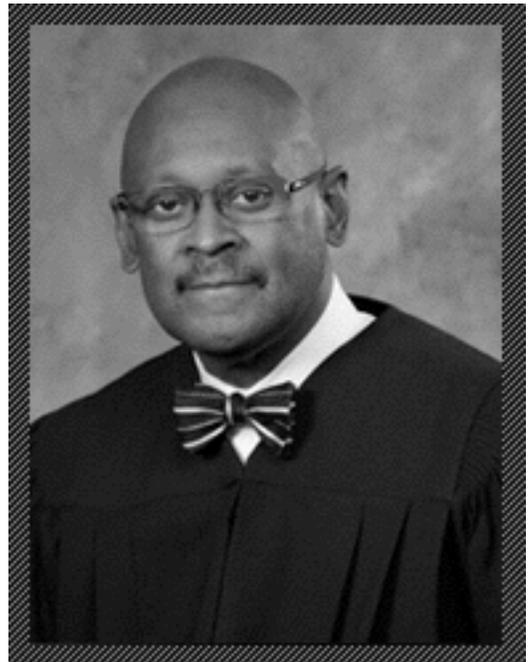


P. Scott Neville Jr.
2018 – Present

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Justice P. Scott Neville Jr. became the second African American to ascend to the Illinois Supreme Court, succeeding Justice Charles E. Freeman. He was born in Chicago and is the son of attorney P. Scott Neville Sr. and Alice Dempsey Neville. Neville was inspired to become a lawyer because his father and his father's brother were both attorneys. His grandmother, Eva Dempsey, was among those who instilled discipline and a strong work ethic in him, and he developed habits, like waking early in the morning to complete unfinished schoolwork, playing sports in the afternoon and studying in the evening. Although Neville enjoyed playing baseball and basketball, he quit his college basketball team after playing only one game because his parents insisted that he excel in academics so he could become a lawyer. Neville's father insisted that he become a great orator, but his mother preferred that he become a great writer.



Neville received his bachelor's degree in history from Culver Stockton College in Canton, Missouri, in 1970, and he earned his law degree at Washington University School of Law in 1973. On May 21, 1974, he received his license to practice law and began his career as a law clerk for Appellate Court Justice Glenn T. Johnson, who was the second African American to

sit on the appellate court in Illinois. Neville observed that Johnson was a mentor who “led by example, which is what great men do. He was a judge who was very influential as counselor and confidant, always willing to offer guidance.”¹

In 1977, Neville began working for Howard, Mann & Slaughter, where he tried his first case with another mentor, George Howard. He began his own law firm in 1981, P. Scott Neville Jr & Associates, which merged in 1990 to become Howse, Howse, Neville & Gray. He argued cases in the United States Court of Appeals for the Seventh Circuit and in the Illinois Appellate Courts, and he practiced law and handled important cases with another mentor, Justice R. Eugene Pincham. One of those important cases, *Barrett v. Daley*, a class action, challenged the Chicago City Council's 1990 remap of Chicago's 50 wards and culminated with a change in the city's map. Former President Barack Obama was also a member of the legal team representing the plaintiffs.

Neville was elected to the Cook County Circuit Court in 2000 and served there until 2004, when he was appointed to the Illinois Appellate Court, First District. In 2012, he ran for election to retain his seat on the Illinois Appellate Court, defeating two other candidates in the Democratic primary. During his campaign, he explained that the moral arc of the universe bends toward justice and he urged voters to support him because he would be fair, impartial, and a “strict constructionist, which means nothing more than applying the same rules in all cases.”² He was unopposed in the general election.

