



Illinois Civil Justice League

Candidate: William A. Mudge

Third Circuit Court, Stack Vacancy

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

I have been practicing law for nearly 25 years. Having been in the private practice of law in a general practice firm for the majority of that time, handling a wide variety of civil and criminal matters for both plaintiffs and defendants, and having had the privilege of serving the public as state's attorney for the past seven years, I believe I have gained experience, knowledge and the balance required of the bench in both civil and criminal matters. A complete biography may be found at www.madco-sa.org.

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.

Over the past 25 years I have held myself to the highest standards of integrity, impartiality, legal ability and temperament. I received the results of the Illinois State Bar Association's Judiciary Advisory Poll conducted this past December and I am gratified to see that my peers feel the way I do about these qualities. I am "Recommended" and my ratings were high in these categories despite not having previously served on the bench. As a private attorney I earned an "AV" rating from Martindale-Hubbell. Observations of my performance over the years by my peers have earned their confidence in my ability to serve as circuit court judge.

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

It is difficult to name one case. I have won just compensation and vindication for many grateful clients over the years, and sought and obtained justice for many others as state's attorney. I handled a small case very early in my legal career. What it lacked in financial reward, it paid overwhelmingly in experience and accomplishment. Just two years removed from law school I handled a case before the Illinois Supreme Court for Elsie Jackson. She broke her tooth on a pecan shell that was imbedded within a chocolate covered candy. In Jackson v. Nestle-Beich I had the opportunity to obtain a reversal of a trial court decision in the appellate court, and then I successfully argued the case before the Illinois Supreme Court. The decision changed outdated product liability law in the State of Illinois consistent with the advancements in product production.

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

I support efforts designed to fairly reduce the cost and delay that citizens endure with the court system.

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?

When speaking of reform it is easy to imply that the system is broken. Our juries are intelligent, and take their responsibility seriously. Most nations do not have a system where their grievances may be submitted to a jury of their peers. While we should always strive for improvement, we should be mindful that we have a lot to be proud of. If we elect and appoint ethical, impartial, competent and hard working men and women to the bench, everyone will have a fair opportunity to be heard and justice will be served.

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

Yes. Current Supreme Court Rules require an attorney to file a pleading that is "well grounded in fact and is warranted by existing law or a good faith extension, modification or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation." Sufficient sanctions for those who violate this requirement are also provided within the Rules. The adequacy of deterrence and penalty depends upon a judge's willingness to enforce these rules when called upon to do so.

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?

I believe the Code of Judicial Conduct precludes me from answering this question as the issue is currently pending before the Illinois Supreme Court, which provides that judges and judicial candidates "abstain from public comment about a pending or impending proceeding in any court."