

2008 Joseph E. O'Neill Award Acceptance Speech

Honorable Anne M. Burke

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SPEECH

THE HONORABLE ANNE M. BURKE

2008 JOSEPH E. O'NEILL AWARD RECIPIENT*

INTRODUCTION BY MATTHEW J. MITTEN**

The Joseph E. O'Neill Award was established by the O'Neill family, the law firm of Davis & Kuelthau, S.C. and the National Sports Law Institute after Mr. O'Neill's untimely death in 1992. This award is given annually to an individual in the sports industry who has made a significant contribution to the field and done so while exemplifying the highest ethical standards. Past recipients of the Award include: 2007 - Frank DeGuire (L'60) (Dean Emeritus, Marquette University Law School); 2006 - Richard Berthelsen (General Counsel, National Football League Players Association); 2005 - Michael Cramer (L'78) (Chief Administrative Officer of Pinnacle Foods Corp., a partner in C. Dean Metropoulos & Co., and formerly Chief Operating Officer of Southwest Sports Group); 2004 - Michael Marcil (L'85) (Commissioner, North Central Conference); 2003 - Robert DuPuy (Chief Operating Officer, Major League Baseball); 2002 - Michael Slive (Commissioner of the Southeastern Conference); 2001 - Martin J. Greenberg (L'71) (Managing Director, ScheerGame Sports Development, LLC) and Charles Mentkowski (L'48) (Professor Emeritus, Marquette University Law School); 2000 - Wendy Selig-Prieb (L'87) (former President and Chief Executive Officer, Milwaukee Brewers Baseball Club); 1999 - Daniel R. Doucette (President and Principal Owner, Milwaukee Rampage, and President and Chief Executive Officer, Milwaukee Mutual Insurance Company); 1998 - Charles W. Mulcahy (L'62) (Whyte Hirschboeck Dudek SC, and President, Milwaukee Tennis Classic Foundation); 1996 - Joseph E. Tierney, Jr. (attorney for the Bradley Foundation and Milwaukee Admirals); 1995 - Brian Burke

* This Award was presented to Justice Burke during the National Sports Law Institute's Annual Awards Banquet at the Hilton Milwaukee City Center on Friday, April 25, 2008.

** Professor of Law and Director, National Sports Law Institute, Marquette University Law School.

(Vice President and Director of Hockey Operations for the National Hockey League); 1993 - A. Jackson Mills (President, Ascent Sports Management, Boulder, Colorado).

The 2008 O'Neill Award recipient is the Honorable Anne Burke, a justice of the Illinois Supreme Court. One might initially wonder why an Illinois Supreme Court Justice is being honored with this award. But after I tell you about Justice Burke's efforts to make sports participation opportunities available to all members of society and her contributions to the dynamic field of sports law, I am sure everyone will see why she is a well-deserving recipient of the O'Neill Award.

Several months ago, I read an article in the *Chicago Tribune* about the City of Chicago's efforts to host the 2016 Olympic Games, an international sports competition well known to all of us. This article also discussed another equally important international sports competition that arose out of the compassion, creativity, and persistence of a 21-year old physical education teacher with the Chicago Park District who volunteered to work with mentally retarded children in 1965. Forty-three years ago, Anne Burke introduced Chicago to the abilities of mentally retarded and learning impaired children by developing athletic competitions for them. At that time our country did not recognize that those with disabilities also had abilities, or that they could enjoy and benefit from athletic participation as much as others. She nurtured this athletic competition into an annual event and founded the Chicago Special Olympics in 1968, which grew to become the International Special Olympics that now has participants from more than 160 countries. As a result, the world now recognizes and better appreciates the talents of these members of our society.

Founding the Special Olympics is only part of Anne Burke's lifetime devotion to public service. Throughout her life, she has focused on serving as a children's advocate and endeavored to provide a voice to society's most vulnerable citizens. After earning her B.A. in Education from DePaul University and graduating from Chicago-Kent College of Law, Illinois Institute of Technology in 1983, she began a neighborhood law practice that included representing the interests of children and families in cases involving issues of neglect, abuse, delinquency, and parental custody. She has written extensively about children, the disabled and ethical leadership. Throughout her career, she has served on numerous boards and foundations including Special Children's Charities and the Caritas Foundation, the Persons with Disabilities Fund Board of Advisors, and the St. Rose School for the Mentally Disabled. Justice Burke has also received significant recognition and several awards for her many achievements, including Chicago-Kent College of Law's Distinguished Service Award, the Catholic Lawyers Guild of Chicago's

Lawyer of the Year Award, and an honorary doctorate from St. Ambrose University.

In 1987, Governor James Thompson appointed her as a judge of the Court of Claims, and she served on this court until her April 1994 appointment as special counsel to the Governor for Child Welfare Services. In August 1995, she was appointed to the Illinois Appellate Court, First District and was elected in 1996 for a full term. On July 6, 2006, she was appointed to the Illinois Supreme Court. Justice Burke recently authored the majority opinion in *Karas v Strevell*,¹ in which the court redefined the Illinois tort liability standard for injuring a fellow athlete during contact sports. Her opinion also established the state's tort liability standard for sports leagues, governing bodies, and referee associations for injuries to competing athletes. I am proud to note that she cited and relied upon a 2006 article in the *Marquette Sports Law Review* in her opinion.²

Please join me in welcoming the Honorable Anne Burke, this year's Joseph E. O'Neill Award recipient.

