

Interview with Judge Mark Lopez

Q: It is 11:00, November 5, 2005, and we are at the Daley Center. I apologize, I'm a little nervous.

A: Don't be nervous.

Q: Talking to Judge Mark Lopez about his career in a Judge in Cook County Courts. Thank you so much for meeting with us today.

A: My pleasure.

Q: The way it's going to go, as Dr. Manning said, he wanted it to be set up that there's one main interviewer, and then he's going to chime in. So I'm going to be doing a lot of the talking.

A: That's fine.

Q: We were just going to start off by asking you some general questions about your upbringing and where you grew up, things like that.

A: Sure, that's fine. Whatever you want.

Q: So do you want to talk about where you grew up?

A: Sure. There is no short answer. I grew up in the Chicago area. When I was born, we lived on the west side, around Pulaski and Jackson. From there we moved to Oak Park for a couple of years, and then from kindergarten through the middle of 5th grade, I lived in Roseland, at 99th and

Ormonde, or south side. In mid 5th grade, we moved to DuPage County in Woodridge, Illinois, where I attended junior high and high school, at Benet Academy in Lisle. Two weeks after I graduated from high school, we moved to River Forest, and I've been in the western suburbs of Cook ever since.

Q: And your dad was a lawyer. Was he a large influence on your career choice?

A: I could say yes, but no so much in conversation with him. It's just that as I was a kid, I went with him quite often on Saturdays, to his law practice, which was in the Pilsen community, at 18th and Ashland in Chicago, and seeing what he did. I'd sit in his office, listening to interviews and things, and as I got older, doing more clerking for him, running to the Daley Center, the Federal Building. I think by the time I got to college I had, I think a better understanding of what lawyers do than most people that choose to go to law school, and I did it anyway. I think that as I got older, I had a greater appreciation for what he did and what he accomplished, because he was one of the first Mexicans licensed in Illinois and back then, there was no assistance with you know, with minorities. There were no minorities in large law firms or any kind of bar associations. Those all came to being part and part with

his assistance, because he was part of the founding members of the Mexican American Lawyers Association, which was a precursor of the Hispanic Lawyers Association which exists today. And just his involvement with politics, with judicial elections and stuff, as a kid, I just was around, I saw this stuff. I didn't really participate other than being there, but that's the influence that he had on me. In terms of talking to me about wanting a career in law, I don't think we had ever sat down and discussed that.

Q: As a child, did you realize how extraordinary he was and the position that he had?

A: No, not a clue.

Q: Not a clue.

A: Because I think that that's the thing that will stick out, is that I think unlike a lot of Mexican kids in the sixties and seventies, I had the benefit of two college educated parents, and their peers were all professionals. Knowing nothing different, I didn't think a thing of it, but as I got older, I realized that that was out of the ordinary and again, it just gives me a greater appreciation now for what base they gave me.

Q: Could you talk a little bit about your mother. Was she at all an influence?

A: Sure. She went to Mundelein College. She majored in opera, a beautiful voice, and she basically gave it all up when she got married and she was a homemaker; so she was home full-time with myself and my three sisters. Yeah, I mean without question, she spent more time with all of us than my father did, so yeah, certainly she was a big influence on us. She's still doing fine and we look after her today. Happy to have that opportunity.

Q: Did you feel more encouraged to go have a professional career than your sisters?

A: I don't know if I felt more so. I'm the second, so my older sister -- all of us went to college. I had decided in college, that I was going to go to law school. I don't think that any of my sisters had any interest in doing that and I guess not really even other fields, you know in a graduate program. So no, they never did, but that, I couldn't answer why.

Q: Were your parents excited with your choice?

A: Oh yeah, I think so, I think so.

Q: Could you elaborate more about growing up in Chicago and your memories, and if any particularly incidents influenced your decision making or decision to become a lawyer.

A: I think that the most important thing that any judge needs to remind himself of is that regardless of your -- the

people before you, whether they are big business, corporate America, they're the little guy, they're professionals, they're indigent, they're wealthy, whatever their situation is, listen to what they are asking you for or what they're there for. Ignore all the other stuff and just rule on the law and the facts of that case. And I think that -- I think I do a pretty good job of that, in good part because of my upbringing. I grew up sort of like an oddball. I was always the only Mexican around. In the south side, I lived in an area where it was racially changing from all white to all black. I had all kinds of friends who were Anglos. As the community changed over, we didn't happen to move right away, and I had all friends that were all African American, and I was generally sad when I moved. But then I went from there to an all white neighborhood again, where I probably got more harassed there than I ever did in Chicago.

And then ultimately winding up at University of Illinois in Chicago, where it was a much more diverse student body. I just felt a lot more comfortable there, but my experiences were direct, day to day contact with all the backgrounds and all at the same time. I would always down with my father on Saturdays, usually at his office, and in that community, in the Pilsen community, when I was

a kid, it was predominantly bohemian and Polish, and that, I saw it firsthand, change over to predominantly Mexican that it is today. And so I dealt with the Mexican community on a regular basis. As a kid but then later on as a professional, I just had a very good pulse on the community there. So I bring with me, this experience from all these different communities and I don't look at any of them as out of the ordinary or different or odd or something that should be treated differently on my part. And I think I try to show that in what I do on a daily basis.

Q: What was the reason that you chose University of Illinois at Chicago?

A: I think that I had pretty much decided before I started school, that I was going to go to law school. You need a four year degree in virtually anything. I did not see any point in spending a lot of money on private school for college, because I was just going to use it as a requirement to get to the next step. So I figured -- you know, I never had a burning desire to go away, to move and live away from home, so I did live at home when I was at school. But as I said, the students there were so diverse, from all parts of the city and suburbs, so I knew people from everywhere and I went everywhere on the weekends and

stuff. I don't think I missed out on the dorm experience or whatever, but I certainly got off cheap. I spent virtually nothing. I had no loans going through college, so that was good. Obviously, anybody could appreciate that.

Q: So then you went straight to law school after UIC?

A: What I had done is I had two years in liberal arts, and I had switched to a business major basically as a fallback, in case the law school thing didn't work out, I'd have a business degree. And by doing that, I had to go four years and one quarter, on a quarter system there. By doing that, I finished in August of '79, and if I was going to start law school, I would have had to start like the following week after I graduated, and I did not want to do that. So I took a year off and I clerked with my father full-time for the year and then I started law school the following fall.

Q: Did you enjoy working for your father?

A: I looked at it as a necessary evil, because I did not know what I wanted to do with my career. I know he would have liked that I had worked with him and taken over his practice and carried on for him. And I did work for him for six years as an attorney, but I had decided that that is not something that I want to do with my whole career.

So yeah, it gave me a much clearer understanding about what lawyers do. I got more involved than simply clerking and did interview people. I listened in and took my own notes of the interviews and things. So again, I had a much clearer idea of what -- at least general practitioners do, than most people that go to law school did.

Q: When you entered law school, or I guess during your first couple months there, did you start to develop an idea of what you wanted to practice?

A: No.

Q: No?

