

2022 Illinois General Election
Questions for Judicial Candidates

(Please Print Legibly)

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DATE_August 22, 2022_____

SIGNATURE_____/s/ Paul J. Evans_____

1. What do you think is the most important task of an Illinois judge? The most important task for an Illinois judge is to focus on the particular individual case before the judge, the facts and the law as applied to that case. Next, to do so accurately. I do not believe a judge should be giving merit, or influenced by, who the parties or their attorney, or their connections, may be. This extends to "causes" that may be involved in a particular case.

2. What does it mean to uphold and defend the Illinois Constitution? A judge upholds and defends the Illinois Constitution by following the law. It is the people, through their elected voices in the Legislature, who determine the law. Judges are not to add or detract from the law, unless the law before them violates the Illinois and the US Constitution. Such instance, for a County Judge, will be very rare. This may be a different matter for a court of review, as compared to a court of first impression on the local level.

Is this oath an objective requirement that you understand how it limits your

behavior? How? I believe it may limit the behavior of a judge. A judge may disagree with the outcome of what happens when the law is applied to the facts in the specific case before the judge. The judge may make note of the disagreement with the law, but not overturn the law.

Give an example of something you might face which would challenge that limit, and how you would respond. I look at the exceptions to the attorney client privilege as one example to respond to this question, which if there is a matter that poses real and immediate risk of harm to an individual, then the confidence may be revealed. I think it unlikely, but if a case, if it were to be decided based upon my understanding of the law applied to the facts, would pose imminent harm to an individual (excluding those cases involving the concept of punishment for a crime), I believe a Judge may need to protect from that harm and deviate. I believe this is to be an uncommon situation for the average county judge in Illinois.

3. Law schools typically teach three methods of Constitutional interpretation: Natural Law, Strict Construction, and Living Constitution. Do you believe all of those to be equally valid? No.

Do you believe any of them to be contrary to an oath to defend the Constitution? The reference to defending the Constitution is a reference to a thing (the written constitution), not an amorphous moving concept (allowing the constitution to mean different things to different people at different time).

Which would you associate with most closely as your own method?

In a general sense, I'm more closely associated with the idea of Strict Construction. The judge may point out issues and invite the legislature to address those issues. Perhaps its from the (short) period of time I spent in the Illinois legislature, but I respect the separation of powers as set forth by the Framers of the Constitution. I do not believe it's the role of a county judge to make the law as that judge determines the law at that time to be.

4. Do you believe that there is a fixed basic standard of moral law that all men know? If so, what do you believe to be the origin of law? I believe moral law developed from a long history and understanding of rules that benefit society, developed from the earliest of times. I believe a major codification of these earliest standards occurred with the set of laws referenced in Judeo-Christian beliefs as the Ten Commandments. There has been millennia of development and refinement of these standards, which led to western society being a free and fair place governed by written rules.

Is it possible to reconcile legal protections for discrimination against women with the concept that gender is not fixed? I do not understand the question you are trying to ask.

It seems like you are asking policy questions, which are for the legislature. If the law

defines what is a woman, and the law defines what is discrimination, then a local judge is to follow it unless there is something which violates the constitution.

Do you believe that the law presumes gender to be fixed? There is an effort to ban discrimination with gender orientation, which implies that gender may be selected by the individual. To the extent that laws ban gender orientation discrimination, then the law does not presume gender to be fixed.

Do you believe it is lawful to redefine marriage to include something other than one genetic man and one genetic woman? Marriage is as the legislature defines it to be. As to legislative choices justifying variation from the traditional concept of marriage, I think the current logic will be strained by future efforts to broaden the scope of marriage further than it has been.

Is gender assigned by God or mankind? I believe a person is born a male or a female.

5. Would it be lawful under the American rule of law for government not to prohibit murder or rape (i.e. not to secure basic unalienable rights to life, liberty and the pursuit of happiness, or those specified in the Bill of Rights)? Assuming the current US constitution is in place, I believe the law prohibits murder and rape.
6. Would no protection under the law be equivalent to equal protection under the law? Explain.
If there is a law that is meant to provide protection, then I disagree with this statement. There may be an effort to treat everyone the same by denying the right to all, but a denial of a right is not neutralized by claiming everyone is equally treated.
7. Judges at the Nuremberg trials were convicted of upholding duly passed laws in Germany. Why? One can not defend based upon following orders/laws if these laws are in conflict with a higher law. Nuremberg referred to international law. The murder of innocent civilians can not be justified by law.
8. We already know you'll appropriately follow precedent, but do you believe that the U.S. Constitution contains a right to abortion? **YES / NO** No, I do not believe the US Constitution contains a right to abortion.
9. I believe that Illinois is required by the 14th Amendment to equally protect all human beings at any location within its jurisdiction. **YES / NO** yes

10. I believe that an unborn child is a human being. **YES / NO** yes

11. Had I been a member of the Supreme Court in 1973, I would have joined Justice White's dissent in Roe v. Wade. **YES / NO** yes

Please mail, email to the address below, email to v.kathy@illinoisfamily.org, or fax to 708-781-9376 no later than August 15, 2022.