

CRAIG TOBIN

Helping Those Who Need Someone to Believe in Them

by Olivia Clarke

When deciding what type of lawyer to become, Craig Tobin realized he could not send people to jail. He would rather be on the side that helps people avoid that conclusion.

While attending IIT Chicago-Kent College of Law, the Cook County public defender's office hired him as a clerk in 1978, and in 1980, he became a lawyer there.

"I realized that most of the people you meet when you are a public defender are people that society for the most part had abandoned," Tobin says. "There is a special joy in being able to turn around and help people like that and say, 'If nothing else, you are going to meet the one person who is going to try to get you a fair shake. You learn that not everybody is banging a drum against you. Someone is banging a drum for you.' I found it very rewarding and it was one of the most rewarding things you can do in your life."

Today, the 57-year-old owns **Tobin & Muñoz LLC**, a seven-lawyer firm he helped found in 1985 that handles national and international business matters involving transactions/governmental affairs and tort, criminal, and commercial litigation.

Those who know him describe his commitment to "the little guy." He describes his clients as those who society often gives up on or who juries may not initially trust.

Born on the southeast side of Chicago to an Irish family, his mother worked as a schoolteacher and his father owned a company. His older brother became an attorney and his middle brother became a minister. At the dinner table, "We talked about everything you weren't supposed to talk about in polite company. Don't talk about religion or politics. In our house, that's what we talked about."

Tobin's grandfather worked as a lawyer, which influenced his early career path. He played catcher on the college baseball team, but when he realized he wouldn't play professionally, he pursued law. "I thought (baseball) was very developmental in my life. It taught me that you could have a great day and still lose. As a trial lawyer, you have to think in those terms sometimes."

Building His Own Firm

He worked in the public defender's office's Murder Task Force for five years, finding the

experience fun and trying. He worked long hours, often taking files home and staying up until 2 or 3 in the morning to study them.

"I tried cases for millions and millions of dollars, and it doesn't involve the same issues," he says. "When you are dealing with life-and-death issues, it can wear you out after a while but there is nothing like it. I had a lot of high-profile cases in that office. I don't think you can do it forever. It's a very trying experience if you



do it right. I did it for five years, and then it was time to go."

He knew and admired Judge Robert J. Collins, and when he planned to leave the public defender's office, Tobin asked him to join him in creating a firm. Other lawyers asked Collins the same question, and he declined. But he took Tobin up on the offer.

"He was a great judge to try cases in front of," he says of Collins. "The Chicago Council of Lawyers said he was the standard by which all other judges were measured. It was a blessing to go into practice with him. He was the beginning of a great series of partners."

In 1985, they formed Craig Tobin & Associates with rented office space from a former public

defender. They handled civil cases, and as the firm expanded, they brought in other partners. George Muñoz eventually joined the firm and the firm opened an office in Washington, D.C. Tobin's wife, Paula Fuller Tobin, left Hinshaw & Culbertson LLP in 2000 and joined Tobin's firm.

Collins died in 1997 and left behind a great legacy at the firm.

"Everyone who met (Collins) said he had a sense of integrity that you see in very few

human beings," Tobin says. "He was honest and straightforward and a little old-fashioned."

Bringing Life to the Depths of Death

George Muñoz says he and Tobin complement each other in terms of their practices. Muñoz handles international and corporate law, while Tobin handles complex litigation.

But they find their practices converge when working on matters involving the Federal government. Their Washington D.C. office permits them to tap into the relationships that Muñoz established during his service in the Clinton administration, he says.

Muñoz met Tobin when he asked Tobin to take a litigation case that most people

considered dead. He resurrected the case and won. “He takes cases that look like they are dead and gives them life,” he says.

“When I think of Craig, I think of the Lazarus story,” says Muñoz, former president of the Chicago Board of Education. “When sometimes people think a case is not going anywhere, he brings it out of the depths of death and brings it to life.”

Tobin often works similar hours to those he worked in the public defender’s office. He’ll take home a banker’s box full of notebooks and stay up until the early morning making sure he’s resolved anything in his mind from his day in court.