A: Not at all. Unless the rare person who knows exactly what they want to do, I don't think that that's really possible, because you're getting new subject matter in great detail and depth, whether it's property or torts or contracts, whatever, and your job is to learn that subject matter. How you actually apply it later on is way, way down the line in your thought process.

Q: So you do family law, am I correct?

A: Yes I do.

Q: When did you come to that decision?

A: Well, what I had done after I had finished law school and passed the bar, is I was a State's Attorney, Cook County's State's Attorney for about 20 months, so that was less than

two years. I did criminal work, I did appeals, I did misdemeanor prosecutions. And as I told you, my father was very anxious for me to join him and he was always telling me, "What are you wasting your time there for, I've got a lot of work for you to do here." And he was a general practitioner, so he did virtually everything. After 20 months I said okay I will join you, and I did work for him for about six years, with him. I was a partner with him and that was probably the best educational experience I ever had in my legal career, and it's something unfortunately, I don't think a lot of young lawyers today have that opportunity, because of specialties, because of the economics of the practice of law. It gets tough when you are running your own practice. You need certain cash flow, and the vast majority of the clientele that live there are not wealthy people. And so you learn skills like negotiation, how to try to get things resolved without formal discovery, how to cut through a lot of stuff which more wealthy litigants wouldn't think twice about; sending out, going through the whole nine yards.

So I have that experience that I don't think a lot of people have, certainly that take the bench today. In fact, when I was running around asking for votes for my election, many of the judges pointed out, when they saw my resume, oh

they said, you had a real job for a while, you worked for a living. And they meant that kiddingly, as opposed to a career State's Attorney or career Public Defender or career government lawyer who had one or two subject matters and that was all they focused on.

How I got to family law, I guess once you are appointed as a judge, you don't have a whole lot of choice in where you go right at the get go. I started out, as everybody does, in traffic court. I was there a whole two weeks; I think that's the shortest of anybody ever. Then I went to juvenile court, where I heard abuse and neglect cases over on the west side, on Ogden Avenue. I had a very positive experience there. Fortunately, like the physical abuse cases were very rare but those are the ones that seemed to get a lot of attention in the media, but they were very rare. Most of the cases were people who have substance abuse problems, they just seem to forget they have kids and they just go off and get high and disappear or leave Bob with grandma and don't come back for two weeks, that kind of stuff. And after a couple of years, Judge Jacobius, the Presiding Judge of the Domestic Relations Division, asked me if I would be interested in coming to the Daley Center for the Domestic Relations Division. I said of course, I would be happy to. And that

is one of the subject matters that I did practice with my father, so I was certainly familiar with the subject matter. And so I came and I've been here now, about two and a half years and I've enjoyed it very much.

Q: If you don't mind, I'd like to go back just a little. After you graduated from law school, your first job, was it with your father?

A: After I graduated, what had happened is I had not passed the bar the first time I took it in July, and so while studying for the retest in February, I think it was, I worked for him as a clerk. When I passed it, I got my results in May or June I think, and I started with the State's Attorney's Office, July 1st I think it was. So yeah, I did work with him for a little bit after I graduated, but my first law job, as a lawyer, was with the State's Attorney's Office.

Q: How did you enjoy that first job at the State's Attorney's Office?

A: Oh, I enjoyed it very much. I remember my supervisor talking to me, about two months after I was into it. She had said to me, you seem a little like tentative or a little -- you know, so soft spoken. And I said, well I am soft spoken. I guess in hindsight, it was a little overwhelming to just be in law school class one day and the

next day you are State's Attorney. I read about all the things they do and all the things that they've accomplished, and then you see those particular lawyers in the hallway with you. I think around that time or just before then was the John Wayne Gacy case, and I think Will Kunkle was one of the attorneys and there he is walking down the hallways. So it's a little -- it's quite intimidating for a brand new lawyer who doesn't know anything.

Q: I can imagine.

A: And you're in that situation.

Q: Was being a lawyer what you expected it to be, better or worse?

A: It is exactly what I had expected it to be. And I do appreciate having the opportunity with my father before I went to law school, because as I've said before, I think I knew pretty well what I was getting into. I understand the day-to-day life of a general practitioner, a small office operator. I can't say I know what it's like to be a corporate attorney or one of those giant law firm lawyers, because they deal with totally different clientele, their whole focus is totally different. I never had a concern with billable hours or any of that kind of stuff. Personally, I don't care too much for it. I wouldn't

thrive in that kind of environment anyway, but there's plenty of people that are happy to do that.

Q: So when did you decide you wanted to be a judge?

A: I would have to say that probably around '97, '98. What had happened is, I think it was in '92, the Legislature passed the laws dealing with the sub-circuit elections, and there had been sub-circuit elections every other year for - - I think since '92 to '98 I think it was. And during that period of time, they did not have any associate judge elections or appointments, which I am, I'm Associate Judge. So the first time that they made it open for associates or announcement for associates was in 1998. And in looking at what was required, I had a couple of thoughts. One, I said there is virtually no lawyers of Hispanic descent that are even going to apply and unfortunately, I had to say realistically, there probably weren't a lot of them that were going in qualified, and some of the qualified ones just wouldn't apply because they weren't interested in it. Through my bar work, I was painfully aware of the lack of Hispanic judges, and I felt that I have what it is that they're looking for, so I am going to apply. And I did, in 1998, and I was pretty on target there, although I think there were about eleven or twelve Hispanic applicants, there were four of us who were found qualified. Two of

them made it, they got appointed that year. The following year -- no I'm sorry, this was '97, when two of them got appointed. In '98, there was another round, a third person made it. In '99, I was that fourth person and I made it.

Q: You mentioned that you felt that there would be Hispanic lawyers who wouldn't be qualified. Could you elaborate a little bit more on that?

A: Well, I think through your bar work, you have a pretty good -- if you circulate and you get around to bar groups, to lectures, to different courtrooms, and just sitting in the courtroom, you might see colleagues of yours who are before the bench. Maybe I self-critiqued myself, but I listened to see, can I do something differently, could I have done this better. And in sometimes listening to arguments, I said I don't know where that lawyer is going with his argument because it doesn't make any sense to me and I'm just sitting here. You know, you just get a feel for individuals and whether they are good practitioners. Are they somebody that you would ask a question if you had doubt about something, or is it somebody you would just not ask that. Or, you know the reality, are you somebody who does actually practice or are you more of a politician who just gets government jobs and bounces from job to job. And in terms of the background, in terms of trial experience,

in terms of a diversity of different experiences, there were not many that did a lot of different areas of law. They were either very focused in one area and were very happy with that and had no interest in being a judge. Or they just didn't have -- I think it was the trial experience, was probably the biggest thing, because a lot of it is... You know, if you're a State's Attorney or Public Defender, if you're around long enough, you're ultimately going to get your trial work in. If you're a civil practitioner, if you're in a smaller firm, you probably have more chances to get trials and especially jury trials. And then you know, the bigger firms, when they have trials that go forward, it's usually the big partners that do those, it's not the associates and although may be second or third chair, it's just not the same as doing it yourself. And so given the lack of historically opportunities that Hispanics got in all those fields, there just weren't many people around. And so I did feel that the climate was changed sufficient since ten years earlier, that the Circuit Court was in a mode to encourage diversity and get people of different backgrounds into the bench, and that was part of my thinking when I applied.

