



Supreme Court of Illinois

May 10, 2022

JUSTICE RITA B. GARMAN ANNOUNCES RETIREMENT FROM ILLINOIS SUPREME COURT *JUSTICE LISA HOLDER WHITE TO FILL VACANCY*

Trailblazing Justice Rita B. Garman has announced her retirement from the Illinois Supreme Court effective July 7, 2022. Justice Garman, 78, has served on the Supreme Court since 2001 and retires as the longest serving judge in Illinois. She served as Chief Justice of the Supreme Court from 2013 to 2016. Justice Garman’s full statement on her retirement is available [here](#).

“There is no doubt that I have had the role of a lifetime, a privilege to serve the people of the state of Illinois as a member of the court system at every level,” Justice Garman said. “But this is the right time for me to step back from my public role and allow someone else to assume this all-important position. Thank you for the opportunity to serve the citizens of Illinois.”

The Supreme Court has constitutional authority to fill interim judicial vacancies and has appointed another trailblazing justice, Fourth District Appellate Justice Lisa Holder White, to fill Justice Garman’s seat.

“Rita has been my close friend, mentor, and role model since I joined the bench in 2006. I have so much gratitude for her service to the Illinois judiciary,” Chief Justice Anne M. Burke said. “No words can describe her loss. However, she has provided hope for the future by nominating for her replacement a wonderful woman who will be able to step right into her shoes. It is a pleasure to welcome Justice Holder White to the Court.”

Justice Holder White, whose term is effective July 8, 2022, through December 2, 2024, will be the first Black woman to serve on the Illinois Supreme Court.

“Being appointed to the Illinois Supreme Court is the honor of a lifetime. I am humbled by the confidence Justice Rita B. Garman and the entire Court have placed in me,” Justice Holder White said. “My service to the judiciary for the past 21 years has helped prepare me for this historic moment. I look forward to the privilege of resolving matters my fellow citizens bring before the Court.”

Justice Garman was born in Aurora, Illinois. She graduated valedictorian from Oswego High School in 1961 and earned her Bachelor of Science degree in economics with highest honors from the University of Illinois in 1965, Bronze Tablet, and her Juris Doctor with distinction from

the University of Iowa College of Law in 1968. It was at the University of Illinois where she met her future husband Gill Garman and both went on to graduate from the Iowa College of Law.

Having graduated law school in 1968, Justice Garman found that jobs in law for women were hard to come by. There were no women on either the Illinois Supreme Court or the Illinois Appellate Court, and very few women judges throughout Illinois. She was told by one firm that “no one wants to talk to a woman. No businessperson is going to come in here and share business issues with a woman. We don’t know how we could possibly use you in this firm.”

Justice Garman was able to land a temporary position at the Vermilion County Legal Aid Society and from there was able to serve as Assistant State's Attorney in Vermilion County from 1969 to 1973 and was engaged in private practice with Sebat, Swanson, Banks, Lessen & Garman. In 1974, Justice Garman was appointed an Associate Judge in the Fifth Judicial Circuit, the first female judge in the circuit. She would serve in this role for 12 years until winning election as a Circuit Judge in 1986.

After nearly 10 years as a Circuit Judge of the Fifth Judicial Circuit Court of Illinois, Justice Garman was assigned to the Fourth District Appellate Court in 1995 and was elected by voters to a full term in 1996. She was the first female Justice to serve in the Fourth District. On February 1, 2001, Justice Garman was appointed to the Illinois Supreme Court following the retirement of Justice Benjamin K. Miller and was elected to a 10-year term in 2002.

After being retained for another term by voters in 2012, Justice Garman was elected by her colleagues on the Supreme Court to serve as Chief Justice from 2013-2016, making her the second woman to serve as Illinois Supreme Court Chief Justice, after Justice Mary Ann McMorrow.

During Justice Garman’s tenure as Chief Justice, the Court established the Illinois Judicial College to elevate the professional education opportunities for Illinois judges and staff members of the court system; implemented mandatory electronic filing of court documents to reduce costs and increase efficiency of the court system; completed a pilot project on the use of media cameras in courtrooms and extended the program throughout the state; and created uniform standards and a certification process for problem-solving courts to bring uniformity, accountability, and administrative oversights to drug courts, mental health courts, and veterans courts throughout the state.

Also during her tenure as Chief Justice, Justice Garman and her colleagues twice invited the governor and the entire state legislature to attend special evening sessions of oral arguments. For the first time in over a century, the Supreme Court held proceedings in the evening to enable members of the other two branches of state government to, in her words, have “a window into the work that the Court performs for the people we all serve.”

