

**Illinois State Bar Association
JUDICIAL EVALUATIONS
2022 General Election**

Candidates seeking election to or retention on the Illinois Appellate and Supreme Courts are reviewed in a comprehensive evaluation process. This involves a detailed background investigation by members of the ISBA Judicial Evaluations Committee-Outside Cook County, followed by an in-person interview of the candidate. The Committee then decides whether to issue a rating of “Yes” or “No” for retention, or a rating of “Highly Recommended,” “Recommended,” or “Not Recommended” for candidates seeking to fill a vacancy. Ratings based on these judicial evaluations are the opinion of the Illinois State Bar Association. Ratings for the Appellate and Supreme Court candidates (outside of Cook County) running in the November 8, 2022 General Election are below.

5th Judicial District, Appellate Court

Includes Circuits 1, 2, 3, 4, 5, 6, 20 and 24. The following counties fall under the Fifth Judicial District: Alexander, Bond, Champaign, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Lawrence, Macon, Madison, Marion, Massac, Monroe, Montgomery, Moultrie, Perry, Piatt, Pope, Pulaski, Randolph, Richland, Saline, Shelby, St. Clair, Union, Vermillion, Wabash, Washington, Wayne, White, and Williamson.

Overstreet Vacancy

	<u>Rating</u>	<u>Narrative</u>
<i>For Appellate Court</i> Mike McHaney	Not Recommended	

5th Judicial District, Appellate Court		
<u>Overstreet Vacancy</u>		
	<u>Rating</u>	<u>Narrative</u>
<p><i>For Appellate Court</i></p> <p>Brian Roberts</p>	<p>Not Recommended</p>	<p style="text-align: center;">Brian Roberts</p> <p>Brian Roberts is a candidate for the position of Appellate Court Justice in the Fifth District of Illinois (now comprised of Alexander, Bond, Champaign, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Lawrence, Macon, Madison, Marion, Massac, Monroe, Montgomery, Moultrie, Perry, Piatt, Pope, Pulaski, Randolph, Richland, Saline, Shelby, St. Clair, Union, Vermillion, Wabash, Washington, Wayne, White, and Williamson counties). Except when a circuit court’s decision may be appealed directly to the Illinois Supreme Court, a person has the right to appeal the decision to the Illinois Appellate Court. The appellate court is organized into five districts, each of which hears appeals from the circuits within that district.</p> <p>The Illinois State Bar Association’s Judicial Evaluations Committee – Outside Cook County evaluates judicial candidates for legal ability, experience, fairness, and judicial temperament, among other qualifications. Brian Roberts was offered the opportunity to participate in the ISBA Judicial Evaluations Committee’s investigation into his qualifications, but he untimely submitted his materials so that an investigation could not be completed. Without the timely cooperation of Brian Roberts, it is impossible for the Judicial Evaluations Committee to fully evaluate his qualifications. Therefore, the Judicial Evaluations Committee – Outside Cook County cannot recommend Brian Roberts for the office of Justice of the Fifth District Appellate Court for the State of Illinois.</p>

5th Judicial District, Appellate Court		
<u>For the retention of</u>		
	<u>Rating</u>	<u>Narrative</u>
<p><i>Appellate Court</i></p> <p>Judy Cates</p>	<p>Yes</p>	<p style="text-align: center;">Judy Cates</p> <p>Justice Judy Cates is a candidate for retention to the position of Appellate Court Justice for the Fifth District of Illinois (now comprised of Alexander, Bond, Champaign, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Lawrence, Macon, Madison, Marion, Massac, Monroe, Montgomery, Moultrie, Perry, Piatt, Pope, Pulaski, Randolph, Richland, Saline, Shelby, St. Clair, Union, Vermillion, Wabash, Washington, Wayne, White, and Williamson counties). Except when a circuit court’s decision may be appealed directly to the Illinois Supreme Court, a person has the right to appeal the decision to the Illinois Appellate Court. The appellate court is organized into five districts, each of which hears appeals from the circuits within that district.</p> <p>Justice Cates was elected to the 5th District Appellate Court in November of 2012 and is completing her first term. Before joining the Appellate Court, she first practiced law as an Assistant State's Attorney for St. Clair County, Illinois. After leaving the State's Attorney's office, she entered private practice, concentrating in complex litigation cases, such as personal injury, class actions, mass actions, sexual harassment, and corporate disputes. Justice Cates was engaged in the private practice of law for 30 years prior to being elected to the 5th District Appellate Court in 2012.</p> <p>The Illinois State Bar Association’s Judicial Evaluations Committee - Outside Cook County has reviewed a written submission by Justice Cates and has interviewed judges, court personnel, and numerous lawyers who know and have worked or practiced with, against, or in front of her. Areas of inquiry and evaluation include litigation experience; legal knowledge and ability; other professional experience or activities; integrity; character; professional and judicial temperament; and health. Justice Cates also presented herself for an interview before a subcommittee of the Judicial Evaluations Committee.</p> <p>The Judicial Evaluations Committee - Outside Cook County recommends a “Yes” for Justice Judy Cates’ retention on the Appellate Court for the Fifth District of the State of Illinois.</p>

