



Illinois Civil Justice League

ICJL 2018 Judicial Retention Questionnaire

**Robert D. McLaren
Appellate Court – 2nd District**

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

I have a long record of competent, rational, impartial application of legal precedent to the particular facts of a case. I have learned that knowledge is not wisdom. I also have learned that experience is the foundation upon which knowledge may become wisdom. I have 49 years of experience as a lawyer, and 37 years of experience as a judge.

I am willing to serve the People of the State because I enjoy the privilege of guarding and preserving the rule of law as I understand it.

Biography:

Born Oct. 1, 1944, in Oak Park, Ill. Attended Oak Park & River Forest High School (1962 Ill. St. Scholarship), Monmouth College (B.A., 1966), & Drake University Law School (J.D., 1969). Was an Assistant and Special Assistant State's Attorney from 1970 to 1977. Practiced law privately from 1977 to 1981. Appointed an Associate Circuit Judge, 18th Circuit, in 1981, appointed a Circuit Judge in 1984, elected a Circuit Judge in 1986, and elected to the 2nd District Appellate Court in 1988. Was the Presiding Justice of the Second District in 1994-1996. He is the senior justice in the 2nd District.

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

I have written opinions, special concurrences, and dissents that have resulted in curative legislation, adoption by the Illinois Supreme Court of my analyses, and favorable attribution from colleagues in the sundry Appellate Districts.

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

I submit that the "lock step" principle is presently based upon an enthymeme. An enthymeme is a syllogism that has a premise that is unstated and the conclusion is not established as valid. The absent premise is that the delegates to the 1970 Constitutional Convention had identical interpretations of the U.S. Constitution and the Illinois Constitution. I suggest the Illinois Supreme Court should consider what the Illinois Delegates believed the Illinois Constitution

encompassed until such time as the unstated premise has been validated.

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?

My recollection is that I have been highly recommended or recommended as the case may be in past polls by the DuPage Bar Association, the Lake County Bar Association, and the Illinois State Bar Association. I believe the motto of the 2nd District Appellate Court, "Second to none" is apt.