



2020 Judicial Retention Questionnaire

Lewis Nixon Cook County Circuit Judge

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

I have served the citizens of Cook County for 19 years. Prior to that I had been an attorney for 26 years. Having begun my career as an Assistant United States Attorney and subsequently working for a law firm, a major railroad company and then serving as the Chief Legal Officer for a government agency, I assumed my judicial role with excellent skills learned in my prior roles. I have been serving as a supervising judge in the Chancery division supervising 15 judges in the Mortgage Foreclosure section. At the height of the foreclosure crisis in 2012 our section handled 80,000 cases. We were able to successfully adjudicate those cases without any problems or issues that were realized in other court jurisdictions. As a supervising judge not only do, I supervise a section I also have my own caseload of construction law cases. I have been fair in my rulings and always let those who have appeared before me understand why I took the position I did after giving all sides fair opportunities to be heard.

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

I will always be proud of the fact that as the Supervising Judge I managed to navigate the huge workload faced by our foreclosure section when the section had a pending inventory of 82,000 plus cases. We were able to efficiently steer litigants, those in danger of losing their homes, to the various programs that were set up by the Chief Judge to assist defaulted home owners. Mediation and loss mitigation programs as well as referral to state programs that provided funding were also programs that I and the judges utilized in our cases.

I am also proud of the annual trips I made to my high school on the south side of Chicago to speak at the annual career day. There are 8 Cook County judges who graduated from Harlan High School and I am proud to be one of them. To be able to return and address the students on why it is important to concentrate on their education was a rewarding experience for me and I hope that I convinced some to follow my footsteps into the law.

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

I always make known the fact that there are not enough programs or services to assist pro se litigants in representing themselves. The

Illinois Supreme Court has paid more attention to the plight of this class of citizens who sometimes find themselves involved in protracted lawsuits and are not sure how to navigate the courtroom. They cannot afford an attorney. The Supreme Court established a committee during the last few years to create pro se forms that unrepresented individuals can use to file answers or file pro se motions. While these are certainly some help without knowing the effect of the forms they are preparing or knowing what they write down before they file, is not assuring that they are really helping themselves. There should be more focus on convincing the bar as a whole to devote more hours to volunteer their time to assist, explain and perhaps give advice and guidance to those who cannot afford their services. Would like to establish that kind of service in many of our courthouses in the state.

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?

I like to think that I have the highest integrity that one can have being a judge. In each case that is assigned to me I make it a point to carefully read the pleadings to determine if there exists any reason that I should not handle a case. If there is something that I think might be problematic I will advise the attorneys. I give them the opportunity to weigh in on any decision I make. Make no mistake however, if I think that there is an actual conflict of interest or an appearance of a conflict may become apparent, I will recuse myself and send the case to my boss for reassignment. I like to think of myself as being very impartial. I rule on the facts and the law. Where I have some discretion in a case, I will exercise that discretion in a most impartial manner. I review a case and become familiar with the facts. I then will read the law pertaining to that case. Where I have oral arguments on motions, I allow attorneys to fully express their legal argument to me. I research the law and apply it to the facts. I try to "get it right" the first time. Attorneys may be unhappy with a particular ruling I make but they will not question my legal reasoning for making that decision. Finally, I "keep my cool" in the courtroom. I do not let the rigors of "judging" affect my temperament. No matter how obnoxious the litigants or the attorneys may get in my courtroom I maintain an air of decorum. I also will remind the lawyers that they and I are officers of the court and that we should act in that manner. I never let others actions determine how I act. Even when things break down between the attorneys and they begin to act in an uncivilized manner. It is important that I take control of any situation and exercise good judicial temperament.