

Chicago Daily Law Bulletin

Volume 158, No. 219

High court finds some stability

Only one justice will face election in next six years

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SPRINGFIELD — Two Illinois Supreme Court justices won big electoral victories Tuesday, potentially paving the way for an era of stability on the seven-person bench.

Justice Mary Jane Theis, who received a high court appointment in 2010, will keep her 1st District seat for the next 10 years, after defeating Cook County Circuit Judge James G. Riley by about 50 percentage points.

The victory for the 63-year-old Democrat ensures her party maintains a majority on the court through at least 2018, barring any unexpected departures or retirements.

Only Justice Lloyd A. Karmeier, a Republican whose current term ends in 2014, faces a retention election in the next six years.

The court's three other Democrats don't hit the ballot again for several years, with Justice Anne M. Burke coming up in 2018 and Justices Thomas L. Kilbride and Charles E. Freeman appearing in 2020.

Theis, who also cruised to victory in a contested primary in March, said the current set of justices ignore any partisan divide on the court.

A healthy respect exists among the group, she said, even when they disagree.

"There are those who like to

pigeonhole people and say we're elected as Democrats and Republicans and, therefore, we must think a certain way," she said. "But if you really look at our cases, that's really not what's happening at all. I'm proud of that non-partisan sense in our court."

In central Illinois, Justice Rita B. Garman won retention and gets another 10-year term in her 4th District seat.

Preliminary vote totals from the district's largest counties showed Garman receiving about 80 percent of the vote — well ahead of the 60 percent needed for retention.

Garman, who turns 69 this month, joined the court by appointment in 2001 and won election in 2002.

When she became a 5th Circuit associate judge in 1974, Garman said, fewer than 10 women served on the bench in Illinois. Thus, she said she finds it especially encouraging that three women now sit on the high court.

"I think it shows that women can achieve," she said. "And hopefully, people realize they can achieve and reach those positions and levels — and artificial barriers won't hold them back."

Garman said she plans to push for the continued integration of technology into the court system during her term. Theis said she wants to work on access to justice issues, developing ways to extend legal services to poorer citizens.



Mary Jane Theis



Rita B. Garman

Ann M. Lousin, a professor at The John Marshall Law School who tracks the high court, said only retirement stands in the way of a period of stability with the panel.

The same party breakdown and personnel seem likely to remain on the bench for the next several years, Lousin said.

"This provides great continuity," she said. "That always happens when you have the same committee. I don't see any major changes in philosophy occurring."

In the Illinois General Assembly, meanwhile, Democrats gained seats in both the House and Senate, further padding their majorities.

A victory for one Chicago Democrat, though, sets up an unprecedented situation at the Statehouse.

Former state Rep. Derrick Smith, expelled by the House in August for his indictment on a federal bribery charge, won

election over a third-party candidate put forward by Democrat leaders.

The state constitution offers Smith a version of double jeopardy protection, stating that "a member may be expelled only once for the same offense."

Christopher Mooney, a state politics professor at the University of Illinois Springfield, said Democrats now face an embarrassment they hoped to avoid.

They could try to find a way to kick out Smith again, Mooney said, but seem more likely to limit his role in other ways, including not assigning him to committees.

"The Democrats are going to try and avoid bringing it up," he said. "They'll let the case run its course, unless they are sort of forced into doing something about it through high publicity in the media or the Republicans bringing it up."