Q: How has it become -- how have they become more welcoming to minorities or Hispanics in particular?

A: In general minorities, I think they are getting appointed and elected at a greater level in the last ten years than they had ever before. With regards to the Hispanic community, I think that we are still woefully inadequately represented. And I say that in terms of the population of Cook County, you know the Census. The last Census, I believe it was 17 or 18 percent that the county was Hispanic. We have, I believe 17 judges out of -- I don't know, there's about 250 elected judges and another 150 associate judges. It's pretty sad. I think the last time I figured it out, it was just under 2 percent. A big part of that though is the electorate. As long as we, the public, does not elect Hispanics, we are not going to make any great strides to change that, because we may pick up a few by appointment, but then somebody retires, so we're really staying level and that's not a good thing.

Q: You had mentioned that you wanted to become -- one of the reasons for you wanting to become a judge is that you didn't see many Hispanic judges. Do you feel that you being a judge, like you're a role model or that you can bring something to the bench that somebody else can't?

A: Both. I absolutely feel like a role model. I think that what I do day-to-day is what my role is, to show not only my own community but the bench and the bar at large, that

Mexicans are just as capable as anybody else, to do a very good job and excel at it, not just do a competent job, as anybody else. So that those people who had not had the advantage of growing up in diverse communities might think a little differently about an ethnic group, or at least me, basically me. And at the same time, with my own community. Like any practitioner, so as judges, the longer you're on the bench, the more people have an impression of you, a reputation that you develop professionally and personally. How do you deal with the public? Are you thorough with your decisions? Do you get reversed very often? All that goes together to show the public what you are and who you are, and that's what I have in the back of my mind every day when I go to work.

Q: Now I'm not sure how much you can answer some of these questions, so just let me know.

A: Sure.

Q: Have there been any experiences, through school or during your life, that have been very influential on the way that you rule?

A: I'd have to say that is no. I think I said at the outset, that how I view my litigants and how I view cases is, I can do best for them by not making any distinctions. I don't care if I've got a pro se litigate against a hot shot law

firm who bills \$450 an hour, if I believe that the pro se is right, I'm going to rule in their favor. I think understanding how our statute of the Illinois Marriage and Dissolution Act works together, different components of it, you have to rule without any regard to whether you're going to get reversed or not. Because quite often, some law firm, they have a lot of money or a litigant has a lot of money, they might appeal just because they can and not because they have a real strong argument, but just because they've got the money to do it. So it's important to rule whether you -- frankly, you have a court reporter there or not, the same way, and you get in the habit of just ruling as thoroughly as if you'd had a reporter there every time, because you don't know what's going to get appealed and it shouldn't be of a concern to you. So like I said, as long as I focus on what they have pled, and applying the law to that, I think everybody does get a pretty fair shake.

Q: As somebody who is not a judge, it seems hard to be completely unbiased when, if you have two different sides and a person you just think is a creep. I mean is it hard to take your personal feelings away from a person that you just think, this person looks...

A: I know what you mean.

Q: Okay.

A: I've had litigants where you know, I'd be very happy if they never set foot in my courtroom again. I have had lawyers who I just do not like. I don't like the way they present their case, I don't like the way they talk to their client. I don't like the gamesmanship that they're trying to pull. But I also take pride when I do rule in their favor, because I know that I have not let that creep into what I ultimately do. And the same thing with the litigants. I have people who are just you know... Quite often with pro ses, they don't follow the orderly fashion that one does in court. They interrupt the other side, they blurt out things. Obviously, as a trial judge, you're going to hear a lot of stuff that is either not relevant or is stricken, an objection. But I still hear it though and you know, it's probably harder for non-lawyers to understand that we really can't just disregard, if we hear so much every day that it's real easy to ignore something. I mean even to the point where, when you have somebody who is just really emotional and they might say something about the judge, you have your selective deafness, when you heard what they said but you just ignore it, because I just don't want to get into anyone trying to sanction somebody. And if they're persistent, you have to do something, but if

it's just something said out of frustration or something, I generally just ignore it.

Q: When you were studying to be a lawyer or before you had entered law school, did that seem much harder to you, to be impartial?

A: I don't think so. I think that, that is part of your upbringing; you are what you are by the time you got to law school. I thought more about how am I going to practice, what am I going to practice, but I didn't have, really any concerns about how I will apply it though. I'm a big fan of fairness and whatever that takes, if I'm in a position to decide what that is, then I guess it's good.

Q: What would you say is the hardest aspect of your job as a judge?

A: I think that probably the hardest part is the -- for lack of a better word, the isolation that one has. We see our colleagues occasionally at receptions or dinners or stuff like that, but unless we seek each other out during the day to have lunch or to go down the hallway and visit with somebody, we are all focused on what we are running in our own courtroom and we don't have time to socialize unless we make the effort outside of the courtroom. At the same time, when you go to bar functions of lawyers functions, I guess it's necessary, but there is sort of a deference that

the lawyers who appear before you will treat you with. Like I say, I'm not comfortable with it but it's just out of character for me, because I'm a very easygoing person and I talk to people and I don't let titles or any of that interfere with that, but I guess a lot of lawyers do. They do feel that there's a wall there that you don't cross; you don't get too personal or you don't get too friendly with them. That was something that was never an issue before I was a judge. But they make it real clear to you before you're a judge, that this is part of the lay of the land and you are going to lose a little something, but at the same time it's because of the responsibility you have, the title that you do that. It's a respect for the office you hold and that whether it's me or somebody else sitting up there, lawyers should have a certain respect for that.

Q: Do you feel silenced at all, because I know you can't talk about certain cases and how you might rule. Do you feel that you kind of have a muzzle on?

A: The muzzle that I believe I have is more focused on issues like the lack of Hispanics on judiciary or you know, things along that line, because I have my own views of what needs to be done to improve those numbers and I can talk with Bar Association leaders, I can talk with individual candidates about what they should or shouldn't do. But as in general,

I can't do it publicly. Actually I have, in a Bar Association setting, if I'm going to speak to a group of would be candidates, I have done that and that's appropriate. But in terms of go out and advocate for a particular candidate at election time, I can't do it, even so much as put a sign in your front yard. You can't do it. Now my wife could do it, but you just see how the courts rule on an ethics violation if there's a sign in my yard and my wife says it's my side. But that's for another day.

Q: You had mentioned the issue of lawyers showing you respect. Have you found any issues of discrimination, being Hispanic?

A: No.

Q: No?

A: No. I have to say no, and I believe -- you know, part of that is how I run the courtroom and what I believe to be my competency, is that all lawyers and all good lawyers, as long as they have somebody who is listening and does rule on the facts, I don't think they really care what their background is. I think that if there's any criticisms, it's going to be not because of their background, because of their lack of competency or they're cutting corners or leaving holes in their arguments, or there are rulings

where you're not sure what they intended or what they meant. That's I think the catalyst for that.

Q: When your father practiced law, did he tell you any issues that he had with discrimination, or was that also less of an issue?

