

David Levitt Comments on Illinois' Switch From 12- to 6-Person Juries in Civil Trials

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[David H. Levitt](#), a Chicago-based partner in the firm's Business Litigation Practice, was quoted in the article "[Six Angry Men \(and/or Women\)](#)," which was published in the April 2015 issue of *Chicago Lawyer*. Mr. Levitt was interviewed in his capacity as president of the Illinois Association of Defense Trial Counsel (IDC).

The article discusses the Illinois law — to become effective in June 2015 — that will change the law requiring 12-member juries in civil trials to one requiring only six-person juries (unless one party asks for a 12-member jury, the request is granted, and the requesting party pays a slightly higher designated fee). Former Illinois Governor Pat Quinn signed the bill into law as one of his last legislative actions in office. The law, and how it got passed, has gotten increased attention — especially by the defense bar — since it was signed.

Warned Mr. Levitt in the article, "a 'dominant personality' is more likely to control a six-person jury[.]" and "[w]hile a singular strong presence could at times benefit the defense . . . the emotional appeals that plaintiff lawyers often make to juries have a better chance of resonating with one of six people, who will presumably then lead the jury in that direction." He added, "[w]here emotion is less important and facts are more important, we believe the defense will tend to prevail more often than not[.] And even if those arguments against the law don't persuade, there's always the politics of how it was passed. Governor Quinn was leaving office. They have a short window, and this is what they picked. That should tell you volumes[.]"

Mr. Levitt is an experienced trial lawyer who focuses his practice in a number of distinct areas. His primary practice is intellectual property, with wide experience in insurance, commercial litigation, products liability and trucking.

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