REMARKS OF ANNE M. BURKE

Good evening ladies and gentlemen. Many thanks for that kind introduction. First of all I want to congratulate the student award recipients and the Charles W. Mentkowski Sports Law Alumnus of the Year, Jim Gray, for their awards. Congratulations.

I cannot remember a day in which sports were not an important part of my life. Even as a young girl growing up on the South side of Chicago – I was always in the parks. The parks were an endless source of excitement, challenge and growth.

I am not certain I always had a philosophical understanding of sports – but if you could throw it, kick it, hit it, bounce it, twirl it, ride it, climb it, slide down it or swing from it – that was for me.

I loved the daring, harrowing, uplifting surprise of sports in which best friends were discovered, and the most noble of intentions created champions.

Sports shaped neighborhood life, and local reputations, house-by-house and block-by-block.

1. 227 Ill. 2d 440 (2008).

2. Timothy Davis, *Symposium: National Sports Law Institute Board Of Advisors: Avila V. Citrus Community College District: Shaping The Contours Of Immunity And Primary Assumption Of The Risk*, 17 MARQ. SPORTS L. REV. 259 (2006).

Neighborhood sports gathered us near to each other, and sustained us through childhood, by bonds of high purpose. Sports became our dream through countless championship seasons. In the end, sports gave us the right heart for our times. This is underscored by that old saying – *Sports do not build character. They reveal it.*

I believe that the athletic first part of my life prepared me for public service, the second part of my life.

When I first began to teach physical education in the Chicago Park District at 18 years of age, it was that familiar love of sports that gave me the reassurance and knowledge that I could accomplish anything I set out to do.

When I began to work with children with special needs, it was my love of sports, and the belief that everyone could be a champion, which pushed me on. It was really from this, that the Chicago Special Olympics were born 40 years ago. As Vince Lombardi said – *People who work together will win, whether it be against complex football defenses, or the problems of modern society.*

I have always believed this to be true – for I have witnessed it first hand.

Sports taught me that it is always safe to take a risk. Being Catholic taught me it is always permissible to take a risk for others.

Faith, we learn, connects us to everything that our eyes cannot see. For me this is a winning dynamic. I have always remained committed to that sense of faith. It is like something Martin Luther King, Jr., said – *Take the first step in faith. You don't have to see the whole staircase, just take the first step.*

Faith teaches that each one of us can be an advocate on behalf of those who are most vulnerable in our midst. Wherever we are and whatever we do, we can reach out and enter the life of others and lift them up. We can change the world around us by our willingness to take a risk.

As we observe the 40th anniversary of the founding of the Chicago Special Olympics, I have been reflecting on these four decades. I have come to see the changes and the impact of the Games this past October when our family traveled to Shanghai, China for the Special Olympic Games there.

Just four years earlier our family and about 100 friends went to Dublin for the games there. And of course we had the time of our lives – how could we not. But I did not know what to expect in China.

Once again it was a transforming experience. The opening ceremonies were held in a beautiful stadium and the grandstands were over-flowing with close to 100,000 people and 8,000 Special Athletes from 179 countries. As I looked on I remembered Chicago's Soldier Field, the site of the first Games in July 1968 – we had one thousand athletes from 23 states and Canada and hundreds of volunteers on the field then, and virtually no one in the

grandstands.

In Shanghai, as the opening ceremony began, hundreds of Chinese drummers entered the stadium all beating their drums in unison. When they arrived at the center stage they were joined by others with even larger drums all beating together. They were iconic sights and sounds for the Games' theme – *All Hearts Beat the Same*. It echoed across the stadium. After some time, a young Special Olympian appeared with his own drum and began to play along. Sometimes he played with the larger group; at times he played solo, reinforcing the theme. And then I began to cry – because I realized, that before us, was the great face of China, and it truly had changed. Here we were, at a global event, celebrating the achievements of young people with mental disabilities; here we were in China no less.

Not long ago there could have been no Special Olympics hosted in China – children with disabilities like this young man before us would never exist. And now, here before us, was a China willing to let such children grow and succeed and become special champions. And the whole world was watching. The drums continued; it was true – *All Hearts beat as one; all hearts beat the same*.

It was both an emotional and historical recollection for me in those grandstands in Shanghai that night. Who could have predicted 40 years ago that the Games would have become an international institution? Who could have predicted that the Games would have created such an impact around the globe? Who would have thought they could change the Chinese mind? This could only have occurred because of Eunice Kennedy Shriver and the Joseph P. Kennedy, Jr. Foundation organizing the Games nationally and internationally in the model that was born in Chicago.

I am deeply touched to be honored by this prestigious law school and university. I am awed to have my name associated with this remarkable Joseph E. O'Neill Award which memorializes a noble man of faith; and so captures the athletic spirit of Marquette and the Ignatian ideal. I am honored to be included among these previous recipients. To be among the outstanding previous recipients of the Joseph E. O'Neill Award humbles me.

There is an old Irish saying – *You have to do your own growing, no matter how tall your grandfather was*. That is sound advice in every family, every team, every sport, and in all that we do in life.

My friends, we carry the cherished lessons of sports with us, I believe, to the end of all we do. How grace-filled is this gift from God. How playful He chooses to be in our hearts. What delight He takes in our efforts and willingness to achieve. Ignatius of Loyola summed it all up best, I think, when he first taught his “company” the great lessons of generous living – *Teach us*

to give, he implored, *and not to count the cost*. Thank you from the bottom of my heart.

And now please permit me to share with you this short video commemorating forty years of the Special Olympics.