



Candidate: **John C. Griffin**

Cook County Circuit Court, Fifteenth Subcircuit, Phelan Vacancy

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

I graduated with honors from the University of Notre Dame and DePaul University, College of Law. I practiced law for 31 years. My practice was general, with a concentration in civil litigation and real estate zoning, development and transactions. Under my leadership, my firm grew from two attorneys and one administrative assistant to six attorneys and eight administrative assistants. While practicing myself, I supervised the other five attorneys. I practiced civil litigation in the state and federal courts, both at the trial and appellate levels.

In March, 2008, I was appointed as a circuit court judge by the Illinois Supreme Court. After spending approximately five months in traffic court, I was transferred to the Mortgage Foreclosure / Mechanics Lien Section of the Chancery Division of the Circuit Court of Cook County. I am one of the ten judges hearing the fifty thousand mortgage foreclosure cases filed in Cook County in 2009. I am the only such judge who lives in the Chicago Southland. The mortgage foreclosure call involves a high volume of cases and includes defaults, self represented parties and complex commercial foreclosures. In addition, I have voluntarily tried three mechanics lien trials and numerous mechanics lien pretrials.

I have been very involved in my community. I served as a trustee of Moraine Valley Community College for six years, including three as chairman. I have been president of Chicago Gaelic Park, a world class not for profit Irish cultural and athletic center for the past eighteen years. I am a member of the Advisory Board of St. Xavier University School for Continuing and Professional Studies. I am a member of the League of Women Voters of Park Forest and a board member of the South Suburban Housing Center.

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.

Integrity: My integrity has never been questioned. I believe interviews with attorneys against whom I have practiced, unanimously have indicated that my word is my bond.

Impartiality: Again, this quality has never been questioned. While serving as chairman of the board of Moraine Valley Community College, the college hired the first African American college president in its history.

Legal Ability: I had a very successful career as an attorney. In all of the cases I handled, I drafted the pleadings and briefs, conducted all discovery, including all depositions, tried the cases and argued the appeals.

Temperment: Perhaps my strongest quality is my temperament. I am very slow to anger. I treat everyone, staff, lawyers and litigants, equally and with respect and dignity.

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

A young woman came to me for a will. During the interview, she told me she had turned over the proceeds of her deceased husband's life insurance policy to a nurse while my client was confined in a psychiatric unit of a hospital. I filed a lawsuit on her behalf in the Chancery Division under a theory of constructive fraud. During the pendency of the case, my client had a severe psychiatric relapse. For her good and the benefit of her minor child, it became necessary to have her declared disabled and her father appointed guardian. I appeared in the Probate Division and opened an estate for her. She was my only witness, and I had to overcome numerous evidentiary issues for her to testify in the Chancery case. We prevailed, and the defendants filed a Chapter 13 Bankruptcy Case. I appeared before the Trustee at the creditors' hearing and unsuccessfully objected. I appeared before the Bankruptcy Judge, and unsuccessfully objected at that hearing. I appealed to the US District Court and was successful. The Debtors appealed, and, the U.S. Court of Appeals, in a case of first impression, set the standard for dischargability in a Chapter 13 Bankruptcy. I appeared in six different tribunals and it was the only bankruptcy case I handled.

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

I would explore the judicial selection process. I would consider merit selection of judges or significant changes to judicial elections including a screening process and limits on spending

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?

We need to seriously look at discovery, and the resulting the length and cost of civil litigation. I have seen discovery abused, both by the party propounding it and the party responding to it. In many cases, the disposition of the case is influenced more by the costs, than by the merits. These changes should be the province of the Supreme Court. In some cases, the rules are in place, but the trial court judges need to enforce them more uniformly.

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

While I read and hear complaints about frivolous litigation, I did not see it to any great extent in my practice. The costs involved in litigation tend to deter frivolous cases. In the one instance where I ran across it, the Court awarded my client his attorney's fees. This case went to the Appellate Court and was affirmed. Therefore, in my experience, the system deterred and penalized frivolous litigation.

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

As a sitting judge, the rules require that I should not answer questions of this nature. Therefore, I respectfully decline to answer.