“You can say you are prepared, but it is kind of like war. After the first smack or hit everything shatters and everyone has to get moving,” he says. “To me, that night after each day is significant because it allows me to assess where we’re at, what’s changed, and what we have to do. It sure beats driving a truck.”

At the time of the interview, Tobin was getting ready for two trials. He likes to get his exhibits ready and will meet with the graphic designers about 60 days out to make sure the exhibits work.

Juries, he says, like visuals and the stronger the exhibits often the more credible the case seems. And part of his job often involves creating that credibility for his clients.

Presenting Clients as People

“A lot of times, I may be representing unpopular figures,” he says. “It’s a tough climate for politicians to be on trial in civil cases, let alone criminal cases. I’m always trying to think, ‘How do I present these individuals as people?’”

For example, in *Fegan v. Reid*, he obtained a seven-figure verdict for a city traffic supervisor, Jacqueline Fegan. Fegan sued four Chicago Police Department officers—Denis Doherty, Michael Drew, Richard Reid, and James Young—related to a May 18, 2006 incident in which she was arrested for jaywalking.

After a three-week trial, a jury found in Fegan’s favor and against Reid on Fegan’s unlawful seizure, excessive force, and intentional infliction of emotional distress claims. Reid, Doherty, Drew, and Young were found liable on Fegan’s federal and state conspiracy claims. The jury awarded Fegan \$1.553 million in compensatory damages.

In *People v. Mearday*, he obtained jury acquittal in a case involving Jeremiah Mearday, a black man beaten by the police and then videotaped by various news organizations in the hospital showing his injuries.

Two officers involved in the beating were the subject of hearings and fired. Shortly after their dismissals, Mearday was re-arrested and

accused of felony battery on three police officers and felony drug possession. Police claimed they found illegal narcotics in his shoes and he had engaged in violence against them. Tobin again successfully represented Mearday in *Mearday v. City of Chicago, et. al.*

Justice James R. Epstein worked with Tobin in the public defender’s office on the Murder Task Force. They handled between 20 and 30 cases at a time and “great camaraderie” existed in the unit, Epstein recalls. They stayed in close contact, and when Epstein went to the bench, he passed the first *Mearday* case to Tobin.

“He was one of the true stars of the Murder Task Force,” Epstein says. “He was tenacious. His preparations for cases and investigations of cases were exemplary and he wouldn’t back down no matter what or who was against him.

“There was one case (*Mearday*) in particular that I went right to Craig with and said, ‘This is something that I really would entrust easily to only you.’ I felt like this was the most difficult case to walk away from as I went on the bench. After some consideration, Craig said he’d do it.”

Tobin often gives off a “crusty, tough guy demeanor,” Epstein says, but “inside that crusty exterior, there is a great heart. He is someone who really exemplifies the spirit of a lot of former public defenders and current public defenders, that is someone who will stand up to bullies and give a voice to the underdogs.”

Tom Demetrio of Corboy & Demetrio P.C. respects how Tobin handled the *Mearday* case.

“He does something that all great lawyers do and that is he listens,” Demetrio says. “He doesn’t jump to a course of action. He contemplates. He analyzes. He does all things a good lawyer should do.

“He’s big time in favor of the little guy. He takes on causes that others may say why bother. He is not a zealot. He is not off the wall. He is passionate.”

When Tobin isn’t practicing law, he swims every day and spends as much time as possible with his wife and their two children, 17-year-old Connor and 15-year-old Brennan. He enjoys seeing his sons play sports and watching baseball together.

“I think I’ve survived many things in life based on my sense of humor,” he says. “I see every day out of every innocent circumstance comes very dramatic things that destroy people’s lives, upsets or ruins people’s families. You end up seeing a lot of that. I think to survive that I had a sense of humor to begin with and you use it.

“I’m serious about what I do. I feel I have a moral obligation. I was brought here to better their lives somehow to get them out of the problem or try to find a solution for them. It is my responsibility to shepherd that ship home one way or another.” ■