

Forward to the Illinois Law Issue

The Honorable Daniel P. Ward

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Recommended Citation

The Honorable Daniel P. Ward, *Forward to the Illinois Law Issue*, 29 DePaul L. Rev. i (1980)
Available at: <https://via.library.depaul.edu/law-review/vol29/iss2/2>

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FOREWORD

*The Honorable Daniel P. Ward **

The quality of the contributors, the character and range of the materials, and the excellence of its editors and staff have given the DEPAUL LAW REVIEW rank as a national review. I am happy that this has not lessened the attention the REVIEW has given to the law and the legal profession of Illinois. Since 1972, the REVIEW has annually presented an *Illinois Law Issue*, devoted to materials primarily of interest to our lawyers and judges. This feature began in 1961, when the REVIEW published a survey of developments in Illinois law from 1950 to 1960.¹ The editors recalled in that issue the purposes for which the REVIEW was founded. One aim, of course, was to create a journal that would give students opportunity to develop skills in legal research, writing, and analysis. The other design was to provide a "useful service to the legal profession and legal scholarship."² The editors and other members of the REVIEW have succeeded admirably in attaining these goals. Each *Illinois Law Issue* has become a valuable resource for practitioners, judges, professors, and students. The articles of the distinguished contributors to this issue make it one of unusual value. I know you will read it with great interest.

Devoting an issue to Illinois materials also calls attention to the vital work being done in state courts. This is important, for at times even professional journals seem to take the performance of practitioners and judges in state courts for granted. The importance of the role of state courts was recently discussed by Justice William J. Brennan, Jr., in a tribute to Justice Walter V. Schaefer upon his retirement after 25 years of distinguished service on the Supreme Court of Illinois. Justice Brennan wrote:

The spotlight is often focused upon the decisions of the United States Supreme Court. Too often, I think, that focus tends to divert attention from the vital role of the state courts in the administration of justice. Actually, the composite work of the courts of the fifty states has greater significance in measuring how well America attains the ideal of equal justice under law for all. It is important to stress that the Supreme Court of the United States has jurisdiction to review only those decisions of state courts that rest on federal law. I suppose the state courts of all levels must annually hand down millions of decisions that do not rest on federal law, yet determine vital issues of life, liberty, and property of countless citizens of our nation. Indeed, the number of state court decisions resting on federal law that have been granted review by the United States Supreme Court has never reached 100 during any of my twenty-three Terms on the Court. The overwhelming number of final and vital decisions upon which depend life, liberty, and property thus are decisions of the state courts.³

*Justice of the Supreme Court of Illinois.

1. 10 DEPAUL L. REV. 231-612 (1961).

2. *Id.* at 231.

As Justice Brennan observed, each year millions of cases are handled in state courts. For example, in the calender year 1978 there were 1,061,405 civil and criminal cases filed in the circuit courts of Illinois. This does not include traffic cases nor 175,454 contract, tort, and tax cases filed in which the *ad damnum* or the delinquent tax to be collected did not exceed \$1,000.⁴

These statistics are illustrative of the incredible volume of litigation conducted in the state court system, and of the system's essential importance in our society.

3. Brennan, *Tribute*, 74 Nw. U. L. Rev. 667 (1979).

4. ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS, 1978 ANNUAL REPORT TO THE SUPREME COURT OF ILLINOIS 112, 130.