During Justice Neville's tenure on the appellate court, he wrote several significant and noteworthy opinions and more than 20 dissents. In *People v. Sanchez*, he authored an opinion overturning the murder conviction of Jesus Sanchez in the Cook County Circuit Court. Sanchez

had been found guilty of murdering Rafael Orozco, in what appeared to be a gang-retaliation murder in 2013. At the time of the shooting, Sanchez was 18 years old, and after being arrested illegally and after 11 hours of interrogation, he confessed and stated that he fired the gun accidentally. Despite strong evidence that Sanchez was not the perpetrator, the jury found him guilty, and Sanchez was sentenced to 45 years in prison. He appealed the conviction. Justice Neville wrote that “the prosecution did not present sufficient evidence to sustain the conviction” since no one saw Sanchez with a gun and no one saw Sanchez near the spot from which the shot came.”³

Justice Neville also authored the opinion in *Ellis v. AAR Parts Trading, Inc.*, an appeal that resolved important questions arising from two lawsuits seeking recovery for wrongful death and survival act claims on behalf of 113 plaintiffs who were killed when Air Philippines Flight 541 crashed in the Philippines in April 2000. Deciding an issue of first impression in Illinois, the opinion held that defendants are not precluded from filing successive motions to dismiss based on the doctrine of *forum non conveniens*, where an amended complaint includes new factual allegations, theories of recovery, or parties that were not presented in the prior pleading or includes additional case law that had not been decided when the earlier motion was filed. The opinion further held that the circuit court of Cook County did not abuse its discretion in denying defendants’ *forum non conveniens* motions because the balance of the private and public interest factors did not strongly favor transfer of the case to the Philippines.⁴

Another significant case was *Friego v. Silver Cross Hospital & Medical Center*, which reviewed the defendant hospital’s challenge to a jury verdict in excess of \$7 million in a medical malpractice action. The opinion held that the claim of negligent credentialing asserted in the

amended complaint related back to the filing of the original complaint because it arose from the same transaction or occurrence as that asserted in the initial pleading. In addition, the opinion articulated for the first time in Illinois the elements of a negligent credentialing claim based on a hospital's independent, managerial duty to assume responsibility for the care of its patients. The opinion also rejected the hospital's arguments that the Medical Studies Act and the Hospital Licensing Act barred plaintiff's negligent credentialing claim and that the jury was not properly instructed regarding the hospital's liability for plaintiff's negligent medical treatment.⁵

Finally, Justice Neville authored a noteworthy dissent in *People v. Aguilar*. He was the only appellate court justice (13 other justices reviewed the gun statute) on the Illinois Appellate Court, First District, to find that the statute criminalizing the carrying of operable firearms outside the home was unconstitutional because it violated the Second Amendment. Justice Neville opined that the gun statute defeated the core right protected by the second amendment—the right to use firearms for self-defense in public places. Justice Neville concluded that under *District of Columbia v. Heller* the statute sweeps with breadth disproportionate to its legitimate purpose of reducing gun violence and, therefore, was unconstitutional on its face. Justice Neville's 2011 dissent is significant because in 2013, the Illinois Supreme Court ultimately reached the same conclusion and declared a section of the gun statute unconstitutional.⁶

On May 17, 2018, the Illinois Supreme Court appointed Justice Neville to complete the unexpired term of Justice Charles E. Freeman, who retired from the Court.⁷ Justice Neville took the oath of office on June 15, 2018, and began his tenure on the bench during the September 2018 term. In addition to serving as an instructor and judge in the University of Chicago Law School's advance trial practice course for third-year students, he was also a guest lecturer at

Loyola University Law School. Justice Neville cofounded the Alliance of Bar Associations, a diverse group of bar associations evaluating lawyers and judges for judicial vacancies, and is also a life member of the National Bar Association, a member of the Illinois State Bar Association and a member of the Cook County Bar Association, serving as its president from 1997 to 1998. He also served as chairperson of the Illinois Judicial Council, and for more than 25 years has helped fund Cook County Bar Association and Illinois Judicial Council scholarships for law students.

Justice Neville is married to Sharon J. Neville, and they have two stepdaughters.

¹ *Chicago Tribune*, 30 November 2010.

² P.Scott Neville PSA. <https://www.youtube.com/watch?v=DCviT81dT5w>

³ 2018 IL App (1st) 143899.

⁴ 357 Ill. App. 3d 723 (2005).

⁵ 377 Ill. App. 3d 43 (2007).

⁶ 408 Ill. App. 3d 136 (2011).

⁷ Supreme Court of Illinois news release, 17 May 2018.