

An Interview with M. Carol Pope Illinois Supreme Court Historic Preservation Commission

M. Carol Pope practiced law in Chicago, Illinois before becoming State's Attorney of Menard County (1984-1991). In 1991, she was appointed a resident Circuit Judge in Menard County by the Illinois Supreme Court, and was elected to that position in 1992, and retained in 1998, 2004, and 2010. In 2008, she was assigned to the Appellate Court in the 4th District, and elected to a full term in 2012.

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Abstract

M. Carol Pope

Biographical:

Mary Carol Pope was born in Chicago, Illinois on January 14, 1954, and grew up in Melrose Park, Illinois. She graduated from the University of Illinois Urbana/Champaign in 1975, earning a Bachelor's Degree in Social Work. After attending U.I.U.C. Pope attended law school at DePaul University in Chicago, graduating in 1979. She clerked for Federal District Judge J. Waldo Ackerman in Springfield from 1979-1983. Pope was engaged in the private practice of law in Chicago, Illinois from 1983-1984. From 1984 to 1991, Pope served as State's Attorney of Menard County. In 1991, Pope was appointed a resident Circuit Judge for Menard County in the 8th Judicial Circuit, and was elected to that position in 1992, being retained in 1998, 2004, and 2010. In 2008, she was assigned to the Appellate Court, 4th District, where she was elected to full term in 2012. Justice Pope married her husband Al in 1975, and they have two children, Jason and Douglas.

Topics Covered:

Growing up in Melrose Park, Illinois in the 50's and 60's; early education and working as a teenager; Catholicism; parents and family background; attending the University of Illinois Urbana/Champaign; attending law school at DePaul University in Chicago; experiences with balancing motherhood and education; working on the law review at DePaul; judicial philosophy; political and social outlook in college; family reaction to attending law school, and being a lawyer; moving to Springfield; clerking for Federal District Judge J. Waldo Ackerman; working for Mayer Brown & Platt; campaigning for State's Attorney of Menard County; trial work; gender and the law; why she became a judge; becoming a judge; memorable cases; family violence and the law; judicial education; Illinois Judges Association; public outreach and judicial education in the schools; building public awareness of the judiciary and what it does; being a grandmother and family.

Note:

Readers of this oral history should note that this is a transcript of the spoken word, and that it has been edited for clarity and elaboration. The interviewer, interviewee, and editors attempted to preserve the informal, conversational style that is inherent in such historical sources while also editing for clarity and elaboration. The Illinois Supreme Court Historic Preservation Commission is not responsible for the factual accuracy of the oral history, nor for the views expressed therein.

M. Carol Pope: An Oral History

Q: Okay. This is an interview with Justice Carol Pope. March 29th, 2012, 10:00 AM. Okay, first question, where were you born and what kind of community was it?

A: I was born in the city of Chicago but when I was two years-old, my family moved to a suburb called Melrose Park. And that's really where my memories of growing up are from. I had a family of six children. And we lived on a street called Helen Drive in Melrose Park that was full of families with large numbers of children. So, like, our next door neighbors, they had six or seven children. Down the block, the McGarrs had six children. All the families were huge. And so, as a result, all summer long we had plenty of people to play with. We'd be out on the streets playing kickball, softball, you know, red rover, all those types of neighborhood games. And there'd probably be 40 kids out at a time playing together. So, I mean, that's all changed now today. I don't think kids do that anymore, play out in the streets like they did when I was a kid.

And when I was raising my children here in Petersburg, I had to import kids to play with my kids, because nobody just went out and played. So that's kind of a change I've noticed.

Q: What do you think was the cause of the change, in your opinion?

A: More parents working, you know, both parents working in the family I think. I assume that's what it is. And then somehow we all got interested in activities for our children, too. So the kids are busy after school. They go to music lessons or softball practice or soccer practice and those types of things. So they see kids that way, but that's not unstructured play. It's all structured now.