A: Oh, it was -- oh yeah, we spoke about that, and that's where I get even a greater appreciation for him after, as I got older, because when he got out of law school, it was 1952 he graduated I believe, and his first job was with a - - at the time he graduated, he worked for an insurance company as an adjustor, and he asked for a job as an attorney, a staff attorney with the firm, and they told him flat out, we don't hire Mexicans as lawyers here. He got the same thing from another very big insurance company today, and that was their policy; we don't hire Mexicans as lawyers here. He had another experience where he -- he grew up in Bridgeport and he grew up down the street from the first Mayor Daley, so he knew him as a kid. When he passed his bar, he got a congratulatory letter from Mayor Daley senior, and he went to see him and he said well, I want you to call Monday for a job, and he was thinking with the corporation counsel's office, Mayor Daley that is. And he went there Monday morning and they offered him a job in streets and sanitation, as a garbage man. That's the kind

of nonsense that people did regularly and got away with it, because what are you going to do about it?

As I said, there was no organizations to go to, there were no bar associations that were the slightest bit sensitive to those kind of things. That was the way this country was run back then. And he basically decided that well the hell with it, I'm just going to stick a shingle out and do it myself; I don't need anybody else. And he did it for 48 years, and that's part of the reason I admire him so much.

Q: Wow, that's amazing.

A: Yeah, he had -- I will tell you, he and his original law partner, they got together in 1960 and they practiced in Pilsen until 1977, when they added a third partner, '79 a fourth. They had associates and at the time, they were the largest Hispanic law firm in the country. Due to growing pains and differences of opinions, it all came apart in the early eighties, and since then until my father died, he was a solo practitioner, always in the same community, all within a block of his former offices. It was a unique place to be at, to work at, to be part of, because it just -- there was nobody else doing what they were doing. So that's what I have in the bank of my mind as my foundation.

Q: Do you think that he realized how much of a pioneer that he was?

A: I don't think he considered himself one. He got enough awards when he was older, but from the current bar associations, recognizing his achievements and being a founding member of the predecessor bar association. He knew the bar was appreciative of what he had gone through, but he never thought of himself like that.

Q: Interesting. Would you like to take a break? Why don't we take a break.

A: Maybe a glass of water.

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Q: Anything in particular that you would like us to ask you, or anything that you would like to talk about, that you feel that you'd like to share?

A: Not really. I do really believe my being where I am has everything to do with my father and the influence that he has had in the bar or in the bench. As I said, he grew up in Bridgeport, so he grew up with a lot of people who wound up being judges; Italians, Irishmen and a lot of different people. He practiced as a general practitioner, so he appeared in virtually every division in this building, and

after 47 years everybody knew who he was. And to be preceded by somebody like that, who would go see a judge and say oh by the way, Mark is my son, I'd appreciate your vote for him, and because of the respect they had for him, if they didn't know me, they would vote for me anyway and say of course. So I do feel a sense of an obligation to make him proud, and I think I do that every day. That is basically my story.

M: Well, kind of like you were just bringing up, what was the whole process of becoming a judge like? The actual you know, like you were saying, the elections and trying to get votes from people. What was the whole process like?

A: The associate judge process is all written in the statute. The Chief Judge has to announce that there's openings and he will accept applications for a 30-day period. I think the first time I applied, there were like 300 or 280 applicants for, I think what ultimately wound up to be 20 spots. The next year was, I think eight spots, and then the time I got appointed, I think it was 15 or something like that.

Once you are an applicant, you have to submit your application, which is quite extensive. It takes a long time just to fill out the application, and I think part of that is to discourage people who aren't real serious about

it. But it also takes a lot of background work and anybody who wants to be a judge, it's to their benefit to keep track of their trials, who their opponent was, who the judge was, the date of the trial, because they want all that stuff on the application. After you've done that, then you get evaluated by -- when I got evaluated, it was the last year before the alliance of our association, which is all the ethnic minority bars, all the smaller bar associations other than the Chicago Bar Association. And so the first time I got interviewed, it was still under the umbrella of the Chicago Bar Association, with members of all these other bars present. After that, then they all had their individual interviews.

So you get evaluated, they send out investigators, making phone calls, talking to the people you've listed on your application, to check out and to see whether your stories are correct. A big part of what they're looking for, aside from your number of trials, that kind of stuff, is how you conduct yourself. Are you prepared? Do you try to pull stuff in court? Do you concern yourself with your clients' well being. That is the thing that a lot of people seem to forget when they apply, because if they've been a real jerk to an opposing counsel, there is nothing that is going to hesitate that individual to say oh yeah, I

remember him, and tell them what he really thinks about them. If they're smart, they won't put them down as one of their trials, but in some cases, they don't have a whole lot of trials to choose from, so they have to use certain people that they would rather not use. Or even if they get a call and the individual says you know, I'd rather not say anything, that tells them something too.

So once they finish their investigation, they go prepare a report. They discuss the report with the committee members, all before you've gone into the sit down interview. I went in to my interview and what I thought was probably one of the highlights of my career is when the chairman said, "Mr. Lopez, before we begin, I just want you to know that you've got a sterling reputation from everybody we've spoken to." That told me that being a good guy all these years, people were paying attention. People did appreciate the fact that I was just trying to get the case resolved. I'm not trying to hurt anybody and I don't take it personally, and whatever happens in court happens, and then you move on to the next case. I never looked at my opposing counsel as my enemy. I mean, I'm sure some might have looked at me that way but I didn't.

So anyway, they ask the questions, you answer them, and they either say yes, you're qualified or no you're not.

They said I was qualified. Once you get to that point, the Chief Judge has a committee of some of his presiding judges. They will sit down and they will choose a number of finalists, double the amount of spaces they have available. So if you have ten spots, they picked 20 finalists out of this list of 280 applicants. Once they decide that, they will post those names. They'll notify them the day before and then they'll post them in the Law Bulletin and you meet in the Chief Judge's office the following morning, and they basically tell you, you've got two weeks to go around the county and ask all the elected judges, the Circuit Court Judges, for a vote. The thinking is that the more people you personally see face to face, the greater chances they will vote for you.

As I said, there's about 250, give or take. There's always retirements and appointments and stuff. I don't think that running for associate is something you can just start from scratch. It's something that you have to plan well in advance. I always took the position and I always tell candidates or would be candidates, I said there's 250 people that are going to vote for you. You don't want, the first time you ever meet them, to be asking for their vote. So you go to bar functions, you go to receptions, you introduce yourself if you don't know a judge. You're going

to meet some judges just by your practice, because you appear before them. You may know them because they're your neighbor, you may know them from bar functions. Whatever method they know you, if they have a positive impression of you, chances are they're going to vote for you, because none of the judges know all the candidates that are -- all the finalists. So there's always room for any judge to put you on, if they choose to.

