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Jurist has 'that quality that every judge' wants

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Growing up the daughter of a steel mill worker, Jennifer Duncan-Brice got used to moving to a new city to follow her father's job opportunities.

But in nearly two decades as a Cook County circuit judge, Duncan-Brice got used to staying put.

When voters elected her to the bench in 1992, Duncan-Brice started in the Law Division. And she never left.

So she's seen plenty of courtroom battles to conclude that lawyers who fight about every motion and trial issue are doing something wrong.

"You've got to be able to give on some things. Everything shouldn't be a battle. And you've got to be able to pick those fights," she said. "It's a short life in the big picture and people shouldn't take it personally. When I rule, I'm not taking it personally. I'm doing what I think is right. And if I'm wrong, you can always appeal me."

At the end of the month, Duncan-Brice will continue to handle disputes, but she won't be in the Daley Center.

The judge who has earned praise from lawyers and judges will retire for a mediation gig on July 29, one day shy of her 60th birthday.

"It's a huge loss," said Associate Judge Michael R. Panter. "She can handle anything."

"She's got that quality that every judge really wants so much — to be trusted and sought after and respected by the lawyers that they want to bring you their cases."

Before calling Chicago home, Duncan-Brice lived in Crown Point, Ind., Cleveland, Pittsburgh and Gary, Ind.

After she graduated from The John Marshall Law School in 1976, she joined the city of Chicago Law Department as an assistant corporation counsel.

She defended the city in federal litigation, representing police officers accused of excessive force and false arrests. She moved to property condemnation cases and represented the city's landmark commission before being promoted to chief and deputy positions in the office.



Ben Speckmann

After nearly two decades on the bench, Cook County Circuit Judge Jennifer Duncan-Brice will retire at the end of the month.

Circuit Judge James P. Flannery Jr. has known Duncan-Brice since they were law students.

"She just has a tremendous work ethic, a great deal of integrity and a lot of common sense," Flannery said. "I remember one of the years when I worked with her at the city as a corporation counsel, she tried more civil cases in the federal court than any other attorney."

"When she was promoted at the corporation counsel's office and put in charge of the Torts Division, part of her job was settling cases. That's something that stayed with her when she got on the bench."

On the bench, Duncan-Brice handles a general calendar call. That means she not only presides over trials for personal injury, medical malpractice and commercial disputes, she also handles pretrial motions and settlement discussions.

One issue that has dominated her caseload lately involves heparin, a drug that prevents blood clots and sparked lawsuits from plaintiffs alleging contaminated doses. She has about 400 heparin cases on her docket

that will be inherited by her judicial replacement.

In the 1990s, Duncan-Brice presided over all the cases involving doctors and medical staff who received anaphylactic shock from wearing latex gloves. All of those cases settled without trial.

When his cases are assigned to Duncan-Brice, defense attorney Joseph A. Camarra said he knows he's getting a judge who will read everything he has filed.

"You know you're going to be dealing with somebody who will work as hard, if not harder, than you are. You know where she stands right from the outset," said Camarra of Cassiday, Schade LLP.

"She's probably the hardest working judge I know. She has her motion call; she has her calendar she follows; she's trying cases and in between all of this, she's pretrying cases," Camarra said. "You know you're going to get a hard working judge. You know you're going to get somebody who understands the law and you're going to get somebody who understands

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when she's being b.s.'d.

"She gives everybody their fair time to state their position but she tends to cut through a lot of the nonsense that goes on in these cases."

Montgomery W. Mackey, a plaintiffs' lawyer at Mackey & Kramer P.C., said Duncan-Brice will make a smooth transition to mediation.

"She's always handled pretrials for cases on her call and she's been able to devote a pretty good amount of time on working on

getting those cases settled. So I think she'll be a good mediator. She's perceived as both the plaintiff's and defense bar as a fair person and a smart person," Mackey said.

The quality that judges need the most, Duncan-Brice said, is objectivity.

"You have to be willing to work and listen to people," she said. "Then you get educated. That's one of the fun things about this job. I don't think a month goes by where I don't learn something. Attorneys educate me. That's why you've got to keep

your mind open and your ears open, so you'll hear something new."

Duncan-Brice has two adult children and is married to Harry L. Brice, a retired Cook County prosecutor. When her judicial days end at the end of the month, she will join Resolute Systems.

"I'm happy for her that she gets to retire," Camarra said. "But it's a bad thing for our system because she's the type of judge that any lawyer would want to have their case in front of."