



2020 Judicial Retention Questionnaire

**Thomas J. Carroll
Cook County Circuit Judge**

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

I actively practiced criminal defense law for 23 years before being appointed as a judge. During that time, I was in court just about every day. I learned and saw a lot over the years. I have taken both the positive and negative experiences with me to the bench. I realize the attorneys have a tough and stressful job especially in our high volume criminal court. I strive to make the court experience as pleasant as possible realizing that it is still an adversarial system where emotions can run high. I understand and realize that many litigants are scared, intimidated or just plain frustrated with the courts. I strive to make them feel comfortable without sacrificing courtroom decorum. I also explain my decision so the parties understand my decision. My career has been and still is devoted to helping others through the legal system. As a judge, I strive to give everyone their day in court regardless of the case or circumstances. The right result must be reached based on the law and the evidence. I am not afraid to reconsider my position and change my decision and have done so on a number of occasions. It is all about the right result.

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

I try to get the indigent litigants on equal footing in our courts as compared to litigants who have money. Fines and fees have a much more negative effect on the indigent defendant. I use alternatives like independent community service to lessen the hardship on the indigent defendant and have encouraged my colleagues to do so as well. I am also very proud of the fact that on many occasions I was not afraid to make the "unpopular" call in court. Cases need to be decided on law and evidence, not who the parties or the lawyers are. Also I am very proud of the fact that in 9 years I have had only 1 lawyer request a substitution of judge and that lawyer now even appears before me. That tells me the lawyer on both sides of the aisle trust me to make a fair decision. Our courtroom has a reputation for fairness and that makes me very proud.

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

One gross inequity that I would change is that everyone charged with Driving Under the Influence have legal counsel representing them at summary suspension hearings where their license may be suspended. Currently, in Cook County, clients of the Public Defender cannot

litigate a suspension of their driver's license because it is considered a civil proceeding. This results in extreme hardship for the indigent defendant because they do not even have the opportunity to litigate a suspension of their license with a capable attorney. Driving privileges remain suspended because many people cannot afford private counsel. Public Defenders should be allowed to argue summary suspension hearings.

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 is the cornerstone of our judicial system. I strive to make parties understand my rulings and never want anyone to feel that something improper happened. I also strive each day to avoid the appearance of impropriety and want everyone to know the fair result is being reached. As to impartiality, I strive each day to treat everyone the same regardless of who the parties or lawyers are. I use a saying all the time that similarly situated people need to be treated the same. I want the indigent party to get the same result as the non-indigent party given the same factual situation or set of circumstances. As to legal ability, I stay up on the current laws and statutes but also use my 32 years of legal experience to help me analyze each situation. I also consult with my colleagues on all kinds of factual and legal situations to reach the right result. It is this broad base of experience 23 years as a criminal defense lawyer and 9 years as a judge, that gives me the confidence that I am analyzing a case correctly but also recognizing that being a judge is constantly learning and leaving yourself open to considering new arguments, thoughts and ideas. Temperament is very important to me. All parties should feel comfortable in court. The judge sets the tone and the parties will take the cue. I strive to make everyone feel at ease and allow the parties and lawyers to not feel in any way intimidated by the court. Everyone must be treated with respect and dignity and I strive for that each day. I have found that by exhibiting a good temperament, the courtroom is more productive and the litigants feel better about the proceedings.