

ICJL 2018 Judicial Retention Questionnaire

Daniel J. Emge, candidate for judicial retention in the 20th Judicial Circuit

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

I try to base all of my decisions on the law, and how the facts of the case before me apply to that law. Basing decisions on the law is many times more difficult than it sounds. In some instances, the outcome may not be popular with the public, or the media. In some instances, the outcome may not align with my own personal values or opinion. However, the oath that I took when I was sworn in as circuit judge was to interpret and apply the law of Illinois to the best of my ability, not to make decisions based on my own beliefs or public perception. I am a firm believer that all judges should follow the law in every case.

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

The accomplishment that I am most proud of is that myself and several other stakeholders started a drug court in Washington and Perry Counties. This drug court is thriving, and is accomplishing our goals of connecting participants to treatment and other necessary services that they need to overcome their addiction issues and reducing recidivism.

I am also proud to be engaged with the youth in our communities. On countless occasions, I have gone into our schools and given presentations on the judicial branch of government, drug and alcohol awareness, and have promoted the legal profession at career fairs. I have been very active in presenting the “7 Reasons to Leave the Party” and “Worries of the World Wide Web” programs created by the Illinois Judges Association to students, as well as their parents, throughout the 20th Judicial Circuit. I have also organized and presented at town hall type meetings regarding the opioid epidemic. I believe that as judges, we have the ability to serve our communities in many ways, and our presence and efforts outside of the courthouse are many times just as important as our work inside of the courthouse.

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

I serve as judge in a county where I am the only judge the vast majority of the time. This means that I hear all types of cases. One of the things that I have noticed is that the number of self-represented litigants has increased significantly over the past 5-10 years. I believe this is a trend that is being noticed in other jurisdictions as well. If I could change any aspect of the court system, I would make the system more navigable and user-friendly for self-represented litigants. This would assist in leveling the playing field in cases where

one party is self-represented and the other party has counsel. It would also make the court system more efficient and run much smoother.

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.

Integrity – I always try to act with the utmost integrity in everything that I do, including in performing my judicial duties. I try to be honest with everyone that I come into contact with, even if they may not like the message I am conveying. I treat my job as if someone is always observing me and monitoring my performance, because they are, whether it be court staff, attorneys, self-represented litigants, my colleagues, or the public at large.

Impartiality – I come into every case with an open mind, without any bias towards either side. I let both parties tell their story have their “day in court”. The decisions that I make are always made based on the evidence presented in open court.

Legal Ability – No person, including me, knows the law on every subject imaginable. That would be impossible. However, I do believe that I am able to find the applicable law if I am unfamiliar with the area of the law in the case before me. Also, prior to court, I always review my cases and familiarize myself with the law in the event I am unfamiliar with it.

Temperament – I try to be fair, but firm with all litigants. I also am courteous and polite to them. I treat them with respect. I also try to be patient with all litigants and attorneys, especially self-represented litigants.