



Illinois Civil Justice League

Candidate: Arnette Hubbard

Appellate Court, First Judicial District, McNulty Vacancy

1. State the qualifications and experiences that make you qualified to serve on the bench in Illinois.

I have served as Circuit Court Judge of Cook County since 1997, presently in the Law Jury Division. I practiced privately for 25 years and, prior to that, was a staff attorney with the Lawyers Committee for Civil Rights Under Law.

As a Trial Judge in the Law/Jury Division, I preside over the trial of civil jury cases, with a jurisdictional minimum of \$50,000. Types of cases include medical malpractice, psychiatric malpractice, contracts and personal injury litigation arising from premises liability, vehicular accidents, Federal Employers Liability Act, and injuries on the public way. My duties include adjudication of all issues presented – from pre-trial motions and jury selection through return of verdict or settlement – as well as conducting evidentiary hearings and ruling on post-trial motions. Previous duties in the Law Division include presiding over the assignment call, motion call, trial call and prove-up call and adjudication of contested motions.

Appellate Court judges make decisions that affect all of the people of Illinois – individual and corporate. About 65 percent of the Appellate Court caseload stems from criminal matters. I have 15 years experience in the trial and appeal of criminal cases, from misdemeanor to murder, in state and federal courts. I also have 15 years' experience handling civil matters as an attorney and presiding over them in the Law Division at the Daley Center.

In addition, I have served as a commissioner implementing Chicago's cable ordinance, a commissioner of the Chicago Election Board and in leadership positions in bar organizations at the local, state, national, and international levels. These roles have broadened my knowledge of administrative law and public concerns, as well as provided countless opportunities to interact with diverse cultures, interests and governance structures.

2. 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 they make you qualified to serve on the bench.

I have personally adhered to the highest standards for all of those criteria. Understandably – given the adversarial process and thousands of cases involved – some persons dissatisfied with outcomes may take issue with a particular decision. That said, I am not aware of any questions regarding my integrity, impartiality and/or temperament. No deficits have been cited in official reviews of my performance in the Law Division nor at the Appellate Court level. I have a zero backlog. Of the eight cases appealed in the last five years, only one was

overturned – on a question of fact. I have been recognized for my work on numerous occasions by both professional and civic organizations.

3. Describe the case in which you are most proud of your work as a lawyer.

Every case is important to the litigants before the courts. Each is important to me. Some have been fairly simple, such as a rear-end traffic accident resulting in soft tissue injuries with no long-term consequences. Others may stand out because they presented nuanced applications of complex issues of law in interesting factual settings. A single case might involve in-patient care – kind, dosage and administration of medications, as well as staff schedules and observations; questions about admissibility of certain kinds of evidence, expert witnesses, photos/medical records and hearsay; statutes of limitations and more.

4. Name one change you would make in the Illinois court system.

Individual judges are free to make suggestions regarding the system. Change comes through a process likely to include the Administrative Office of the Supreme Court, the General Assembly, input from professional associations and lay people. However, I am alert to and would lend support as appropriate for recommendations offered to improve access to the court, simplifying processes for litigants and incorporating new technology for more effective/efficient delivery of service to both the courts and the public.

5. Are there civil litigation reforms that you would like to see enacted to remedy particular problems that you have detected, either as a practicing lawyer or as a sitting judge? Are there reforms that would benefit the civil justice system? What needs to be changed? Should the enactment of any such changes be the province of the legislature, the Supreme Court or by Constitutional amendment?

As a sitting judge, I am not free to comment on matters that may come before me as a judge on the Appellate Court. I am aware (and keep abreast) of ongoing discussions on a number of matters, such as tort reforms, caps on awards for personal injury, jury reform, access to the courts (e.g., fees, availability of legal representation), and minimum skill requirements for practicing in certain divisions of the court.

6. Do you believe that our judicial system adequately deters and penalizes frivolous litigation? If not, what reforms would you like to see?

Yes.

7. Do you believe the Illinois Constitution precludes legislative establishment of limitations on civil damages? Are there or should there be distinctions among economic, non-economic and punitive damages?

This question may come before the court and is therefore not appropriate for my comment. Also, please see No. 5 above.