

# WEBSTER EGAN MALLEN

## MEDIATIONS

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**CIRCUIT JUDGE DOROTHY FRENCH MALLEN (RET.)**

### **MEDIATIONS/ARBITRATIONS**

Since retiring from the bench, Judge French Mallen has offered her services, expertise, knowledge, skill and patience acquired over 40 years to attorneys and parties seeking a private mediator or arbitrator to reach an efficient, economical and just resolution of their pending disputes.

### **20 YEARS SERVING 18TH JUDICIAL CIRCUIT (DuPage County)**

Circuit Judge Dorothy French Mallen presided over a Civil Courtroom in the 18th Judicial Circuit for close to 20 years. Of those 20 years, the last 13 were spent in the Law Division presiding over an individual call from the filing through resolution. Law division cases are defined as any civil dispute where a count seeks money damages. That would include cases for personal injury, including medical, institutional, and dental professional negligence, property damage, eminent domain, contract and commercial disputes, partnership dissolution, Residential Real Estate Property Act, sex abuse, BIPA (Biometric Information Privacy Act), BIFDA (Beer Industry Fair Dealing Act), Consumer Fraud Act, fraud, estate disputes, product liability, infliction of emotional distress, defamation/slander, premises liability, construction contract disputes, complex business matters, breach of fiduciary duty, wrongful termination, Illinois Wage Payment Act, legal malpractice, architectural malpractice, declaratory judgment and many other tort, contract or statutory civil causes of action.

Judge French Mallen supervised her individual docket from filing the Complaint, through motion practice, discovery, pre-trial/settlement conferences and, if not resolved, conducted either a bench or jury trial. She was committed to assisting the parties and attorneys with a voluntary resolution of the dispute at the earliest possible time. Rather than allowing a case to proceed without any guidance from the Court, Judge French Mallen recommended scheduling a settlement conference as soon as the parties had sufficient information to allow good faith participation. This method presented an opportunity for resolution before the case became too expensive to settle. She was often asked to conduct pre-trials for cases assigned to other judges' dockets. As a senior judge, Judge French Mallen's colleagues would consult with her on complex legal matters.

She has facilitated settlements in more than 1500 cases as a judge, tried to verdict over 225 jury cases and rendered written decisions in multiple bench trials. She has been affirmed by the Appellate Court in over 90% of the cases appealed.

### **AWARDS AND HONORS**

Upon retirement, the 18<sup>th</sup> Judicial Circuit honored Judge French Mallen with an award for judicial excellence. In 2017, the Jury Verdict Reporter recognized her career with the Lifetime Achievement Award. In 2013 she was honored by the DuPage Association of Women Lawyers with the Inspirational Woman Award. In 2009 the Illinois State Crime Commission honored Judge French Mallen with its award for Judicial Excellence and in 2008, she received the Bishop Shield Award.

### **SERVED AS FACULTY ASSIGNED BY THE ILLINOIS SUPREME COURT**

Throughout Judge French Mallen's tenure as a judge, she was asked by the Illinois Supreme Court to instruct other judges in the yearly New Judge Seminar, the biannual Education Conference for Illinois Judges, and free-standing seminars on a variety of civil legal topics.

Judge French Mallen has served as a mentor for new judges and has been a frequent speaker at various bar association seminars and authored numerous legal articles. She has volunteered as the judge at many mock trial advocacy competitions.

### **22 YEARS AS A CIVIL TRIAL ATTORNEY**

Judge French Mallen began her career as a judicial law clerk for Justice Sheldon Brown and Justice Mayer Goldberg in the Illinois 1<sup>st</sup> District Appellate Court. From 1979 to 1996, she practiced as a civil trial lawyer with French Kezelis & Kominarek, P.C., becoming a partner in 1983. In 1990, she accepted the position of Chief Executive Officer and became the first female CEO of a top 100 law firm in Chicago. In 1996, she became the partner in charge of the Lisle office of Hinshaw & Culbertson, a law firm headquartered in Chicago with approximately 425 attorneys located in 11 states and London. Prior to being appointed to the bench, she tried close to 30 civil jury trials and wrote/argued close to 20 appeals.

Throughout her career as an attorney, Judge French Mallen concentrated her practice on hospital and physician professional negligence. She appeared in courtrooms in Cook, DuPage, Will, Kane, Winnebago, DeKalb, and LaSalle counties, as well as the Illinois Appellate and Supreme Courts.

Judge French Mallen understands mediation and arbitration from the perspective of a judge and attorney representing either Plaintiff or Defendant. She is committed to a mutually agreeable resolution of disputes by settlement. If the parties do not wish or cannot settle the case, she is equally adept at scheduling discovery, ruling on motions, conducting an arbitration, reviewing the evidence and the law to arrive at a well-reasoned, fair and just decision.

**To contact JUDGE DOROTHY FRENCH MALLEN to schedule a mediation or arbitration:**

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