



Supreme Court of Illinois

January 12, 2026

JUSTICE MARY JANE THEIS ANNOUNCES RETIREMENT FROM ILLINOIS SUPREME COURT *JUSTICE SANJAY TAILOR TO FILL VACANCY*

Illinois Supreme Court Justice Mary Jane Theis has announced her retirement from the Illinois Supreme Court effective January 29, 2026. Justice Theis has served on the Supreme Court since 2010 and retires as one of the most prolific judges in Illinois history, having served in all levels of the judiciary in 40-plus years on the bench. She served as Chief Justice of the Supreme Court from 2022 to 2025. Justice Theis' full statement on her retirement is available [here](#).

"I am deeply grateful to have had the opportunity to serve," Justice Theis said. "It has been my foremost goal to further the Court's mission of providing access to equal justice, ensuring judicial integrity and upholding the rule of law."

The Supreme Court has constitutional authority to fill interim judicial vacancies and has appointed First District Appellate Court Justice Sanjay T. Tailor to fill Justice Theis' seat.

Justice Tailor, whose term is effective January 30, 2026, through December 4, 2028, will be the first Asian American to serve on the Illinois Supreme Court.

"I am grateful to Justice Mary Jane Theis and the other justices of the Illinois Supreme Court for their confidence and trust in appointing me Justice of the Illinois Supreme Court," Justice Tailor said. "I also look forward to continuing the work of the Illinois Supreme Court to ensure that our system of justice serves all people fairly and equitably."

Justice Theis succeeded retired Justice Thomas R. Fitzgerald in 2010, becoming the fourth woman to serve on the high court. The only child of Cook County Circuit Court Judge Kenneth R. Wendt and his wife, Eleanore, Justice Theis was born in Chicago. "When I was in high school," she remembered, "I would go to his courtroom whenever I had an opportunity and watch the proceedings. It was a time when the law was changing very rapidly. He heard a lot of narcotics cases, and it was a time when issues about the Fourth Amendment were not only on the front pages of the newspapers, but also were important cases in the United States Supreme Court, and it seemed so compelling and exciting."

Succeeding Justice Anne Burke as Chief Justice, Justice Theis became the fourth woman to serve as Chief on October 26, 2022, with the goal of “increasing public trust and confidence in the courts.” She added that people will accept court rulings if they believe they were impartially treated. “The perception of fairness is what holds together our communities, our court system, the rule of law, and our democracy.” As Chief, Justice Theis oversaw the establishment of the Illinois Courts Commission as an independent state agency to manage complaints against judges by the Judicial Inquiry Board. She also expanded “judicial education beyond the judges but to all the justice partners so that when people come into our courthouses, they will be met by a clerk of the court that has had the same kind of training.”

Justice Theis oversaw the creation of the Supreme Court Executive Committee on the Practice of Law (Executive Committee). The Executive Committee is charged with making recommendations on issues impacting the practice of law and unmet legal needs. It has proposed and passed numerous improvements, including three that took effect [July 1, 2025](#).

“Justice Mary Jane Theis has had an extraordinary record of service to both the bench and bar. She has served with distinction at all levels of the judiciary including most recently as our Chief Justice. During her tenure as Chief, she was a national leader in addressing the unmet legal needs of those individuals who could not afford legal representation or who lived in areas of the state where legal representation was not available. As Chief, she appointed the first Supreme Court Executive Committee on the Practice of Law whose sole mission was to address the unmet legal needs of Illinois residents,” said Attorney J. Timothy Eaton, who serves as Chair of the Executive Committee. “It was through her leadership that the Executive Committee launched many programs to improve access to legal representation. She also was a student of the law, and her thoughtful and scholarly opinions will stand the test of time. She will be sorely missed.”

Justice Theis authored the opinion in *Rowe v. Raoul*, which declared the law eliminating cash bail in Illinois to be constitutional. Kankakee County State’s Attorney James Rowe filed a lawsuit against Illinois Attorney General Kwame Raoul challenging the constitutionality of the 2021 Illinois Safety, Accountability, Fairness, and Equity-Today (SAFE-T) Act that eliminated cash bail in the state of Illinois. After the Kankakee County Circuit Court declared the law unconstitutional, the Illinois Supreme Court in a 5-2 decision reversed the lower court’s judgment and affirmed the SAFE-T Act’s constitutionality. Justice Theis wrote that “our constitution creates a balance between the individual rights of defendants and the individual rights of crime victims. The Act’s pretrial release provisions set forth procedures commensurate with that balance.”

Justice Theis’ three-year term as Chief concluded in October 2025. As an appellate court justice, she served as a Presiding Justice. She was Committee Chair of both the Committee on Judicial Education and the Committee on Judicial Conduct of the Illinois Judicial Conference, and a member of the Supreme Court Rules Committee. Justice Theis was President of the Appellate Lawyers Association and the Illinois Judges Association, as well as President and founding member of the Illinois Judges Foundation. She has been a member of the Board of Governors of the Illinois State Bar Association and the Board of Managers of the Chicago Bar Association and is a member of the Women’s Bar Association of Illinois.

After graduation from Loyola University in 1971, Justice Theis pursued a law degree from the University of San Francisco. She later said that an internship at the Marin County, California, public defender's office helped shaped her career. Returning to Chicago, she served as an assistant Cook County public defender until 1983, when she began her judicial career as a Cook County associate judge and in 1988 won election as a circuit judge. In 1993, she was assigned to the First District Appellate Court and was elected to the position in 1994, serving for 17 years.

