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Doctors Applaud Illinois Supreme Court Decision on 6-Person Jury Mandate

High court follows precedent supporting access to 12-person juries

Chicago, IL -- Doctors from the Illinois State Medical Society (ISMS) and ISMIE Mutual Insurance Company praise the Illinois Supreme Court's 5-0 decision striking down an unconstitutional mandate to impose a six-person limit in civil jury size. Both organizations voiced concern over the flawed jury reduction legislation, which passed during the final days of Governor Quinn's administration. The controversial law was considered an outgoing gesture to help personal injury lawyers, because smaller juries are perceived as more favorable to their clients.

"The move to allow six-person juries was misguided from day one," said ISMS President Thomas M. Anderson, MD. He added that "delegates to both the 1870 and 1970 Illinois Constitutional Conventions considered the merit of six-person juries and purposefully deemed them inappropriate for Illinois. If that's not an indication of constitutional intent, we don't know what else could be."

ISMIE Mutual Chairman Harold L. Jensen, MD offered that "the right to a trial before 12 people is an issue of legal fairness. Research has demonstrated that smaller juries have less diversity, are less deliberative and tend to deliver higher than average awards. Forcing the reduced jury composition is in essence a thumb on the legal scales."

ISMS and ISMIE Mutual are proud of our advocacy to lead the effort to overturn this onerous law. Illinois' difficult legal environment got a little bit better today.

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Founded in 1840, ISMS is a professional membership association representing Illinois physicians in all medical specialties, and their patients, statewide. Dr. Anderson is a Chicago radiologist.

ISMIE Mutual Insurance Company is Illinois' leading medical liability insurer. Established in 1976, the company is completely physician-owned and operated. Dr. Jensen is an internal medicine specialist from Frankfort, Illinois.