

Mary Ann McMorrow  
1992 – 2006

© Illinois Supreme Court Historic Preservation Commission  
Image courtesy of the Illinois Supreme Court

The first woman to serve on the Illinois Supreme Court, Mary Ann McMorrow attained a number of singular accomplishments in her legal career. A lifelong resident of Chicago's



Northwest Side, she was born on January 16, 1930, one of three children of meat wholesaler Roman Grohwin and his wife, Emily. The Polish-American Catholic family lived in a small house near Addison Street and Central Park Avenue, where her parents, young McMorrow remembered, stressed the value of education. “They wanted us all to go to college,” she said. “Dad would draw up long columns of math figures and have us compete to see who would solve it fastest. Mom was a great admirer

of Eleanor Roosevelt and wanted her daughters to be like her and change the world.”<sup>1</sup>

An accomplished pianist, she attended Immaculata High School and graduated from Rosary College (now Dominican University) in 1950. On the advice of her admiring mother, she enrolled in the Loyola University Chicago School of Law. Although the only woman in the 1953 graduating class, Mary Ann’s male peers elected her class president and associate editor of the *Loyola Law Review*.<sup>2</sup>

After admission to the Illinois bar, she worked for the Riordan & Linklater general practice law firm before joining the Cook County state’s attorney’s office in 1955, where she

became the first woman to prosecute major felony cases. “I especially loved the criminal cases and the jury work. Every kind of crime, from murder to embezzlement, I did them all,” she said. “When you try a case in criminal court especially, you get totally absorbed in it. You get really pumped. But you can’t let that impair your fairness.”<sup>3</sup>

While a prosecutor she met gregarious Chicago Police lieutenant Emmett McMorrow. They married in 1962 and had one daughter. For several years, she practiced civil law from their home in the Edgebrook neighborhood, near her parents’ home.

In 1976, with virtually no political experience, McMorrow ran as a Democrat for Cook County circuit judge. A shy person, she disliked mingling among strangers. “At one event,” she said, “my husband dropped me off at the door while he parked the car. By the time he got back, I simply wanted to go home. I didn’t know a soul in there. But he said, ‘Come on, go in, I’ll help you.’ I had to force myself to do it.”<sup>4</sup> She won the election and was retained in 1982. Three years later, she was appointed to the First District Appellate Court and was elected to the position in 1986.

In the 1992 election to succeed Justice William G. Clark on the Illinois Supreme Court, McMorrow defeated seven Democratic primary candidates and Republican Appellate Justice Robert C. Buckley, becoming the first woman elected to the Supreme Court. In the 1995 case, *Charles v. Seigfried*, Justice McMorrow dissented from the majority opinion against “social host liability” for serving alcoholic beverages to minors. The case involved the estate of Lynn Sue Charles, killed in a drunk-driving accident, against defendant Alan Seigfried. McMorrow termed the no-liability decision for injury and death resulting from minors being allowed to drink to intoxication “an injustice and an outrage. . . . Adult social hosts must realize that there are legal

ramifications, but civil and criminal, to allowing teenage drunk driving. Unless that lesson is taught and learned, we all will suffer the ugly and tragic consequences, whether physical, emotional, social and economic, that are inflicted when minors are permitted to drink and drive.”<sup>5</sup>

McMorrow wrote the opinion in the 1997 *Best v. Taylor Machine Works* upholding the circuit court judgment. Laclede Steel employee Vernon Best suffered injuries when a Taylor Machine Works forklift assembly collapsed as he was moving slabs of hot steel, igniting hydraulic fluid that engulfed him. He filed a product liability action against Taylor, the forklift seller, and the hydraulic liquid manufacturer. In the lengthy decision, McMorrow affirmed the circuit court’s ruling as unconstitutional the 1995 law, which benefited defendants regarding bodily injury death, negligent injury, and product liability. The justices ruled that the law’s \$500,000 cap on non-economic damages invaded the power of the judiciary, in violation of the state’s separation of powers clause, and that the legislation discriminated against seriously injured plaintiffs in favor of those who caused the injuries.<sup>6</sup>