So I always encourage people to go to the dinners, go to the receptions. Yeah, it's going to cost you a few bucks to buy tickets for these things, but it's a heck of a lot cheaper running for public office in a general election, and it's all condensed into two weeks, as opposed to an election that could be a year or two years in the making to get to it. So that's what I did. I mean part of it, I did that anyway, some of my bar work, but I took on a greater urgency in the couple years before I actually submitted my name. So by the time I got to being a finalist, I was comfortable with at least half the judges knew who I was and would probably vote for me, but as a good candidate would, don't take anything for granted, and I saw I think, all but like five judges in the county in my two weeks.

It's a secret ballot. All the judges vote, they submit their names to the Chief Judge, who submits them to Springfield, and the only person who sees the actual numbers is the Chief Judge, who promptly destroys them after the election is over. So if you don't make it, you never know whether you were one vote short or not even in the running. And then they announce who the top ten vote getters are and they get sworn in. And that's what I did.

Q: It sounds like a very stressful two weeks.

A: It is. It's very stressful. You get a lot of exercise too.

Q: And probably not a lot of sleep. I have some questions about your experience as a lawyer and a judge and once again, just tell me if you can't say anything. Is there anything that you feel particularly proud of, or any cases that you've worked on or ruled on, that you'd like to elaborate on if you can?

A: One of them I did mention in there. After I worked for my father for about six years, I had pretty much decided, I do not want to be a general practitioner for the rest of my life. I was deciding what I wanted to do and judiciary was not on the radar at that time. At the same time, the Attorney General's office had a neighborhood office about a mile south of where my office was, and the director of that

office was a friend of mine that I had known for years. As a matter of fact, she was the flower girl for my parents' wedding, so we go way back together. She had worked for the office for several years and she wanted to be transferred downtown. The Attorney General at the time, I think it was Neil Hartigan, or it might have been Roland Burris, I don't recall. But they said well, we need your help finding somebody to replace you at this office, because we want somebody who knows the community, who speaks the language. I'm not fluent but I can fake it if push comes to shove. And there just weren't many people that fit that bill. So she had asked me, she said Mark, can you help me out here? You said you were thinking about doing something other than private practice, why don't you take my spot? I had initially told her no and about a year later she asked again and I said well, submit my name and see what happens. And it was still about a year after that before I actually got a call to interview.

So anyway, I accepted the position. What it was, was the Attorney General office does a multitude of different subject matters, most of them being more class action and injury, you do it for the public, not for individual clients. I was given the state's resources to investigate, prosecute things that were violations, out in the Hispanic

community. And during my private practice days, I did a lot of real estate work. A lot of Hispanics moving from Pilsen, a little village, out to Cicero, Berwyn, and I had seen firsthand that Cicero especially, was resisting this by coming up with all these housing ordinances; limiting the number of people you could have per bedroom in the house. I knew it because it was holding up some of my closings I was trying to get done, and it actually had killed a lot of other deals as well.

So, lo and behold I'm in this position and I went -- I don't know what prompted me to do it. I went to the library in Cicero to see what the actual ordinance said and lo and behold, whoever sponsored the law specified that we're concerned with the number of Hispanics moving into the community and we have to stop this. I said wow. So I wrote this all up, I went back to my private practice with all the files, that I had pulled out the specific examples that I experienced and my clients had experienced, and I wrote up a proposal for the Attorney General, for a fair housing case. It was Roland Burris in office at that time and he said, that's very good, but we don't have the resources to get into an ongoing contested lawsuit like this, but let me see if the U.S. Attorney would be interested. And so they submitted it to Washington. At

the time, I think Bill Clinton had taken office, and they were still looking for a U.S. Attorney, and they wound up with Attorney Janet Reno, and it was one of the first cases she filed. Within a year, there was a consent decree, they knocked it off, and now there is one less impediment for people moving to that community.

A lot of other communities who had an influx of Hispanic people; Berwyn, Stone Park, different communities were paying close attention because they had started to do the same kind of things with housing. And a lot of them have curtailed it greatly because of what they saw Cicero going through. I take a lot of pride in that, even though my name appears nowhere in the case. Because you know, you said -- I know how it generated, where it came from, and I was glad I was able to have the private practice background to see specific examples, what they looked for in cases like that. And then after it was published, then so many more people came forward and said yeah, that happened to me too. So that was basically the law in practice, helping a real problem and making people's lives better.

Q: Is that one of the reasons why you wanted to enter law, to make -- a little bit of social activism?

A: The potential was there. Somebody could, even today, get out of law school and if they want to make a career of

that, there's plenty of opportunities unfortunately, because there's so many issues that should be addressed and unless you have some foundation or some entity that's created just to do that, most private firms aren't going to be interested in it. Most people, unless there is the potential for some fees involved, you know based on the federal law, they're just not interested in it. And to be in a position where you're able to be part of the resolution without it really costing anything, because it was all the state resources that we use to appoint, and then the Federal Government took over. You know, it was very economical to do it. I don't think I could have done that as a private practitioner.

And in fact, I remember many instances as a private practitioner, getting people who got screwed by car dealerships. I would go in and try to fight with the dealers and I might be able to get relief for that one individual, but you knew full well that this was going on, on a much larger scale or basis. That happened to be one of the subject matters the Attorney General's office did. So we had litigation against the car dealers, the same thing. You just take those specific examples, you publish it, then all of a sudden everybody else comes out of the woodwork and says that happened to me too with this

company. Then you've got usually a consent decree and they knock it off, at least temporarily.

Q: Why do you think more minorities and women have found it more welcoming, or have entered in larger numbers in the last ten years, into the law profession?

A: Two reasons. One because first of all, there are more going to law school, which is a big change. Unfortunately, we still have a lousy record of even kids finishing high school, much less college, and I truly don't know why that is, because as time goes on, you have more and more U.S. born kids that are here, that are now college age. I don't know what happens, but they just don't seem to have the big numbers that they should. The other thing is certainly on a more global scale, large employers where their law firms are corporate America, sees the benefit of having bilingual staff, not only as secretaries and clerks but as professionals, and so they realize it's in their best interest. If they want you to get business in other areas of the world, they need to have some more bicultural staff if you will.

Q: Could you expand a little bit upon why more minorities are entering law school? Is it because they're getting accepted more so?

A: I think that the law schools themselves do a better job at recruiting. I don't recall any special recruiting for minorities when I -- I went to Northern Illinois University and I don't recall anything from them or any law school, being more encouraging or more welcoming. So I think I was before that all started, but certainly today they do it a lot better and they're very open about it because they want to have a more diverse student body, and it's starting to show.

Q: Do you think pop culture has encouraged minorities and women to enter the law profession at all?

A: I think that if people have an interest in law school, I guess it doesn't matter how they get that interest, because you know, there's all kinds of law shows out there and obviously that's not the reality, but if that at least piques somebody's interest to think about it, hey that's -- I don't care why they go into law.

Q: I was just curious because I know in some shows, you're seeing -- at least in the last ten years, you see more minorities and women in leadership positions, maybe positions that they didn't think were available to them.

A: I know what you mean. I don't know again, if that's because the TV program wants to be politically correct or again, they see benefit in having more numbers by drawing

in more minority viewers, if they have a minority attorney or the head of a law firm or something like that. It makes sense, that's probably part of it.

Q: I was just curious. I had asked you before what you thought was the hardest aspect of your job. What is the most meaningful aspect of your job and/or what is the most enjoyable aspect of your job?