Q: Do you have any other memories from growing up in, like, the 1950 and 60's?

A: Oh, I've got lots of memories. We used to walk to school. School was a mile away from where I lived. So a bunch of us from my block would walk. I went to Sacred Heart grade school, which was a Catholic grade school, co-ed. And then I went to Immaculate Mary -- Immaculate Heart of Mary High School in Westchester, which was all girls. At IHM, I rode the bus because Westchester was, you know, quite a distance from Melrose Park, so it was not walking distance. That's for sure. So I rode the bus some of the time. My sister was a senior when I was a freshman and she drove. So that first year, I think I rode with her most of the time. And then I took the bus until I got my drivers license, which was relatively early, because I have a January birthday, so.

Let's see... In eighth grade, I was out of school for three weeks with my grandparents. They took me on a trip to Hawaii. So that was interesting, because I missed three weeks of school. That year, we had a teacher who came in -- I don't know if he was subbing for the whole year for somebody who was on maternity leave, or if he was a permanent teacher. But I can't even remember his name now. He was a big guy. He was very engaging and good-looking. I had a big crush on him. And he ended up going to Vietnam. I think he got drafted and I think he was killed over there. And so that was a big loss. He was a great guy.¹

It's funny, because I've run into Jim McCluskey, who was a classmate of mine at Sacred Heart. He's a lawyer, too and active in the Illinois State Bar Association. And so we've become reacquainted just in the last couple of years. But whenever I meet up with him, he talks about Sacred Heart and how he was number two in the class and I was number one. And he just goes on and on. It's really funny. I'm still very good friends

¹ Dan Reidy.

with Alida Zamboni, who was a classmate of mine in grade school. But we weren't in the same classes all the time. I had her mother, who was my schoolteacher in sixth grade English. And then -- But the way I really got to know Alida was working in a grocery store. I started working when I was in eighth grade at a grocery store called Yammo's in Melrose Park. I made a dollar and a quarter an hour. And I had a great time. Alida was my age. She worked there. It was family owned by the Pasqualinis and Iatorolas, and Frank Iatorola who was called Yammo. And that's where the name of the store came in.

And then Alida's husband in the future, Jimmy Zamboni, was the manager of the store. Alida's maiden name was Murphy, so Alida Murphy. She married Jim and she met him at the grocery store too when she was 14. So anyway, we had a good group of people. And there was a butcher shop in the back of the store. And people came there for fresh meats and Italian sausage and that kind of thing. And one of the butchers -- I noticed one of your questions was memories about Vietnam. One of the guys working back in the meat department, his name was Johnny Sommesi. He was a nice guy and that was my first motorcycle ride I had with him. We were at a party after work. And he took me home on his motorcycle. And to tell you the truth, I was terrified. It was fun, but I held onto him for dear life because he was going so fast. He went to Vietnam too. He came back okay, though. And -- But I remember when he was gone, I would write to him and other people from the store did, too. So there was that communication with him. I started high school in 1972, graduated -- Let's see... Is that right? No, no. I graduated eighth grade in 1968. Is that -- My god. Yeah, that's right. I graduated grade school in '68 and graduated high school in '72, started at the U of I in '72. So let's see... That was right in the Vietnam War, I think, isn't it?

Q: Mm-hmm.

A: I remember when I was in college at the University of Illinois, they had the Watergate hearings. So I would always try to rush home after class so I could watch the Watergate hearings on TV. Because they were very fascinating to me. I don't know how many college kids watched the Watergate hearings. I can't remember if anybody else was interested, but I was. So, you know, there were -- My husband's a little older than me, and he went to the University of Illinois. I didn't know him while he was there. But while he was there, they had riots on the campus, he's told me. But it doesn't seem like we had riots or anything like that when I was there.²

Q: You mean for, like, the Vietnam War?

A: Right, mm-hmm, protests against the war and that kind of thing. Anyway.

Q: So you knew a lot of people that went off to war?

