

Retired chief justice Underwood

By Kenan Heise
and Daniel Egler

Robert C. Underwood, 72, chief justice of the Illinois Supreme Court from 1969 to 1975, died Wednesday, apparently of a heart attack, in his home in Normal. He had served as a judge for 38 years, 22½ of them on the state's top court.

"As a private attorney, public prosecutor and judge, Bob Underwood epitomized the best of the judicial system," Gov. James Thompson said in a statement after learning of Justice Underwood's death. "He combined scholarship with integrity, strengthened by a devotion to justice."

"He was an absolute gentleman," said Richard Dunn, senior partner of the Bloomington law firm the justice worked with after his retirement from the court in 1984. "He was a very kind man, not overly impressed with his own importance. He had a brilliant mind."

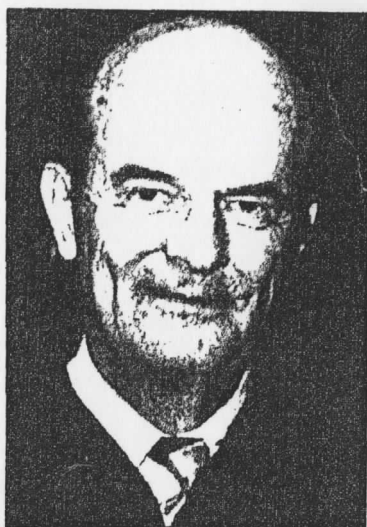
Justice Underwood, a native of Gardner, Ill., was graduated from Illinois Wesleyan University and received his law degree from the University of Illinois.

In 1946 he was elected a Circuit judge in McLean County and held that position until his election to the state Supreme Court in 1962. In his elections to the county bench, he never faced serious competition.

At the Republican nominating convention for a Supreme Court vacancy, he outmaneuvered more prominent candidates and subsequently scored a big victory against the Democratic candidate in the 16-county court district.

Justice Underwood was the first chief justice of the court after the 1970 Constitution was ratified. When he assumed office, the court had been shaken by the resignation of two of its members in a judicial scandal and the death of a third justice.

"Justice Underwood will be remembered for the clarity of his judicial opinions, which were always closely reasoned and well written," said Donald C. Schiller, president of the Illinois State Bar Association. "He was a prudent judge and, as an



Judge Robert Underwood

administrator, he was exactly the right person for the right job when the court was at a low ebb."

Justice Underwood wrote many major decisions during his tenure, including ones on reapportionment, the death penalty, creation of the Regional Transportation Authority, personal property tax and judicial reform.

Justice Underwood's time on the high court marked the longest such service in the court's history, Schiller said. He served as chief justice for two three-year terms.

The high court issued a brief statement saying: "Justice Underwood brought to the court's important duties superb abilities, integrity and industry. He was modest and thoughtful and a delightful colleague and friend. The court will remember him with pride, affection and honor. His long and distinguished service will be long remembered in the profession he served so well."

Justice Underwood was very active in civic affairs in the Bloomington-Normal area, and he received an award from the U.S. Junior Chamber of Commerce for his contributions to the community. The Illinois Welfare Association also cited his work with youth.

Justice Underwood retired from the court Dec. 3, 1984, to spend more time with his family. He had worked at his law practice until 4:30 p.m. the day before he died.

Services for Justice Underwood will be held at 1:30 p.m. Friday at First United Methodist Church, 211 School St., Normal. Survivors include his wife, Dorothy; a daughter, Susan Barcalow; and two grandchildren.