliber of leadership to bring about and then to successfully manage change. Leadership — the legacy of which will withstand the challenges of an increasingly complex society.

We are the “Third Branch” — equal not only in authority but also in responsibility. While maintaining our independence, we are also interdependent on the State's Executive and Legislative branches. We have an obligation, that we clearly are meeting, in partnership and collaboration with the other branches of government, to contribute to the fiscal well-being of this great state. While this stewardship may, to some, seem a new found responsibility, existing only during these economically difficult times, the fact of the matter is that our fiscal philosophy and practices have always been marked by restraint and accountability. We share in the responsibility of budget “belt-tightening”, but in the sharing, we must not and have not, compromised our high standards in the efficient administration of the judiciary or in the delivery of justice. To do so would compromise our judicial independence.

That independence is the very foundation of our system of justice and the unequivocal required value for public trust. As a value, judicial independence comes to life through the professional competence of Illinois' more than 900 judges who sit in court rooms across this state daily. It is through our consistent demonstration of competence that we have been able to sustain our independence — and it will be through our constant training and professional development that we will be able to sustain our competence. During state fiscal 2003, which ended on June 30th of this year, more than 800 hundred judicial training slots were filled by judges attending one or more of the many Judicial Education Programs or Seminars developed and offered through the Committee on Education. Illinois' judges are to be commended for their teaching and their commitment to so comprehensive a model of learning and professional development. I want to particularly note the success of the 2003 Advanced Judicial Academy — *“Taking Facts Seriously”*. More than 40 of our colleagues attended the week long Academy held at the University of Illinois this past June.

Speaking on behalf of my colleagues on the Supreme Court, we are especially proud of the work being performed by the Committee on Professionalism. Work which, by design, will raise the collective consciousness of the bench and bar to promote respectful conduct, as the norm, within the legal profession. If competency is a cornerstone to public trust in the judiciary, then a tenor of professional civility within the legal profession is one of the pillars that we must use to continue to build on that model of trust. The Committee on Professionalism has provided forums for many of us, in our leadership capacities, to meet with the next generation of the legal profession. We have visited and met with first year law students at Illinois' law schools and have participated in orientations as to what is expected of each of us fortunate enough to practice the noble profession of the law. Additionally, “Town Hall Meetings” will provide additional opportunities throughout Illinois which will permit members of the local legal community to come together to share concerns and find answers to difficult problems.

The Judicial Branch continues to successfully implement and integrate technology into our daily work in order to respond to the many challenges of effectively administering and delivering justice. Some of our circuit courts are just on the brink of implementing pilot programs for electronic filing of pleadings. The scope and use of the Supreme Court's web site continues to expand, with over 50,000 visits per month. In addition to some of the traditional information, such as court structure, the web site now includes the Annual Report, public hearing notices and agendas for Supreme Court Committees and Commissions, with future enhancements already being planned. Many of our committees now communicate through the use of an electronic list serve, eliminating the need for costly mailing and making more efficient the exchange of information.

Finally, but with no less priority or emphasis than the other updates that I have provided, I want to comment on the participation of the judicial branch in the recently completed federal review of Illinois' child and family services system. With heightened attention to the protection and welfare of children and to juvenile justice issues, it is appropriate that the judiciary have a voice in the future planning to address the needs of our most vulnerable citizens. We have increased our involvement in this arena, not simply because we wish to do so, but because we need to do so. From the administration of our court improvement grant to the work of the Committee on Child Custody, we continue to explore ways that the Illinois courts can contribute to “best practices” in

the child welfare arena.

This annual Conference is the culmination of a year long dialogue among different levels of members of the bench, as well as some participating members of the bar. Because of your efforts, much has been accomplished to meet the challenges that confront us. We must remain committed to our core values and to the attainment of the goals and ideals that we as jurists hold in high esteem. Only through our collective efforts can we demonstrate our readiness to confront challenges and to bring about changes. Changes which — because of your efforts — will ultimately build upon improvements already realized in the administration of justice.

I encourage you — as you meet today and in the weeks and months to come — to review the work of this Conference year and then to begin anew to develop ideas and strategies to achieve our common goals. In the words of the late John Fitzgerald Kennedy, “[o]ur task is not to fix the blame for the past, but to fix the course for the future.” I look forward to hearing the committee reports tomorrow which, I am confident, will evidence your hard work and commitment to improving the administration of justice in Illinois. On behalf of the entire Supreme Court, I wish to again welcome you to the Annual Judicial Conference and to express my gratitude for your efforts on behalf of Illinois’ judiciary.