



**Candidate: Mary Katherine Rochford**

**First District Appellate Court, South Vacancy**

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

**Based on my extensive judicial and legal experience, I am a uniquely qualified candidate for the Illinois Appellate Court. For almost nineteen years, I have had the privilege and honor of serving the citizens of Cook County as a trial judge and have gained experience handling a great variety of calls, both criminal and civil. In my current assignment in the Chancery Division, I handle complex civil litigation and have decided a significant number of cases and issues with detailed written opinions. I have a reputation for hard work and impartiality. My experience as a lawyer includes eleven years of litigation experience, primarily appellate litigation. As an appellate lawyer, I developed strong legal writing, research, and analytical skills as well as a love of the study and development of the law.**

2. One prominent Illinois judicial evaluation survey asks attorneys to evaluate candidate in Integrity, Impartiality, Legal Ability, and Temperament. Critique yourself in these four areas as to how they make you qualified to serve on the bench.

**The bar associations throughout my judicial career have confirmed my reputation for integrity, impartiality, legal ability, and temperament. My integrity and impartiality has never been questioned. In 2006, the North Suburban Bar Association presented me with the Judge of the Year Award. To maintain judicial independence, I have made a commitment not to accept financial contributions to my campaign from any individual, business, or political organization. Throughout my career I have pursued continuing legal education as a student and a teacher, have kept up with changes in the law, and have worked diligently to prepare for my cases. I conduct my calls with patience, listen carefully, maintain a safe, secure, and calm atmosphere, and treat all who appear before me with dignity and impartiality.**

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

**I work to be proud of what I do each and every day, with each and every case. I have provided all litigants who have appeared before me throughout my judicial tenure, from traffic court cases to commercial cases, with an opportunity to fully present their positions and to receive just and impartial decisions. I have thoughtfully conducted hundreds of weddings, including weddings done during weekend marriage court**

assignments, and I have presided over stipulated divorces with compassion. I have carefully and patiently handled pro se civil calls and have helped the litigants understand the procedures by, for example, preparing and providing written handbooks. For many years I heard petitions for civil orders of protection with sensitivity. I was proud that my work on this call was recognized by an award from the Evanston/North Shore YWCA in 2007. I am proud of the work I have done outside the courtroom, particularly with traffic safety programs and legal education. I am also proud to have been assigned as a mentor to newly assigned judges.

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

**To reduce the length of time and expense involved in resolving cases, I would consider further expansion of the types of cases heard in the suburban court houses and I would also consider assigning judges to conduct pretrials in hearing civil divisions who were experienced in mediation and settlements.**

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?

**To conserve resources, I believe there should be a greater use of electronic filing and record keeping. To decrease the time and costs of court appearances in many civil cases, there should be an increased use of telephone conferences or electronic reporting on the status of cases. The discovery process should be streamlined and made more cost efficient and should be done in a more professional and cooperative manner.**

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

**Our judicial system does include rules and procedures to safeguard the integrity of the litigation process and to deter litigation that has no legal basis. Complaints must meet strict pleading requirements, including in medical malpractice cases, a requirement of providing affidavits. Complaints are subject to dismissal based on failure to state a cause of action or based on other affirmative matters. Affirmative defenses are available to defeat all or parts of causes of action. Dispositive motions, e.g. motions for summary judgment or motions for judgment on the pleadings, allow for the disposition of cases without the expense and time involved in trial. At trial, the burden of proof is placed on the plaintiff and juries are clearly instructed as to the burden of proof, the elements which must be proved and the standards for determining liability and damages. If the burden of proof is not met or if there is error in the trial, motions for directed verdict or post-trial motions are available. Sanctions may be imposed for violations of court orders, discovery abuses, or frivolous pleadings. The appellate process allows for further review of trial court decisions and the correction of any error. A judge must make sure that all cases are litigated in a just, fair, and**

**proper manner and that all claims and defenses have a good faith and legal basis.**

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?

**These issues are pending before the Illinois Supreme Court and ethically I am unable to comment on this question. I will fully comply with any decision rendered by the Illinois Supreme Court.**