



Rep. Kay, Evans Introduce Legislation to Require Disclosure of Attorney Contributions Including Procedures for Judicial Recusal

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Edwardsville...Legislation designed to keep judges from serving on cases where they may be influenced by campaign donations from trial lawyers has been introduced by Illinois State Representative Dwight Kay (R-Glen Carbon) and Illinois State Representative Paul Evans (R-O'Fallon).

"The question of fairness in our court system continues to be a concern in Madison and St. Clair counties especially when judges receive thousands of dollars from the very same lawyers appearing before them. Whether the judge was influenced by those campaign contributions or not, it gives the appearance of 'Justice for Sale' and is perceived as a conflict of interest. This reform legislation will remove the concern that campaign donations influence the judicial process," said Rep. Dwight Kay.

House Bill 4098 requires the Illinois Supreme Court to adopt rules requiring attorneys to disclose to the judge and any party to the lawsuit any campaign contributions made to that judge by the attorney or the attorney's law firm. If the contributions exceed \$500 and was within the past five years, the judge must recuse himself or herself from the case upon the motion of a non-contributing party to the lawsuit.

"We must strive to uphold citizens' confidence in our judicial system. Preserving fairness and impartiality in the court system are two cornerstones of this legislation. The measure holds attorneys and judges to a higher standard of transparency which benefits all who enter the system," said Rep. Evans.

Travis Akin, executive director of Illinois Lawsuit Abuse Watch conveyed his membership concerns regarding the legal climate in Madison and St. Clair counties.

"Madison and St. Clair counties were jointly ranked as the nation's 5th worst 'Judicial Hellhole' after a four-year absence from the rankings according to the latest annual rankings released recently by the American Tort Reform Foundation (ATRF)," said Travis Akin, executive director of Illinois Lawsuit Abuse Watch. "ATRF defines a 'Judicial Hellhole' as 'a place where judges systematically apply laws and court procedures in an unfair and unbalanced manner.' The concerns with attorney's contributing large donations to a particular judge are consistent with the many reasons why Madison and St. Clair counties made it back on the 'Hellholes' list. We simply cannot have judges, regardless of their intentions, handing out valuable, future trial slots while at the same time accepting donations from those same firms. I applaud State Representatives Paul Evans and Dwight Kay for their efforts to bring common-sense reforms to our legal system."

Ed Murnane, President of the Illinois Civil Justice League weighed in on Rep. Kay and Rep. Evans proposal.

"It is unfortunate that the judicial system in Illinois has developed such a tainted reputation for real or imagined conflicts of interest that legislation such as this is even contemplated," said Ed Murnane. "But it is, and Representative Kay and Evans are commended for proposing a bill that will prevent outside money -- from either side of the courtroom -- from creating an appearance of inappropriate influence. It will be interesting and enlightening to observe which interests support this legislation and which interests oppose it."