In her time on the Illinois Supreme Court, two milestone cases – one civil and one criminal – illustrate Justice Garman’s scholarly, analytical, and disciplined approach to judicial decision making. The Illinois Supreme Court initially affirmed the conviction of Roy Caballes for cannabis trafficking, with Justice Garman and two other justices dissenting. During a routine

traffic stop for speeding, a dog sniff of the vehicle had revealed the presence of marijuana. Although the sniff did not prolong the duration of the stop, the majority held that the canine sniff was not justified and that it impermissibly broadened the scope of the traffic stop, turning it into a drug investigation and violating the fourth amendment to the United States Constitution. The State of Illinois appealed to the United States Supreme Court, which held that the dog sniff was not a “search” and, thus, did not violate the fourth amendment.

When the case returned to the Illinois Supreme Court in 2006, Justice Garman wrote the opinion in *People v. Caballes*, which answered the additional question – even if the sniff was permitted by the U.S. Constitution, did it nevertheless violate the Illinois Constitution of 1970? The Court ruled that when a provision in the state constitution is virtually identical to the corresponding provision in the federal constitution, the two will be interpreted in “lockstep” unless the debates and the committee reports of the state constitutional convention indicate that the particular provision of our constitution was intended to be construed differently. Thus, the dog sniff was not a prohibited search and the defendant’s state constitutional rights were not violated. His conviction was, therefore, affirmed.

In 2009, Justice Garman authored the Illinois Supreme Court’s unanimous opinion in *In re Estate of Feinberg*, a case that received national press coverage. Dr. Feinberg, a dentist, had created an estate plan that would have benefited his grandchildren if they married within the Jewish faith, but would have excluded them if they married outside the faith. In litigation among the surviving family members, the circuit court found the restriction unenforceable on the basis that it violated public policy by discriminating on the basis of religion, and the appellate court affirmed. The Supreme Court reversed the judgment and found the so-called “Jewish clause” enforceable because an individual has the freedom to dispose of his property as he chooses.

Among numerous honors, Justice Garman was awarded a Lifetime Achievement Award by the Illinois Judges Association in 2007, was awarded the inaugural Harold Sullivan Award for Judicial Excellence in 2011, was named the 2013 "Person of the Year" by Chicago Lawyer Magazine and was awarded the Myra Bradwell Award from the Women’s Bar Association of Illinois in 2016. In 2017, the Vermilion County Courthouse was renamed the Rita B. Garman County Courthouse by the Vermilion County Board.

Justice Garman is a member of the Vermilion County Bar Association, the Illinois State Bar Association, the Iowa State Bar Association, the Lincoln-Douglas Inn of Court, and the Illinois Judges Association.

Justice Lisa Holder White began her career as an Assistant State’s Attorney for Macon County before going into private practice while also serving as an Assistant Public Defender for Macon County. In 2001, Justice Holder White was sworn in as an Associate Judge in the Sixth Judicial Circuit, the first Black Judge in the circuit. In 2008, she became a Circuit Judge, having been appointed to the position by the Illinois Supreme Court to fill a retirement vacancy, and in 2010, was elected to the position. Judge White was sworn in on January 14, 2013, as the first Black Justice on the Illinois Appellate Court, Fourth District. In 2014, she was elected to the Illinois Appellate Court, Fourth District.

Justice Holder White previously served on and chaired the Illinois Supreme Court Judicial Conference Committee on Education, which is charged with planning and providing continuing judicial education for Illinois judges. She teaches at the bi-annual Education Conference, which all Illinois state court judges are required to attend, and previously served as an instructor for “New Judge School”. In April 2013, Judge White was named "Woman of the Year" at the 2013 Women of Excellence Awards, hosted by the Decatur YMCA and United Way of Decatur and Mid-Illinois. She has also been the recipient of a Lewis University Alumni Achievement Award, the Joe Slaw Civil Rights Award from the Decatur branch of the NAACP, the Illinois Jaycees Ten Outstanding Young Persons Award, the University of Illinois College of Law Black Law Students Association's James Seaberry Award for Excellence, and the Illinois Judges Association Harold Sullivan Award.

Justice Holder White is a member of the Decatur Bar Association, the Illinois Judges Association, the Central Illinois Women’s Bar Association, and the University of Illinois College of Law Leadership Project. She previously served on the boards of the Decatur Public Schools Foundation, the Mid-Illinois Chapter of the American Red Cross, the Community Foundation of Macon County, and Millikin University. She earned her Bachelor of Arts degree, *magna cum laude*, from Lewis University, and her Juris Doctor from the University of Illinois College of Law.

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