A: I wouldn't say a lot, but I knew some.

Q: Some?

A: Yeah. Yeah.

Q: What was it like going to an all-girls high school?

A: [Smiles] It was fun. [Laughs] I had 300 girls in my class. We wore uniforms. It was fun most of the time, I'd say. And they had us tracked by ability. So I was in the honors section. And I kind of liked that because there were a lot of smart kids in my class. So it was interesting, you know, to be with other intelligent people who could, you know, do well in class and have good class discussions and that kind of thing. I love to read. We

² See, Patrick D. Kennedy, "Reactions Against the Vietnam War and Military-Related Targets on Campus: The University of Illinois as a Case Study, 1965-1972," *Illinois Historical Journal*, Vol. 84 (Summer 1991), pgs. 101-118. Available online, at, <http://dig.lib.niu.edu/ISHS/ishs-1991summer/ishs-1991summer101.pdf>

had a really good English teacher my freshman year. And we read a lot of novels and stuff like that. And I liked that.

Towards the end of my career in high school, by the time I was a senior, I was -- You know, I had turned 18 in January. I was dating my future husband by then. And I was tired of the rules. And some of it was ridiculous. So, like, I'd go to the -- They had a rule where if you had a study hall, you could either go to the library and study or you could go to the cafeteria and have a snack and drink and sit and talk. But you couldn't go to the cafeteria, have a Coke, and then go to study hall. No, it had to be one or the other. And I'm thinking, this is ridiculous. So that kind of irritated me.

And then if you were in the library and you were talking to somebody in a whisper, the nun would come over and start screaming at you for whispering in the library. And she caused a bigger disturbance than anybody else. And I sat there thinking to myself, this is so ridiculous. I cannot believe it. So I felt like by that time, I was ready to go to college. And I just wanted to get out of there. There were too many rules and they were silly rules at that point in time, so. That's kind of my last memory of it.

And we just had a good time in high school. You know, we'd do crazy -- not crazy things. It wasn't crazy. But we'd go to the airport. At that time, you could go to O'Hare Airport without any security at all, and just go watch planes take off and land. And then we'd go to customs and watch people coming through customs. You could stand up above and watch 'em coming through, stuff like that. I don't know. We had a good time.

Q: So were you raised Catholic?

A: Yes, I was.

Q: Do you have any memories of that?

A: Oh, yeah. Oh, yeah, I --

Q: Or what type of practicing family was yours?

A: We went to church every Sunday. I was a lady of the altar when I was in, you know, eighth grade, seventh and eighth grade. I was good enough to clean the church but not good enough to be an altar server, you know? Father Freeman was the pastor of our parish for a long time. And he was just a wonderful person, and really great with kids, loved kids. And the grade school is right there at the church. So he'd pick us up and throw us in the air and that kind of thing. He was a wonderful person.

Q: What are some other memories about your parents, their backgrounds?

A: My dad was -- Both my parents were only children. So I didn't have any first cousins. My father's mother was unmarried when she conceived him. But that was not told to us. We figured it out on our own. She -- My grandmother was married three times. But I don't think she was ever married to the man who was my father's father, from what we could tell. I did an oral history on my grandmother once, and it's hilarious. We have it on film.

Q: Oh, yeah?

A: Yeah, she was very reluctant to answer any questions when I got close to getting the truth out of her, so it was pretty funny. So anyway, but they were close. My dad and his mother were very close, as you can imagine. And then my grandmother ended up being married -- Her third husband, she was married to him for, oh, I don't know, maybe 30 or 35 years before he died. And that was my grandpa. So he was married to her for the

[00:15]

whole time that my parents were married, until he died. So my dad, I think, was around 15 years-old when my grandfather married my grandmother. And so -- Yeah, so he would have been involved with the family, the whole time before my parents had children.

