

**CURRICULUM VITAE  
MICHAEL POLELLE**

**EDUCATION:**

HARVARD LAW SCHOOL, Cambridge, MA, J.D., June 1963  
Class Rank: Upper Half  
Activities: Achieved Quarter Final Moot Court Rounds

THE JOHN MARSHALL LAW SCHOOL, Chicago, IL, LL.M. (Honors)  
Intellectual Property, June 2000  
Honors: With Honors

FRED LANE TRIAL PRACTICE COURSE, Chicago, IL, Sept. 1988-June 1989

FULBRIGHT SCHOLARSHIP, Christian-Albrecht University, Kiel, Germany, June 1959-June 1960  
Studies: Comparative Law

LOYOLA UNIVERSITY, Chicago, IL, B.A. (Honors) June 1959  
Class Rank: Second in Class  
Activities: Debate Scholarship, Blue Key Honor Society, and Drama Club

**EXPERIENCE:**

THE JOHN MARSHALL LAW SCHOOL, Professor, 1975-present  
Chicago, IL

Duties: Teaching tort law, evidence and Civil Rights seminar. Taught trial practice, First Amendment seminar and constitutional law. Created and directs annual Media Law Symposium and Parma, Italy summer comparative law program. Appointed chair of Braun Lecture Committee, 2000 (budget of \$20,000). Elected chair of Faculty Executive Committee, 1998-99.

ARBITRATOR, Cook County Mandatory Arbitration Program and American Arbitration Association, 1990-present

PROFESSOR-REPORTER, Illinois Judicial Conference, 1977-present

Duties: Periodic appointment to conferences on tort law, professional negligence, and civil procedure. Appointed to 2001 conference on professional negligence.

SPECIAL COMMISSIONER, Hon. Suzanne Conlon, Federal Court, Northern District of Illinois, 1990-present

Duties: Part-time position requiring the management and execution of mortgage foreclosure sales in northern Illinois.

DEPAUL COLLEGE OF LAW, Professor, 1969-1975  
Chicago, Illinois

Duties: Teaching torts, trial and appellate practice, and legal research and writing. Organized and supervised 711 misdemeanor appeal program with Cook County Public Defender.

SPECIAL ASSISTANT STATE'S ATTORNEY, Summers 1972-1975  
Cook County, Criminal Appeals

Duties: Preparation of about 50 briefs  
Honors: Certificate of Service

HERBERT L. CAPLAN LAW OFFICE, 1966-1969

Chicago, Illinois

Duties: House trial and appellate lawyer for Liberty Mutual Insurance Co. Tried about 30 jury cases and took numerous depositions. Offered position of head of Chicago office.

COOK COUNTY DEPARTMENT OF PUBLIC AID, 1964-1966

Chicago, Illinois

Duties: Legal investigation of fraud cases and trial preparation, including interviewing and witness statements.

LEVIN AND UPTON LAW FIRM, 1963-1964

Chicago, Illinois

Duties: Litigation, including research and discovery preparation.

**AWARDS:**

2001 Distinguished Service Award, The John Marshall Law School Alumni Association

**BAR ADMISSIONS:**

Illinois; federal district courts for Northern and Southern Districts of Illinois; Seventh Circuit Federal Court of Appeals; United States Supreme Court.

**MEMBERSHIPS:**

Chicago Bar Association; American Bar Association; Illinois Trial Lawyers Association; American Trial Lawyers Association.

**PUBLICATIONS:**

Illinois Tort Law (with B. Ottley and R. Lasso) (Supp.) (Lexis Nexis/Matthew Bender 2008).

"The Admissibility of Other Misconduct in Civil Cases," \_\_\_ Ill. B. J. \_\_\_ (2009 forthcoming).

Illinois Tort Law (with B. Ottley and R. Lasso) (3d. ed.) (2006).

Co-author, ILLINOIS TORT LAW (Lexis Nexis: Matthew Bender 2003). This tort treatise is updated annually.

"The Death of Dying Declarations in a Post-Crawford World, 71 Mo. L. Rev. 285 (2006). Cited by Wisconsin Supreme Court in *State v. Jensen*, 299 Wis.2d 267, 727 N.W.2d 518 (2007).

