

## INTERMEDIARY PROGRAM RESOLUTION

RESOLVED that the Circuit Judges of the Eighteenth Judicial Circuit Court hereby create an Intermediary Program for purposes of being a liaison between attorneys who practice in the Eighteenth Judicial Circuit and the Judges of that circuit. This program will result in benefits, including the following:

- a. Encouragement of constructive communication between attorneys and judges;
- b. Create a more formal procedure for such communication;
- c. Provide a recognized source of communication between bench and bar that would have the credibility associated with a formalized procedure;
- d. Create an effective way to address communication grievances, whether real or imagined; and
- e. Enhance professionalism.

It is therefore ordered, pursuant to this resolution of the Circuit Judges of the Eighteenth Judicial Circuit Court that the DuPage County Eighteenth Judicial Circuit Intermediary Program be created and shall operate under the following guidelines:

1. The primary responsibility of the Intermediaries will be to receive and deliver any suggestions, criticisms or complaints from lawyers about judges regarding civility or timeliness. Under no circumstances shall this program be used to receive and deliver any suggestions, criticisms or complaints regarding matters under the jurisdiction of the Judicial Inquiry Board or the Attorney Registration Disciplinary Committee or matters involving law, facts or the outcome of specific pending cases.
2. All communications, criticisms, complaints and suggestions made to the Intermediaries in their capacity as intermediaries are considered confidential to the reporter and to the subject of the report. Any reporter may request that his/her name not be disclosed to the Judge about whom the communication is made. The Intermediary shall not be required to keep or maintain any written record of his/her communications or activities, except such general reports that are necessary to meet the annual reporting requirements described in paragraph 7 below. Pursuant to Rule 1.6 of the Rules of Professional Conduct, any information received by an Intermediary in this formal program approved by the Circuit Court in which non-disciplinary complaints against judges or lawyers can be referred shall be deemed to have been received from a client for purposes of the application of the Illinois Rules of Professional Conduct.
3. If it appears that the suggestion, criticism or complaint is required to be reported pursuant to the Illinois Code of Professional Conduct to any regulatory body or commission, the Intermediary shall be free to make such report. However, the reporting of any such conduct of a judge to the Intermediary will not relieve the initial reporter of responsibility to report said conduct to the Judicial Inquiry Board, Attorney Registration and Disciplinary Commission or similar regulatory body, if such a responsibility exists for the reporter.
4. A communication by the Intermediary regarding a member of the Judiciary will initially be disclosed to that Judge and the Chief Judge only. If appropriate, the Chief Judge will notify the Presiding Judge of the Division in which the judge of whom the report has been made serves, as well as the Mentor Judge for that Judge.

5. Three Intermediaries from throughout the Circuit will be appointed by the Chief Judge, with the consent of the majority of the Circuit Judges, for a one year term beginning the first day of January of any given year. The Intermediary must be an Attorney licensed to practice law and in good standing with the Attorney Registration and Disciplinary Commission at the time of appointment. The Chief Judge will pick one Intermediary who practices primarily in the area of criminal law; another who practices primarily in the area of civil law; and a third, who practices primarily in the area of family law. The Chief Judge shall request a list of four lawyers in each practice area be provided by the then President of the DuPage County Bar Association annually in November. Whenever practicable, the Chief Judge shall pick an intermediary in each practice area from that list. The appointment of an Intermediary is renewable from year to year.
  
6. The Chief Judge shall notify the DuPage County Bar Association President and the President of the other local Bar Associations annually of the names of the three intermediaries and how they may be contacted. The Chief Judge's Office shall maintain a roster of intermediaries with contact information and disseminate this information to any attorney or judge who desires to utilize this program.
  
7. The Intermediaries shall report to the Chief Judge on an annual basis, which reports shall give a general evaluation of the position and a summary of the number, type and resolutions of suggestions, complaints or criticisms received during the course of the proceeding year. Specific names of Judges and reporters shall not be included in this report. This report shall be provided to the Chief Judge annually on or before February 1 for the proceeding year.

### **Intermediaries**

Area	Intermediary
<b>Civil Law</b>	Edward Walsh Walsh, Knippen, Knight, Pollock 2150 Manchester Rd., Suite 200 Wheaton, IL 60187 630-462-1980
Alternate:	Robert Jones
<b>Criminal Law</b>	John F. Donahue Donahue, Sowa and Magana 3030 Warrenville Rd., Suite 215 Lisle, IL 60532 630-505-5200
Alternate:	Terry A. Ekl
<b>Family Law</b>	Terence C. Mullen Mullen & Winthers, P.C. 1N141 County Farm Rd., Suite 230 Winfield, IL 60190 630-668-6700
Alternate:	Brigid A. Duffield