On October 26, 2010, the Supreme Court appointed Justice Theis to fill the Fitzgerald vacancy. "I am humbled by the confidence the Illinois Supreme Court has placed in me," she told the Illinois State Bar Association at the time. "The fact is I love being a judge very much. I love the intellectual part of it. But most importantly, I have an opportunity to shape the law that affects the lives of the People of Illinois."

In February 2012, Justice Theis wrote the opinion in *People v. Wrice*, regarding the 1983 conviction of Stanley Wrice for the abduction, rape, and deviate sexual assault of a Chicago woman. Wrice's attorneys claimed that after his arrest he had been severely beaten into a confession by two Chicago detectives, both of whom worked under Jon Burge, a police lieutenant who was promoted to commander before being suspended in 1991 and fired in 1993 for systematically torturing black suspects. At the trial, prosecutors introduced Wrice's alleged confession, and, although no physical evidence linked him to the crime, he was convicted by a jury and spent the next 31 years in prison.

In 2010, following special-prosecutor investigations of beatings by Chicago police, the Illinois Appellate Court ordered a hearing on Wrice's torture claim. Prosecutors appealed to the Supreme Court. Justice Theis wrote the unanimous opinion, which held that "use of a defendant's physically coerced confession as substantive evidence of guilt is never harmless error. The defendant has satisfied the cause-and-prejudice test for successive postconviction petitions." The ensuing hearing culminated in Wrice's exoneration. At the time of his release from prison, the cases of 25 prisoners convicted in part from coerced confessions obtained by Burge and his subordinates were pending review by the Circuit Court, resulting from the Supreme Court decision.

In March 2012, Justice Theis prevailed in a four-candidate Democratic primary race. In the November election, she easily defeated Cook County circuit judge James G. Riley by about 50 percentage points, earning a full 10-year Supreme Court term. She remarked at the time that the seven justices share a healthy respect and ignore partisan divide. "There are those who like to pigeonhole people and say we're elected as Democrats and Republicans and, therefore, we must think a certain way," Justice Theis said. "But if you really look at our cases, that's not what's happening at all. I'm proud of that non-partisan sense in our court."

In 2016, Justice Theis delivered the unanimous 5-0 ruling in *Mary J. Jones et al. v. Municipal Employees' Annuity and Benefit Fund of Chicago*, which struck down a 2014 state law intended to overhaul two of the city's financially struggling pension systems. The legislation, supported by Chicago Mayor Rahm Emanuel, scaled back retirement benefits, required city workers and laborers to increase their retirement contributions in phases over five years, and lowered annual cost-of-living increases for retired workers. In court filings, attorneys for the City contended that

the pension systems, not the city, had responsibility for paying out benefits to retirees, and that the municipal fund had just 37 percent of the amount needed to pay future retirement benefits, while the fund for laborers held slightly more than 50 percent of the needed money. “The Illinois Constitution mandates that members of the Funds have ‘a legally enforceable right to receive the benefits they have been promised’ – not merely to receive whatever happens to remain in the Funds,” Justice Theis wrote. “The General Assembly and the City have been on notice since the ratification of the 1970 Constitution that the benefits of membership must be paid in full.”

Justice Theis has taught at numerous judicial education programs, as well as conferences and seminars for the ISBA and CBA, and at Loyola University School of Law, Northwestern University School of Law, and the University of Illinois Chicago Law School. She has received various awards, including the Charles W. Daniels Judicial Leadership Award from the National Association of Pretrial Services Agencies (NAPSA) for the Court’s landmark work in supporting the expansion of pretrial services throughout Illinois. Justice Theis has also received the Lifetime Achievement Award from the Illinois Judges Association, Catholic Lawyer of the Year from the Catholic Lawyers Guild, Celtic Lawyer of the Year from the Celtic Lawyers Society of Chicago, the Mary Heftel Hooten Award from the WBAI, and the Access to Justice Award from the ISBA. Justice Theis is the recipient of the American Constitution Society Legal Legend - Honor from the Chicago Lawyer Chapter.

Justice Sanjay Tailor has been a judge for 23 years, sitting on the trial and appellate courts. His appointment today makes him the first Asian American to serve as a justice of the Illinois Supreme Court. He was first appointed to the bench as an Associate Judge in 2003 and won election as Circuit Judge in 2022. He served in five different divisions of the Circuit Court including as Presiding Judge of the County Division. He also served in the Chancery, Law, Domestic Relations and Municipal Divisions. For the last three years he has served by assignment as a First District Appellate Court justice, including as Presiding Justice of his division.

Before joining the bench, Justice Tailor served as an Assistant State’s Attorney in the Cook County State’s Attorney’s Office. He also practiced law as a senior attorney at the First National Bank of Chicago, and associate at Chapman and Cutler LLP.

Justice Tailor is a board trustee of the Illinois Judicial College, the body entrusted with the continuing education and training of Illinois judges and their justice partners. He is a commissioner of the Illinois Supreme Court’s Commission on Access to Justice. He is also a board trustee of the Judges Retirement System of Illinois.

For two decades, Justice Tailor taught a course on Illinois civil procedure as an adjunct professor Loyola University of Chicago School of Law. Justice Tailor earned his Bachelor of Arts from the University of Delaware and received his Juris Doctor with honors from the Loyola University of Chicago School of Law.

He is the President of the Asian American Judges Association of Illinois and a past president of the Lawyers Club of Chicago. His additional professional affiliations include the Illinois Judges

Association, the Illinois Judicial Council, the South Asian Bar Association of Chicago, and the Asian American Bar Association of Chicago.

(FOR MORE INFORMATION, CONTACT: James Brunner, Public Information Officer of the Illinois Supreme Court at 217.208.3354 or jbrunner@illinoiscourts.gov.)