"Neutral Reportage Privilege" *in* Encyclopedia of American Civil Liberties (Routledge Press 2006).

"Proposed Model Statute on Group Defamation," 110 Penn. St. L. Rev. 717 (2006).

"Racial and Ethnic Group Defamation: A Speech-Friendly Proposal," 23 Boston College Third World Law Journal 213 (Spring 2003).

"Who's On First, And 'What's A Professional?'" 33 University of San Francisco Law Review 205 (Winter 1999).

"Best v. Taylor Machine Works: A Resounding 'No' to the Tort Reform Act," 86 Illinois Bar Journal 130 (March 1998). Reprinted in 22 Southern Illinois Law Journal 825 (Summer 1998).

"Is the Natural Accumulation Rule All Wet?" 26 Loyola University Chicago Law Journal 631 (Summer 1995).

"Accountants' Privity Shield: An Illinois Mistake?" 38 DePaul Law Review 685 (1989).

"In Batson's Wake" Vol. 15 No. 2 Barrister Magazine (Summer 1988, p. 53.

ABA Journal, Book Review, Libel and Privacy – The Prevention and Defense of Litigation, Feb. 1986, p. 70.

"An Illinois Choice: Fossil Law Or An Action for Promissory Fraud?" 32 DePaul L. Rev. 565 (1983).

"The Guilt of the Innocent Construction Rule in Illinois Defamation Law," 1 Northern Ill. L. Rev. 181 (1981). Cited in Chapski v. Copley Press, 92 Ill. 2d 344, 349, 442 N.E.2d 195, 197 (1982).

"Change of Venue for Judicial Prejudice," 60 Chi. Bar Record 112 (1978).

"The Unconstitutionality of Art. I Sec. IV of the Illinois Constitution," 11 John Mar. J. Prac. & Proc. 259 (1978).

"A Puzzling Discrepancy: Illinois Civil and Criminal Post-Trial Motion Procedure," 58 Chi. Bar Record 144 (1976).

"Strict Tort Liability and Foreseeability: The Odd Couple of Tort Law," 8 Rutgers-Camden L.J. 101 (1976).

"Conflicts of Law – One Inch Forward, A Half Inch Backward," 24 DePaul L. Rev. 320 (1975).

"Illinois Family Immunity: The Unequal Protection of Junior," 55 Chi. Bar. Record 219 (1974).

"Environmental Law: The Law of the Courts," 23 DePaul L. Rev. 303 (1973).

"The Illinois Environmental Protection Act: Constitutional Twilight Zone of Criminal and Civil Law," 61 Ill. B.J. 584 (1973).

"Contribution Among Negligent Joint Tortfeasors in Illinois," 1 Loyola U. Chi. L.J. 267 (1970). Cited in Skinner v. Reed-Prentice, 70 Ill. 2d 1, 6, 374 N.E.2d 437, 439 (1978).

"Collective Bargaining and the Public Employee: Coherence or Chaos," 48 N. Dakota L. Rev. 41 (1971).

I have also published several minor articles in 1971 or earlier in the DePaul Law Review, the ABA Journal and the Justinian Law Journal.

Editor and columnist of Illinois Tort Report (monthly newsletter) from July 1987 – July 1988. The publisher was Edwin Armstrong, 77 W. Washington St., Suite 1717, Chicago, IL (312-236-1336). The publication is now defunct.

## **LANGUAGES:**

Italian (advanced writing, reading and speaking); German (some reading)

## **PUBLIC SERVICE:**

Little City Foundation Parent Group (Home for mentally disabled)

Judicial Candidate for Judge of the Cook County Circuit Court

"Recommended" by Chicago Bar Association (May 16, 1977): Republican Candidate

"Qualified: by Chicago Bar Association (Feb. 24, 1991)

Judicial Candidate for Associate Judge of Cook County Circuit Court  
"Recommended by Chicago Bar Association (Aug. 11, 1977): Republican Candidate  
"Qualified: by Chicago Bar Association (May 30, 1986)  
"Qualified" by Chicago Bar Association (May 25, 1989)