



ICJL 2012 Judicial Candidate Questionnaire

Gregory Emmett Ahern, Jr.

Cook County Circuit Judge – 6th Subcircuit – Delgado Vacancy

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

I have served as an Assistant State's Attorney with the Cook County State's Attorney's Office for more than 16 years. I am currently a First Chair in the Felony Trial Division where I protect our community by prosecuting murderers and other dangerous felons. I have prosecuted over 1,000 criminal cases, including more than 25 first degree murder jury trials and hundreds of bench trials, providing me with a substantial amount of trial experience to draw from. In addition to my criminal law background I have extensive civil law experience in the area of commercial and residential real estate, and I have provided free legal assistance in these areas and others to low-income citizens of Illinois. My collective experience has provided me with broad and deep exposure to the court system.

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 am known by judges and my peers to be fair, ethical, diligent and to have superior trial skills and legal knowledge. As evidence of my impartiality and character, I am supported not only by my fellow Assistant State's Attorneys but by numerous Public Defenders and members of the Defense Bar. My qualifications don't simply make me a qualified candidate, my knowledge, experience and integrity will allow me to make an immediate, positive impact in any courtroom. In rating me *highly qualified*, the Chicago Bar Association concluded that I am, "highly regarded by lawyers and judges for (my) legal knowledge, experience, fine demeanor and temperament."

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

In 2007, a young woman, Leticia Berrera, was returning home from taking her children Trick-or-Treating on Halloween, incidentally her birthday and while she was pregnant, when she was brutally gunned down in front of her young children by crossfire from a gang shooting. After three years of preparing the case for trial, my partner and I were able to prosecute her brutal murderer and to provide her family with closure. In all of my years as an Assistant State's Attorney few cases have had as much impact on me as this sad story.

I am proud of all parties who participated in the prosecution of this case, from her husband's brave testimony at trial to the Chicago detectives and police officers who investigated the truth. While horrific in many regards, Leticia Berrera's case is a prime example of felony prosecution done for all the right reasons.

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

In order to relieve congestion in our courts, I advocate for more fully utilizing Alternative Dispute Resolution whenever possible. Many other states have used ADR with positive results, and Illinois could also benefit from finding alternative resolutions to many cases in order to free up judges and juries to handle the priority cases in a much more timely manner. If handled properly and in a manner that respects all individuals' rights to due process a greater use of ADR could result in a significantly more efficient judicial 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?

As mentioned above, I am an advocate for an improved Alternative Dispute Resolution process, particularly when used in conjunction with our court system. Though the legislature cannot force ADR, if a legislative amendment were enacted to encourage the use of such a process, we could see true improvements in our currently backlogged judicial dockets.

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

In my opinion, our judicial system as it currently exists does not sufficiently deter or penalize frivolous litigation. While it is important to respect every individual's right to due process we must protect against abuse of the legal system for private gain and personal vendettas. The first step to remedy this issue is to enforce existing sanctions in appropriate situations. While current rules address this problem they are often not properly enforced. Thus we should consider more strict penalties in order to better deter frivolous lawsuits from being filed by lawyers.

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 judicial candidate it would be inappropriate for me to suggest how I would rule on an issue before it comes before my court, but my personal opinion is that the Illinois legislature can limit damages, and it is not precluded by the Illinois Constitution.