A: I would have to say the enjoyment is at the end of the day, when I think I have done fair by everybody. It's never been a goal and I don't think it can be, that somebody's going to be unhappy when they leave the courtroom, but as long as they felt that they were heard and that I applied the law right, I don't think there's more I can do than that. That's the part that is gratifying. I enjoy very much what I do and I have at all phases of my career, so I don't -- I'm beginning to think that that might be more of my attitude than the actual day to day. Anything you do is going to be a grind from time to time, but being on the bench though, is a little different, because even though things might get tedious from time to time, if you have enough sense to step back and think about things, you are very fortunate to be where you're at. And as you see when the applicants line up, there are many people happy to take your spot if you want to do something different, and with

good reason. To liberate, I guess liberate yourself from the private practice, where you have to meet payroll and you have to hire and fire, and buy office supplies and all that kind of mundane stuff, to just focus on the law. Don't worry about everything else. They pay your salary, you've got the overhead, the county can pay for the room and the lights and all that.

Just focusing on the work is very liberating, because then you can draw your full attention to the work at hand, and I'm very well suited to that. I don't like to be split in ten different directions, trying to do ten different things, although we do it once in a while when we're on the bench. You're listening to one person and citing an order here, and you get some commotion over there. You learn to juggle it pretty well.

Q: Has it become easier to not take things personally; decisions or behavior. You said like you know, you try not to take things personally.

A: I really don't think I ever have taken it personally. How do I explain this? In listening to the arguments and reading the briefs and knowing what's coming so you have questions ready. If a lawyer can convince me that I should rule in his or her favor, I'm going to do it. If the law supports them -- you know, I try really hard to have

everything ready before I ever come out. I have real clear rules, always three days ahead of time, get your pleadings to me. Some people don't do that, so sometimes they're handing them to me while I'm up on the bench, and if I'm not too busy, I will read them, take recess and then come out, but all the time I just can't do it. I say folks, I have a three day rule. I don't have time today, I've got a lot of things set, so I'm going to give it a day for hearing. I just expect certain things of them, and the lawyers know, after being there for two and a half years, what my own rules are.

But in terms of after I've ruled, I really don't give anything a second thought. The only time I do is in a rare instance I would get reversed. Not that I'm foolproof but I've been reversed one time and that was from June, it was for domestic relations. That was the Supreme Court of Illinois that did it, and they changed the law to do it. So I'm still not sure how I could have erred if they changed the law, so I don't consider that a loss. But the same thing, I start then, when I see the order, I reread it and I look at my notes. Did I miss something? I was comfortable I didn't, and they just -- it was a good case. They had to change the law on a search procedure, and this was the right set of facts to do it. But other than that,

I don't really think much about them. In rare instances, when I'm looking for -- I keep copies of all my orders, so I have a real good idea, if there was an issue I've addressed before, rather than reinventing the wheel, I might check the law and then update it, to make sure it's still current. And in flipping through something I did two years ago, I might start reading it and saying oh yeah, I remember that case, I remember that issue. But I don't really second guess myself. This is a hard job to second guess yourself at. I think that would give people more ulcers and stuff like that, or sleepless nights. As long as I felt that I had done my best, I really don't think about work when I'm not at work. I've tried really hard to separate my family life from what I do here.

Q: If you can, what's a typical case that you might be presented?

A: My current call is the post decree call, which I guess to hear my colleagues, it's the least preferred call of anything in domestic relations. My first year and a half, I was a trial judge in domestic relations. Trials are assigned to you as they are ripe for trial. They can be anywhere from an hour to six weeks, was the longest I had, and you have no knowledge what you're going to do unless your assignment judge will call you and say oh by the way

Mark, I'm going to give you a case next Monday, it's going to last at least a month. So then I know what's coming. But you are very much a free agent, where you do your case, if your assignment judge doesn't have something ready, the presiding judge will have something he'll send you. So you're constantly on.

I think I've reached the conclusion that I get tired seeing the same lawyers after two weeks, and the same two people, the same litigants. The hard part, I wouldn't say hard, the time consuming part is after you have listened to a case for that long, you have to write a ruling, and these are not short. There could be 50, 60 page decisions, and you have to find the time to do them, keeping in mind, you're going to get sent another case tomorrow morning. They don't give you a whole lot of time to sit down and work on them, so you wind up doing them if you happen to get an afternoon free or you stay late or you come in on a weekend, you can do that.

The post decree call, which I do now, is all of the modifications, changes, that occur after people are divorced. I have three trial judges who, as soon as they enter a final judgment, the case automatically gets transferred to my courtroom. That can be anywhere from changes in custody, changes in child support, removal of

child from the state of Illinois, failure to pay maintenance, hold people in contempt for noncompliance with whatever the provisions are. It's more of a high volume, high turnover. I'm extremely busy from -- I'm here at about ten after eight every day, until I'd say on average, about 12:30 I'm on the bench, and it's one after another, nonstop. What is good about it is that after you've done it for a little while, you have a clear idea what to look for in their pleadings, so that you know what's coming and you know what you're listening for. I like the control that I have over this call, because you really don't have any control over the trial call, you're just sent the cases that are ready. Here, once the case is first before you, you set it on your own schedule, at your convenience, and you give the lawyers your timeline. If you want an answer within 28 days, discovery done in 60 days, and it's going to go to trial within 90 days, most lawyers, if their focus is to complete this case as quickly as possible, they're going to adhere to your schedule.

Once you've done it for a while, most lawyers know what to expect from different judges. They now know what to expect from me. So I will generally do anywhere from 30 to 45 cases in the morning, and then I'll just set one or two at 1:30 for a hearing, and those can last either the

rest of the afternoon or it might be an hour and a half or something like that. And those are the ones that I do generally will write rulings on. Those at most could be three or four pages. That's a lot more doable. I think the stress level, your attention span is always expected of you, but there is a lot more coming at you in a shorter period of time, on post decree, and if you don't have the right temperament, you really can burn out. You can you know, you just get stressed. People get stressed and generally, it is a one year rotation, then if you want to go back to trial judge, you can do that.

I am just finishing my second year now and I will probably do a third year. A big part of it, you have to enjoy working with people, with the public. Part of the call is pro se litigants. For those who don't like to deal with pro se litigants, it's not the call for them. It does take more of your time, to sit down and try to get the information out, so you know what you're really looking for, and then if you can do it, I try to write the orders. I try to write them myself most of the time, because I want to cover issues that will keep them from having to come back again. I don't like repeat customers, that's every post decree judge, but there's always going to be -- I have a handful of regulars who I've seen for two years and I

will see as long as I'm on this call, because I really think that that's the only contact they have with their ex, and they'd rather have that contact than no contact.

So again, you learn the dynamics of what brought the people to the divorce in the first place, what's happened since then, and you just do it. The variety of issues are so diverse, you never get bored in terms of legal issues, they're very different, and a lot more variety than I ever got in trial call. And so that's a big part, is my learning is much greater in this call than it is on a trial call, but I also get appealed a lot more on this call too. I've had 100 percent affirmation so far, so hopefully, I'll keep going.

