



ICJL 2018 Judicial Candidate Questionnaire

Gwyn E. Ward Brown Cook County Circuit Court (10th Subcircuit) – O’Neill Burke Vacancy

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

I have been a Public Defender for over 26 years. I have practiced in every criminal courtroom in Cook County. I have worked on very complex post-convictions, trials, and appeals. I have extensive experience in criminal and civil law.

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.

a. I am honest in both character and deed. I like to say that I am always Gwyn, meaning I don’t change who I am given the circumstances.

b. I am impartial. In my work in collateral remedies, I often have to charge my fellow public defenders with ineffective assistance of counsel. I have not let friendship deter me from my work. It’s all about the client and trying to get them justice.

c. I believe I answered this above. I have extensive legal knowledge and what I don t know, I am willing and able to learn. I welcome a new challenge.

d. My temperament is cool as a cucumber. I rarely react abruptly. I am thoughtful and a great listener.

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

My client s name was/is Alonzo Smith and he was tortured by some of John Burge’s henchmen. I worked years trying to get him justice. It was a battle with the cop-loving judge and a State’s Attorney’s office that was resistant to change. But eventually, with a new judge and a change of guard at the prosecutor s office, Mr. Smith was granted a new trial, all charges were dropped and now he is seeking complete exoneration with the help of Flint Taylor and The People’s Law Office.

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

I would like to see a different system in place for the handling of collateral remedies. I truly believe justice would be better served if these cases were given fresh eyes as opposed to the present system, where the trial judge is reassigned the case.

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?

Post-convictions are categorized as civil so the reform I would like to see is stated in the previous question. Since post-convictions are statutory in nature, I would like to see the legislature involved but I believe the Chief Judge has to power to rework the system to make it more fair.

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

There will always frivolous litigation. I don't believe there are fines that are high enough to deter someone who wants to be heard.

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, there can be limits established. Yes, there needs to be a distinction between the types of damages.