



2020 Judicial Retention Questionnaire

**James R. Murphy
Circuit Judge –16th Circuit**

1. State the main reason why voters should return you to the bench.

Experience gained from my 27 years of private practice and my 12 years on the bench since my election as a Circuit Judge in 2008. In my small-firm private practice, I worked for clients in all kinds of civil matters including civil litigation. As a judge, I have been assigned mostly to the Kane County Civil Division handling civil lawsuits for personal injury, contracts, and commercial litigation, in cases seeking over \$50,000 in damages.

2. What actions have you taken as a judge of which you are most proud?

About 6 years ago, I rewrote the Kane County Local Court Rules on probate cases. The rules had not been updated for a long time. About 2015, I was appointed as Presiding Judge of the Civil Division. In that position, aside from other projects, I rewrote the Local Court Rules for civil cases. Like the probate rules, an update was long needed. Most recently, in April 2020, I was appointed by our Chief Judge as co-Chairperson to write guidelines for re-opening the Civil Division for in-person and Zoom jury trials in light of Covid-19, so that staff, parties, attorneys, witnesses and potential jurors remain as safe as possible. Hopefully, our judges will be using those guidelines in 2021 when 12-person juries are set to return to the Civil Division. Our criminal courtrooms resumed jury trials this month (September).

3. Name and describe one change you would make in the Illinois court system.

I would encourage the courts to implement and sponsor online dispute resolution for civil cases, including small claims, medium claims, evictions, and other appropriate cases. Courts in other states have attempted online dispute resolution and neighborhood arbitration centers to assist people more quickly resolve their differences. People or small businesses with cases could voluntarily submit their disputes to software and apps that would allow for the possibility that the parties could settle without the expense and involvement of the courts.

4. One prominent Illinois judicial evaluation survey asks attorneys to evaluate candidates on Integrity, Impartiality, Legal Ability and Temperament. Critique yourself in these four areas as to how you personally approach your job as a judge?

In those surveys, the attorneys who practice in my courtroom have given me high marks in those four categories. To give litigants and attorneys fair hearings and trials, judges have to conduct themselves well in all of the listed areas. In the area of Legal Ability, I make sure I am prepared by reading the file, the motions, pleadings, depositions and any involved case law and statutory law, prior to the court hearing. Courtroom temperament is also very important in controlling the courtroom, especially when emotions can be volatile. I try to maintain an even-keel, listen to the evidence and the arguments, and make clear and prompt rulings.