Illinois State Bar Association JUDICIAL ADVISORY POLL 2022 General Election

The Illinois State Bar Association Judicial Advisory Poll is conducted electronically and by mail and is sent to all ISBA members in the circuit or district from which a candidate seeks election (except Cook County). Illinois licensed attorneys who are not members of the ISBA, or any Illinois licensed attorney outside the circuit or district, may request a ballot. Opinions expressed in the Poll are those of the attorneys who chose to respond to the Poll and their opinions do not reflect the opinions of the ISBA or the opinions of *all* Illinois attorneys.

Candidates are rated as “Recommended” or “Not Recommended” based on whether respondents agree that the candidate “meets acceptable requirements for the office.” Candidates must receive at least 65% “yes” responses to that question in order to be rated as “Recommended”. Percentage is based on “yes” responses to each question; “no opinion” responses are not included.

5th Judicial District, Appellate Court										
<i>Includes Circuits 1, 2, 3, 4, 5, 6, 20 and 24. The following counties fall under the Fifth Judicial District: Alexander, Bond, Champaign, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, Dewit, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Lawrence, Macon, Madison, Marion, Massac, Monroe, Montgomery, Moultrie, Perry, Piatt, Pope, Pulaski, Randolph, Richland, Saline, Shelby, St. Clair, Union, Vermillion, Wabash, Washington, Wayne, White, and Williamson</i>										
	Number of Responses	Recommended/ Not Recommended	Meets Requirements Of Office	Integrity	Impartiality	Legal Ability	Temperament	Court Management	Health	Sensitivity
Supreme Court Vacancy and Retention										
No vacancies or judges up for retention in the Supreme Court										
Appellate Court Vacancy										
<u>Overstreet Vacancy</u>										
Mike McHaney	210	NR	44.44	59.07	61.88	68.37	41.71	74.74	76.47	55.26
Brian Roberts	138	NR	51.56	61.90	62.60	66.67	69.29	58.47	58.97	77.31
Appellate Court Retention										
Judy Cates	279	R	69.96	69.74	61.94	92.65	70.30	88.76	88.89	88.21

R Recommended NR Not Recommended * Insufficient number of responses ** A scheduling anomaly for this poll prevents it from being considered valid.

Opinions expressed are of those lawyers who chose to respond and not of the Illinois State Bar Association.

Fourth Judicial Circuit <i>Christian, Clay, Clinton, Effingham, Fayette, Jasper, Marion, Montgomery and Shelby counties</i>										
	Number of Responses	Recommended/ Not Recommended	Meets Requirements Of Office	Integrity	Impartiality	Legal Ability	Temperament	Court Management	Health	Sensitivity
Vacancies										
<u>Hartigan Vacancy</u>										
Chad M. Miller	35	R	94.29	97.06	97.06	94.12	96.97	97.06	100	100
<u>Koester Vacancy</u>										
Bryan M. Kibler	54	NR	49.02	51.02	54.90	78.43	76.47	63.04	75.00	71.43
<u>Sheafor, Jr. Vacancy</u>										
J. Marc Kelly	81	R	95.06	97.50	92.50	98.75	95.00	96.20	98.72	93.42
Joshua C. Morrison	**									
Retention										
Doug Jarman	63	R	93.65	95.24	95.24	96.83	95.24	96.83	98.39	95.08
Mike McHaney	75	NR	44.44	55.41	39.19	76.00	45.21	79.45	79.45	48.61
Brad Paisley	37	R	94.59	94.59	94.59	97.30	91.67	91.89	100	94.29
Mark W. Stedelin	46	R	93.48	93.48	88.89	91.11	91.30	91.30	97.83	93.33

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