



ICJL 2012 Judicial Candidate Questionnaire

Andrea McNeill

1st Circuit Court Judge (Williamson) – Eckiss Vacancy

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

Licensed in IL and MO. Court approved mediator in First and Second Circuits for many years. Licensed since 1992. Served 8 years in Williamson County Public Defender's Office as a part time public defender in juvenile court, mainly representing the interest of children. Often appointed by the court as a Guardian ad Litem to represent minor children and disabled adults. Maintained a private general civil trial practice since January 1997.

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 would rate myself very high in each category. My integrity requirements for myself are very high. I am well trusted among the local attorneys and community in which I serve as an attorney. I would be impartial without bias and would certainly advise attorneys and litigants if there were any reasons why I shouldn't hear a matter. As a general practitioner you have to maintain a high level of ability in many different areas of the law. My temperament is well suited to the bench. I work well with others and would be able to conduct a courtroom where litigants and attorneys alike would be treated respectfully.

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

I assisted a family in gaining guardianship over a disabled adult sibling. The disabled adult's step son had gained control over the woman and her estate through Powers of Attorney which then lead to financial abuse and general neglect of the adult. We were able to get the Powers of Attorney revoked and gained control over her finances. We immediately obtained a change of residential placement so the person was near family, and was able to save some of her assets for her use and benefit. I attempted to have the Agent prosecuted but was unable to get the Illinois State Police assistance due to state funding issues.

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

I would like to see more use of e-filing in the state court system and in my circuit I would like to see more use of standard forms that could be made available on the circuit court web site for public use.

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 feel like there are certain situations which require quick action to be taken to protect those unable to protect themselves. I feel like the juvenile court system is in desperate need of help in improving the system, which would include a quicker docket. The children are staying in placement entirely too long without a permanent resolution. I believe some improvements can be implemented by the sitting judge, and by circuit court rules. However, for a drastic improvement to be made in the juvenile system, it would require new legislation.

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

Yes. There are penalties, including awarding of attorney fees in certain circumstances, that are currently in place but a judge has to be willing to implement them.

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?

No. Yes, there should be distinctions made among the different types of damages, and I agree that in order to prevail on certain type of damages, such as punitive, there should be required findings that must be met in order to prevail.