



Candidate: Sebastian T. Patti

Appellate Court, First District, South Vacancy

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

I have been a state trial judge for 15 years. For 10 of those years, I supervised six judges within the Circuit Court of Cook County. I have heard cases ranging from civil to criminal, and from juvenile to negligence. I was honored this past summer when the Illinois Supreme Court appointed me to the Appellate Court. Shortly thereafter, I announced my candidacy for the position, which is up for election on 02/02/10. I respectfully submit that the breadth of my judicial experience as a trial judge, and my qualifications as an appellate judge were recognized by the Supreme Court when it honored me with the appointment to the Appellate Court.

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.

Any attorney who avoids bar association reviews or evaluations, and any judge who is timid about being vetted by attorneys has no business in the profession of judging. I was appointed in 1995, elected as a judge in 1996, and retained in both 2002, and 2008. In every single election, I have received the highest marks from every bar association that has reviewed my credentials. I was endorsed by the Chicago Tribune in each of these elections. I have also submitted my credentials to the ICJL on previous occasions.

Rather than critiquing myself, let me quote the Chicago Bar Association (CBA) and the Chicago Council of Lawyers (CCL). In 2009, the CBA, after my appointment to the appellate court, and in finding me "Qualified" for *this* election, wrote that: "Justice Patti has distinguished himself on the bench and is highly regarded for his work ethic, fairness and outstanding demeanor." Similarly, the CCL in 2008 noted that: "Judge Patti is considered to have excellent legal ability and judicial temperament. He is widely respected for his courtroom management skills and is exceptionally knowledgeable and hard working. He is viewed as a leader among judges and a mentor to new judges."

I submit, with all due respect, that the bar associations themselves have determined that I am qualified to fill the position that I currently occupy, and for which I am standing for election.

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

For sixteen years, I was a federal attorney with the US Environmental Protection Agency litigating environmental cases in the midwest. These are legally and technically very complicated cases. Perhaps more than any other case that I

worked on, I am most proud of a pollution case that the United States brought against Wayne County, Michigan, and 10 additional defendants including two collar counties and 8 municipalities. I was very satisfied in working elbow-to-elbow with more than 20 attorneys, a court mediator and the US Judge to fashion a settlement that was agreeable to all litigants, and was protective of the public health and safety. I learned early-on in my legal career that settlements in these kinds of complex cases are advantageous to all involved. As a judge, I have remembered this experience and have tried to effect appropriate settlements whenever possible.

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

I would definitely recommend the expansion of e-filing at *both* the trial and the appellate levels. In my estimation, anything that makes the courts more user-friendly can only benefit the citizenry of Cook County.

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?

I believe that any changes to our system of civil litigation properly rests with the legislature in Springfield. That said, any *review* of such legislative changes to pass constitutional muster remains the province of the judicial branch, ultimately the Supreme Court. I can offer no *specific* changes at this time.

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

In general I think that our judicial system adequately deters and penalizes frivolous litigation. While there is frivolous litigation that is filed, Rule 137 has enough teeth in it to allow for sufficient deterrence. Some judges are reluctant to sanction under Rule 137 and others are only too free with their sanction pen. However, giving the judges discretion, subject to review for abuse, allows enough latitude for them to attempt to do justice between the parties.

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?

Not necessarily. I believe that there are *legal* distinctions among economic/non-economic and punitive damages.