Q: You said you want to return for a third year. Do you want to return for a fourth year?

A: You know what? There are four judges that do what I do. My next door neighbor, Jordan Kaplan, he's been doing it for about six years now and he's going to do that until he retires. Myself and one other judge, Vega, he and I are pretty -- he started maybe two months before I did, and we both enjoy it. We're not really looking to go anywhere else. You know, it really depends on the individual. I do not look at the Domestic Relations Division any differently than any other area of law. There are lawyers out there

who believe that domestic relations is beneath you know, law division, or chancier or something, which is pretty ridiculous, because in my view, other than chancery in domestic, you have probably the same types of issues. There is, entrusted in the judge, a great deal of discretion, which the law division doesn't have. The law is what it is and you have to apply it, and if it means somebody is out of luck because they missed the deadline by one day, that's too bad, they're out. Here, the statute is written by, there's certain considerations we have to do but it's ultimately the court's call as to what they want to do, and so it's really -- it's more of an equity court than other courtrooms. And I don't know as the sitting judge, why you would want to do something that would give you less discretion than what you current have. So like I said, I'm not looking to go anywhere.

Q: Correct me if I'm wrong. With domestic relations, you deal with issues like divorce, child abuse, domestic violence?

A: You'll touch on abuse. See, it's a little different than juvenile court. Juvenile court, if there's an incident of abuse, they're looking for the other parent to see if they have minimum parenting skills to take the kid over. Here, you might have that exact same incident of abuse and the parties are fighting over custody of the kid. Well, he

slapped the kid, therefore I should get custody. And here, the people have a lot more means than in juvenile court, where most of them are indigent. That's good and bad, because when they're indigent, there are resources available to the county, to get them counseling and services that they may need. Here, they have to pay for them, but if they are the working poor, yes they work full-time, but they don't make enough to be paying these kind of extra things. It's hit and miss in finding help for them and so yes, I do hear those issues, but it's not as expedited as it was in juvenile court, where I could take the kid, make him award of the court or the parents to go to counseling and if they didn't do it, then the state would usually start termination proceedings. Here we don't terminate parental rights. What we do is we just find either parent, if they can care for the child, we'll give them custody.

Q: Does hearing day after day, couples bickering or I guess their lawyers bickering to each other, does that take a toll on you at all?

A: What takes a toll -- the lawyers and the litigants bickering, one of those things, I will not have it. When they start, I tell them right off, I say you focus your comments to me. I don't want you looking at your ex-wife

or ex-husband, or sometimes the lawyers, I have less patience with the lawyers because I think they should know better. But you'll get lawyers who take the case personally. It's not their client's fighting words, they're fighting. And if I take them in the back I'll say, what do you think you're doing, this is not your case. You go home to your own family at the end of the day, it's not -- let your litigant deal with this, it's his problem not yours. Again, I think the bar knows me well enough now, that they know that if it happens a second time, they're either going to get a very long continuance date or I will hold it to the end of the day. I haven't had to do it yet, but I'm certainly free to bar any particular lawyer from coming into the courtroom, which can wreak havoc on their practice, because it's a random assignment, and if you can't go to a courtroom that you need to go to there's a problem, unless you have an associate or a partner that can go for you.

What I found yesterday was you know, I generally on Friday afternoons, I will set a matter that I don't believe should take more than an hour, because I've been on the bench all week and there's a lot of loose ends I want to finish before I go home, because they're just sitting there Monday morning if I don't finish them. That's where the

benefit of knowing lawyers that have practiced before you, you have a good feel for how they present their cases. I had one where one lawyer I did not know at all, the other I had seen before. It was a hearing that again, I didn't think should have taken more than an hour, and we were there until 5:15. I was numb by the end of the day, because I just -- I can't sit there that long all week. It took a great deal of energy on my part to not let that manifest itself in anything I said or did, to the parties. I did mention a few times, counsel I think I've heard enough, I think you've made your point, and they finally got the message and said, nothing further Judge. And you know, you rule and you go home.

I try really hard to keep in mind that when you've got the lawyers and the clients there, people taking a day off work, the lawyers have set their day aside for this thing, it's real easy for me to just say you know what, it's 4:30, I'm going home, come back another day. I don't like doing that and I rarely do it, unless I have to be somewhere with one of my kids or something. But I usually know those things well enough in advance, and I just don't set anything that late. So yeah, it can get a little frustrating at times, but that's where you have your balance outside of work. I mean I like to exercise, I

swim, so as long as I get my swimming in and things are good at home, things are fine.

Q: That's something I'm curious about, seeing these you know, angry people. Has your experience as a judge and a lawyer made you more cynical or more pessimistic about humanity, or more optimistic, like in your personal life, or has it affected?

A: You have to keep in mind that I'm seeing people at their worst, in the worst situations possible, because they still feel violated by the breakup or whatever, that it was his fault or her fault. Even with the ridiculous numbers we have, like 20,000 divorces a year in this county, that's still, the vast majority of people are living harmoniously. You know, even when you get to here, about maybe 50 percent of the marriages go bad, maybe counting countrywide or something, but for the most part, people you know in your regular life, yes some are divorced, some aren't, some adapt better. Some people, it's better that they're divorced, they're better people, better parents as a result of their divorce. I don't take it cynically, because when I go off and then I go off to a reception or visit with people, I don't concern myself with are you divorced or are you married. It's not an issue for me. So no, I don't think that that really affects me any way outside of work.

That is what I do, that is part of the lay of the land in domestic relations, it's people that are emotional, and you have to control them a little bit and once we get order, which doesn't take that much if you are real consistent with it, then you get down to what it is they're complaining about. I find a great deal of benefit to letting the person who really wants to snip at his ex, tell me what it is you want me to do and let them talk and quite often the other lawyer will say objection Your Honor, it's a narrative. I say overruled and I just let them talk, just get it all off his chest. As I said before, as a trial judge, I can ignore things real easily. But it's almost therapeutic to let the guy get it off his chest, whatever he's trying to say, and even if I can't do it, at least he feels a little better when he leaves. And if I can't do it, I will probably spend the time to explain to him why I can't do what you're asking me.

I think a common thing is when people come in and they say my ex-husband has visitation every Friday and every Tuesday, and he doesn't show up. I said ma'am, there's one thing I can't do is enforce visitation. I said what I can do, is if you have extra travel care and you pay for it, but I can't force a parent to be a caring parent. If he is too busy to spend time with his child, I can't change that.

You know, they like to hear that, they feel better, like I guess you can't do anything about it but he's still a jerk. You know? I think I understand where they're coming from. If these folks didn't have these kind of problems when they were married, they would probably still be married. I don't expect that to change. As a matter of fact, I just spoke to a group of soon to be divorced people and I said - - I got a big chuckle. I said why do you think that if you don't communicate with your husband now or he doesn't communicate with you, he doesn't come home, he doesn't spend time with the kids, don't think that's going to change just because you get a divorce decree. It's not. You're kidding yourself if you think it is. If you're lucky it might, but I says, don't expect anything differently. That is who you married.