In the 2002 *Happel v. Wal-Mart Stores, Inc.*, McMorrow wrote the opinion that improved drug safety for customers. Heidi Happel sued Wal-Mart after a pharmacist dispensed prescription medicine without informing her that her allergies could cause a negative reaction to the drug. The Court decision required pharmacists to warn customers of known possible side effects from prescription medications.<sup>7</sup>

Unanimously elected to a three-year term as Chief Justice in May, 2002, McMorrow succeeded retired Justice Moses W. Harrison II to become the first woman to head any of the three branches of Illinois government.<sup>8</sup> At her September installation ceremony, McMorrow

outlined an agenda that included legal aid to the poor, speedier child custody cases, elder law initiatives, increased support for young lawyers, and improved public perception of the court system. In addition, “We must always be mindful,” McMorrow said, “that death penalty cases must be subjected to the most severe scrutiny possible.” She advocated legislative changes to limit the cases in which defendants could be subject to the ultimate punishment. In 2000, she had written the *People v. Blue* opinion reversing the conviction and death penalty sentence of Murray Blue for the murder of a police officer. The justices remanded the case for re-trial based on errors and conduct that “deprived defendant of his due process right to a fair trial.” On remand, Blue was again convicted but sentenced to life imprisonment.<sup>9</sup>

In November 2002, McMorrow was retained for a second ten-year Supreme Court term. Named 2003 Person of the Year by *Chicago Lawyer*, McMorrow told an interviewer that “being the first [woman Chief Justice] was never a goal of mine. . . . But I knew that once I was in that position, I had to do my absolute best because it affects every single woman who comes down the line after you.”<sup>10</sup>

During her legal career, McMorrow received numerous accolades, including the American Bar Association’s Margaret Brent Women Lawyers of Achievement Award, Loyola University School of Law Alumni Association’s Medal of Excellence, the John Marshall School of Law’s Freedom Award, the Illinois State Bar Association’s Fellows Award for Distinguished Service to Law and Society, and the Women’s Bar Association Myra Bradwell Woman of Achievement Award.<sup>11</sup>

At the time of her 2006 retirement from the Supreme Court, seventy-six-year-old McMorrow had written 225 majority opinions and 85 separate concurring and dissenting

opinions. Chief Justice Robert R. Thomas credited her with having “shattered gender barriers that for too long kept the law an artificially insular profession. She fought every step of the way, carving for herself a path that that none before had taken but that many since have had the privilege to follow.”<sup>12</sup>

In retirement, McMorrow remained involved in the legal community, serving on the Loyola law school faculty and mentoring women on legal career paths.<sup>13</sup> On February 23, 2013, at age eighty-three, McMorrow died at Northwestern Memorial Hospital from complications of a brief illness. Funeral Mass was celebrated at her Chicago parish, St. Mary of the Woods.

“Through her courage, perseverance, wisdom and character,” wrote Chief Justice Thomas L. Kilbride, “she was a role model for all lawyers, regardless of gender. Her legacy looms large over the Illinois legal system.”<sup>14</sup>

<sup>1</sup> *Chicago Lawyer* (December 2003).

<sup>2</sup> *Chicago Tribune*, 25 February 2013.

<sup>3</sup> *Chicago Lawyer* (December 2003), p. 10.

<sup>4</sup> *Ibid.*, p. 66.

<sup>5</sup> *Charles v. Seigfried*, 165 Ill. 2d. 482 (1995).

<sup>6</sup> *Best v. Taylor Machine Works et al.*, 179 Ill. 2d. 367 (1997).

<sup>7</sup> *Happel et al. v. Wal-Mart Stores, Inc.*, 199 Ill. 2d. 179 (2002).

<sup>8</sup> *Illinois Issues* (November 2002), p. 21.

<sup>9</sup> *Chicago Daily Law Bulletin*, 10 September 2002; *Illinois Issues* (November 2002), p. 21.

<sup>10</sup> *Chicago Daily Law Bulletin*, 5 April 2006.

<sup>11</sup> *Chicago Daily Law Bulletin*, 7 March 2005.

<sup>12</sup> *St. Louis Post-Dispatch*, 6 April 2006.

<sup>13</sup> “Oral History Transcript, Mary Ann McMorrow,” 29 October 2009, McMorrow file, Illinois Supreme Court Historic Preservation Commission, Springfield, Illinois.

<sup>14</sup> Supreme Court of Illinois news release, 25 February 2013.