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Swanson, Martin & Bell partner Wills dies at 59

Legal leader, adjunct professor recalled as 'brilliant,' 'succinct'

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An insurance law expert and appellate lawyer who argued a foundational tort reform case to the state's top court has died.

Daniel G. Wills, equity partner at Swanson, Martin & Bell LLP and adjunct professor in appellate advocacy at The John Marshall Law School, died late last week following an illness. He was 59 years old.

Colleagues called him a "brilliant" legal writer who went out of his way to mentor young associates on the tools of the trade. His emphasis? Brevity.

"Avoiding legalese. Using an economy of words where you can. Shortening up things and getting to the point quickly," said Timothy G. Nickels, managing partner at the firm where Wills spent the last 12 years of his career and conducted internal writing seminars.

"I have spoken to some of his clients over the past couple of days to inform them of Dan's

passing. They have reflected to me, 'Dan was always able to get to the point. He got to an answer for us. I didn't have to read through six pages of stuff to get to an answer. He was able to get to the point quickly.'"

But an emphasis on simplicity did not mean a dearth of creativity. As an insurance coverage specialist, he encountered complex scenarios routinely, and he usually pushed for bold arguments, said Peter G. Skiko, an equity partner at the firm who also works on insurance cases.

"There was never anything where he was necessarily recommending we exercise caution," Skiko said. "It was, 'Plow forward, We'll see what happens. We can shoot for the moon, and we can make an argument out of it.'"

He called Wills a "brilliant writer," describing his work as "succinct, persuasive and effective."

While at Pretzel & Stouffer, Chtd., Wills represented defendant insurers in the 1997 Illinois Supreme Court case *Kunkel v. Walton*. In that case, the plaintiffs challenged the constitutionality of a law that negated patients' confidentiality when they alleged harm from medical treatment in court. The law was



Daniel G. Wills

part of a broader tort-reform package, one that included \$500,000 caps on personal-injury claims and was seen as a test of how the justices would rule once the other reforms came up.

The court in *Kunkel* held that the law violated state constitutional privacy protections because it permitted the disclosure of medical information that had no bearing on the injury. Ultimately, the rest of the tort-reform law would be struck down as well.

But although the court ruled for the plaintiffs, the case wasn't an outright loss for Wills. Catherine A. Basque Weiler, a partner who chairs the firm's appellate practice, said the decision has

been interpreted as a prohibition on unreasonable requests for medical information.

"It's a very important decision, but also a little more nuanced than, 'either it's open season or you have no access,'" Basque Weiler said. "It's somewhere in between."

No case or courtroom was as important to Wills as his daughter Katherine, however. Peggy O'Sullivan Byrne, another equity partner who has known Wills for more than two decades, said all conversations would invariably be steered toward Wills' daughter, a sophomore in college.

"Everyone in the law firm, especially in these last years at Swanson, always heard about Katie and all the things she did," O'Sullivan Byrne said. "Whether it was the swim meets she had to get to, or her getting into Purdue or her sorority. All over his office are pictures of her. It sounds cliché, but she was his pride and joy, and you heard about it a lot."

Wills was born in 1959 in Chicago, and grew up on the Northwest Side. He graduated from the DePaul University College of Law in 1990.

Services were held this morning at First Presbyterian Church of Arlington Heights.
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