I've always stopped short of saying, you picked the guy, so what are you complaining about now? But that's what the reality of it is. People get married for so many different reasons. If they would just think, if they would mature themselves until they're a little older, a lot of marriages would either never happen or they would last. But you know, I don't have any answers for that kind of stuff. I just get the fallout from when it doesn't work.

Q: How would you say that you're able to balance family life with your job?

A: That's pretty easy. First of all, I have a spouse who is wonderful. She's educated, she's dynamic, she does everything that any husband could ask, in terms of not only works part-time, but she runs the house, she's a gourmet cook, a seamstress, she can do everything. Both my wife and I wanted more than anything to be parents, and it does show in our kids. We have two daughters and you know, ups and downs like everybody does, but they're just both growing into wonderful young ladies and very conscientious people. I don't think -- what more you could ask for than that. Part of our thing is we exercise. We go to the Y, we've been Y members for 30 years. I started swimming laps when I was a third year law school, just because I sat around, all I did was read all day. I started packing on the pounds, so I figured I should do something, and it wasn't easy at first, but I figured it would be even harder if I had waited until I got older, so I just forced myself to do it and to this day, I swim two miles a week whether I like it or not, every week, rain or shine, 20-below weather, that's what I do. That does keep me balanced and I definitely feel it if I don't do that.

My wife does the same thing. She doesn't swim as much but she does other kinds of exercise as well, and my kids do the same thing. They exercise as part of their routine. My older daughter just ran in the marathon a few weeks ago for the second time. Last year, as a 17 year-old, she was the only kid in her high school that did it. They're very highly motivated kids, who is my balance, to see that and to see how the end result of what we've been doing all these years, is the balance that I need and I got it.

Q: That's good. Are you encouraging them to enter law?

A: No. They've had the benefit of sitting and watching me on the bench, and neither of them have the slightest interest in law. Dad, this is so boring, how can you sit there and listen to this all day? They've had their entertaining moments, when every five weeks or so, we'd rotate as the emergency judge, where we hears orders of protection, and these people are usually downtrodden. I've had some tough luck stories. I had one hearing once where one of the ladies fainted during the hearing. She had a tendency to faint, so we sort of knew she was going to faint, so we had an extra sheriff there. My daughter is sitting there and she's -- I could see, she was trying hard not to chuckle, because I told her before we went out, watch, this lady is going to faint at some time during the hearing. So they

always enjoy that kind of stuff, but the actual hearings, after an hour, they usually go back to my chambers and get on the computer or something. Say dad, thanks but no thanks, I don't want to be a lawyer.

Q: Are you disappointed at all, that they don't want to follow in your footsteps?

A: Not at all. I want them to follow whatever interests they have and if it's not law, that's fine with me. There's plenty of lawyers out there. I don't think they're going to miss my two daughters as lawyers.

Q: I think we have just maybe one more question. I'm just curious, what do you think is the biggest misconception of lawyers or judges?

A: I think the problem, the misconception with judges has to do with, about the only time that we ever get press is when one of our colleagues does something really dumb or unethical, and then it's plastered all over the papers. The vast majority of my colleagues just go to work, do their job and go home, and you never hear anything about them. And that is, I think, the best thing that -- that's what judges should do. Unfortunately, occasionally somebody does something goofy and everybody hears about it, so the public has this belief, oh these judges, they're all spoiled and they're all arrogant and they do whatever they

want to do, they think they can get away with breaking the law.

Lawyers, you know that's a little different. I always looked at -- you know, going through all the trouble of going to three years of law school, passing the bar, all the expense that that took and the time it took, that it would be something that you should be proud of. I have noticed a significant increase in the Attorney Registration & Disciplinary Commission hearings, where people get sanctioned, people get disbarred, and their publication comes out and there's pages of people getting sanctioned and disbarred, for things that you know, I would never think about doing. So you have somebody's trust, so you take some of it or you steal from some old woman's estate. I say why on earth would you do something like that, after all that effort. I have unfortunately, seen more and more of that happen, and I read about it. Unfortunately, that does have a very negative impact in the public's eye. You know, I need a lawyer who can trust and how do I know I can trust you. It's a problem. Most lawyers do a very competent job and are very conscientious, but little by little, there's more out there that aren't, and I don't know how you sort that out. That's for I guess bar associations, or the bar itself, to figure out. But you

see it though and you know it can't be a positive thing for the profession. So that's my answer to your question.

Q: Thank you. Do you have anything that you wanted to ask?

M: No.

Q: Anything else that you wanted to talk about in this session?

A: You mentioned that your intention is that you individually, but at some point in time doing this after I retire or something, because that's what I think somebody had mentioned before.

Q: Yeah. I think this is going to be an extensive project. We won't be involved in it after the semester.

M: Yeah. I think they mentioned that down the line, more towards retirement, after you're done, to get another interview, to kind of recap what the career was like and anything else we wanted to talk about afterwards.

Q: Any reflections.

A: You know, you have so many people that influence your professional career, whether they're lawyers or judges. Like I said, most judges are very conscientious in terms of spending time to do something like this, or to mentor a younger judge or to answer their questions if they're stuck with something. That is the vast majority of the judiciary and as I said before, there are people that do that and

just do their job and go home. You never hear about them, and that's what we should all strive for. I am very appreciative to judges who have helped me along the way, lawyers that have helped me along the way. I in turn try to do the same for any young people. I'll have interns from some of the law schools clerk with me for a semester. I put them to work. I want them not just for me to tell them what the law is, but to actually experience it, to sit them down and interview the client themselves, write the orders. I will tell them what to write, but you know have them start writing, so that they can get a feel for what is involved in that, because that is part of their foundation, and it gets them through school and then the hope is, then they'll do that for somebody else when it's their turn. That, I do believe is all part of being a judge. It's not only just doing your job in court, but be available to law schools, to students, to the public if they are speaking on certain topics. Obviously, we can't talk about any cases, but how the law works in general.

You talked about the perception the public has. How do you improve that? By the judges going out and speaking to groups, that's one way you do it. I know that the Illinois Judges Association has a program for that and you know, we sign up for them and occasionally they'll call and

say judge, can you go speak to a Rotary Club or something, and we're happy to do it. That is part of being, I think, a public servant. And I think that that understanding of what a public servant is, is that just because you have been like a government worker your whole life, doesn't necessarily make you qualified to be a judge, and just as being a private corporate lawyer, that doesn't mean you're not qualified to be a judge. But when you keep in mind that this position, like many others, is service to the public, you work for the public, and they're there because this is the system that the law has set up to get recourse for their problems. You have to keep reminding yourself of that, that we're there for their benefit, not vice versa, and as long as we do that, we should be fine. We're not always perfect and sometimes we might get reversed, but in the whole scheme of things, that's not a big deal.

Q: Well thank you so much for meeting with us.

A: My pleasure. Is this part of your grade then, at the end, or is this as an extra project?

Q: Yeah.

M: Yeah.

Q: No, this is my assignment.

A: It's the actual assignment.

M: Yeah.

A: How do you get graded then?

Q: We're not quite sure. We should probably take it up.

[END OF INTERVIEW]