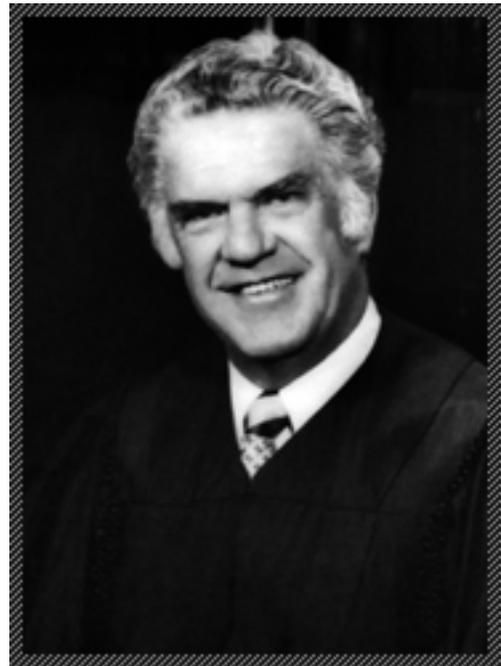


Thomas J. Moran
1976-1992

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Thomas J. Moran was born in Waukegan on July 17, 1920. His forebears were among the earliest settlers in Lake County. He attended nearby Lake Forest College and worked in a local factory and in a theater where he earned twenty-five cents an hour as an usher. World War II interrupted his college work when he enlisted for service in the United States Coast Guard. He returned to the college after the war and received a bachelor's degree in 1947. Attending law school under the post-war GI Bill, he received a Bachelor of Laws degree from Chicago-Kent College of Law in 1950. He was admitted to the bar that same year and entered practice in Waukegan as a partner in the firm of Daly & Moran handling, he said,



“whatever came through the door.”¹ He remained until he was elected Lake County State’s Attorney in 1956.² As State’s Attorney he led an effort to rid Lake County of slot machines.³

His grandfather, Thomas Tyrell, helped raise him after his father left. His grandfather had been chief of police for Waukegan and later was in charge of the Lake County jail, where young Thomas brought cigarettes to the inmates. He claimed that his grandfather started him “on the straight and narrow.”⁴

He began his judicial career when he was elected probate judge of Lake County. He was soon appointed to the circuit court to fill a vacancy. In 1961, he was elected circuit judge for the

Nineteenth Judicial Circuit, which encompassed Lake and McHenry Counties. He was chief judge of the circuit court. In January 1964, the Supreme Court assigned him to the Appellate Court of Illinois for the Second Judicial District. He was elected an appellate judge in November 1964.⁵ As an appellate justice he became active on the American Bar Association's Technology and the Courts Committee that was instrumental in producing the nation's first use of teleconferencing in a judicial proceeding. Counsels in the hearing for the plaintiff and the defendant presented their cases from New York City to a three-judge panel of the United States Court of Claims in Washington, DC. He maintain his interest in technology, and while on the state Supreme Court his knowledge of the appellate process and interest in technology led him to spearhead the court's computerized case-tracking system.⁶

Moran was elected to the Supreme Court in the general election of November 1976. He defeated Democratic candidate Stanley Roszkowski of Rockford after winning the Republican primary election earlier that year by defeating three other candidates. He was elected to the Supreme Court to fill the vacancy created by the resignation of Justice Charles H. Davis. He was sworn in December 6, 1976, and upon his resignation effective December 7, 1992, served sixteen years on the court. He had been retained by voters in 1986. He was Chief Justice for three years from January 1988 to January 1991. He would serve a total of thirty-four years as a judge.⁷

Thomas Moran, better known to his friends as "T.J.", wrote almost five hundred opinions while on the Supreme Court, many dealing with crucial constitutional and public policy issues as well as questions involving legal practice and procedures.⁸ In criminal law, Moran wrote the opinion in the frequently cited *People v. King*, which is often referred to as the "King rule," which holds that a criminal defendant can be charged for only one criminal count when the criminal incident included closely related acts.⁹

He was the author of the opinion in *Alvis v. Ribar*, which the Illinois State Bar Association referred to as “one of the most important decisions in the history of Illinois Civil jurisprudence, in which the court changed the law of contributory negligence.”¹⁰ As far back as territorial days Illinois courts adhered to the common law doctrine of contributory negligence, which held that if a plaintiff contributed to his injury through his own negligence such as crossing an intersection against a traffic signal, he might not be awarded any damages, or often have little room for apportioning damages according to role of the parties involved. Moran’s lengthy opinion, which traced the entire history of contributory negligence, abandoned the doctrine of contributory negligence and instead adopted the doctrine of comparative negligence, a rule under which damages could be apportioned between parties more easily. After Moran’s opinion, Illinois joined thirty other states and the federal government in adopting comparative negligence.¹¹

During his term on the court he did not hesitate to speak out on controversial subjects like his support for merit selection of judges because the current elective system was “fraud and a sham.” He initiated and encouraged seminars for law clerks, served as chairman of the Illinois Courts Commission and on numerous judicial committees and committees for bar associations. He also was a faculty member of New York University Law School and Louisiana State University Law School seminars for judges. As Chief Justice he had the responsibility to oversee the implementation of new rules governing the Attorney Registration and Disciplinary Commission and ethics for lawyers in the Supreme Court’s new Rules of Professional Conduct.¹²

He developed a reputation for being tough on criminals, whether they were perpetrators of white crimes or street crimes. In civil law, where common law tenets drawn from England centuries ago were the basis for the state’s legal traditions, he believed that interpretations

evolved and consequently judges must take such change into account. He said, “If you live long enough, you can change things that strike you as wrong.” In applying that concept he authored some of the state’s most important decisions.¹³

He underwent surgery for prostate cancer in 1991 and retired from the court one year later. He did not publicly credit his cancer as a reason for retiring from the bench. After his resignation he became of counsel to the Waukegan law firm of Brydges, Riseborough, Morris, Franke & Miller. He remained at home as long as possible during his cancer treatment, but died at Lake Forest Hospital on September 14, 1995.

He was survived by Mary Jane (Wasniewski) Moran, his wife of over fifty years; daughters Avis Lannarson, Kathleen Linz, and Jane Smythe; his son, Thomas Moran, plus seventeen grandchildren. There was a funeral mass held at St. Mary’s Catholic Church in Lake Forest followed by interment in the Ascension Cemetery Mausoleum in Libertyville.¹⁴

¹ *Chicago Sun-Times*, December 7, 1987.

² *Ibid.*; “Alumni News and Biographical Footnotes,” *Brief* (Phi Delta Phi), v. 60 (1964-1965), p. 173.

³ *Chicago Tribune*, September 16, 1995, Section 1, p. 15.

⁴ *Ibid.*

⁵ *Chicago Sun-Times*, December 7, 1987; “Tribute to Retiring Supreme Court Justices Clark, Moran and Cunningham,” *Bench and Bar*, vol. 23 Special Issue (October, 1992), p. 6.

⁶ “US Claims Court Uses Long-Distance TV System to Hear Contract Case,” *Judges’ Journal*, v. 14, no. 4 (1975), p. 4; Illinois State Bar Association, *Bar News*, October 2, 1995.

⁷ *Chicago Tribune*, November 6, 1975; *Chicago Tribune*, November 2, 1976.

⁸ “Tribute to Retiring Supreme Court Justices Clark, Moran and Cunningham,” *Bench and Bar*, vol. 23 Special Issue (October, 1992), p. 6.

⁹ *People v. King* 66 *Illinois Reports* 2nd Series 551 (1977).

¹⁰ Ibid.

¹¹ *Alvis v. Ribar* 85 *Illinois Reports* 2nd Series 1 (1981).

¹² “Tribute to Retiring Supreme Court Justices Clark, Moran and Cunningham,” *Bench and Bar*, vol. 23 Special Issue (October, 1992), p. 6.

¹³ Ibid.

¹⁴ 143 *Illinois Reports* 2nd Series xxv-xxix; *Chicago Tribune*, September 16, 1995, Section 1, p. 15.