And so, let's see... My mother went to boarding school at St. Mary's in Nauvoo for high school. She had a sad life. My -- I never knew my grandfather on that side, my mom's father. He abandoned them when she was young. And really her aunt, who I called my Aunt Ceil and her husband, Ceil and Ralph England were very kind to my mother and a good influence on her and active in her life. But her own mother had a lot of mental problems and was actually -- You know, they don't have these mental health hospitals anymore where you would be confined for, you know, a long time. But she was in Kankakee State Hospital and also at Manteno and ended up released from there and living in an apartment somewhere in the city. And -- let's see -- she died, I was -- I remember her dying. Like I say, I must have been a young adult. So anyway, that's kind of a tough life for my mother. I can't even remember how she met my dad. I don't know if it was work related or something like that. My mom worked, of course, because back in that time, I mean, you know, until you got married, you had to do something to support yourself. And her mother couldn't care for her really, so.

Anyway, her memories of Nauvoo were good when she went to high school away at Nauvoo. But I don't think -- She never went to college, but she went to, like, secretarial school or something like that. Anyway. They ended up having six children, so they both wanted a large family.

Q: What was it like growing up in a large family?

A: Interesting, lots of activity in the house, two boys, four girls. They had a three-bedroom house, so there were eight people living in a three-bedroom house. So there for awhile, what we called our rec room, which would be like what you would call a den today, or something like that, had built-in couches against the wall. Three of us girls slept down there, you know, head to toe, head to toe, head to toe, because we didn't have enough bedrooms. So -- 'Til somebody started going to college -- You know, as we left and went to college, then the younger kids got their rooms.

But, I mean, yeah, it was active and fun for the most part, kind of chaotic, you know, fighting like normal brothers and sisters do and that kind of thing, but fun. And then we had all the neighborhood kids, you know? So that was always fun. There was always something going on. You never lacked for something to do.

Q: That's always good. When you went off to college, why did you choose U of I, the University of Illinois?

A: U of I was the best state school and -- I could have gone anywhere. My father told me I could go anywhere because I was a really good student. But I was always worried about how much college was going to cost. And he had six kids to put through college. So for whatever reason, I put that burden on myself. Looking back at it, I think I would have been a good fit at Notre Dame or somewhere like that. I would have liked to have gone to the University of Notre Dame. I'm not sure they were accepting women. My class might have been the first class of women they accepted. I didn't even think about applying anywhere other than University of Illinois. I probably applied at another state school or two.

Back when I went there, I'll tell you this, I -- In addition to wanting to go to an inexpensive school to spare my father the cost of college education, I paid my own tuition. I paid my own books. And then he paid my room and board. And my tuition was 343 dollars a semester, which was a lot of money back then, but it's not a lot of money today, you know? So that's how different the times are.

So I graduated in two and a half years from the University of Illinois. I lived my first year in a dorm. And then my second year, I lived in an apartment with a friend. And then my last semester, I got a room in a house just because I knew I wasn't going to stay the whole year. I took 22 hours each semester, for one whole year. I took, like, 19 hours another semester. I did an internship in the summer that I think gave me six or eight hours. And then I took -- After my freshman year, I took two classes at Triton Junior College just to get some credits to get going.

Anyway. I enjoyed U of I. It was a big school. I had a nice group of friends. My roommate, she and I still stay in touch. Bonnie Hickman. She lives in California now, but we exchange cards every year. I've seen her since we graduated, too. She was a year older than I was, but we roomed our second year. She had been my next door neighbor at my dorm. She was a really nice girl. So anyway, that's why I picked U of I. It was cheap and good.

Q: Well, what led you to choose to study law and go to DePaul?

A: Well, while I was at U of I, I majored in social work. And I got a bachelors in social work. But while I was there for my electives, I took three law-related classes, constitutional law and civil liberties, business law, and I think a criminal procedure class. And I really liked all the law classes. And that's what really got me interested. Nobody

in my family was a lawyer, none of my extended family, you know, second cousins or anybody. So I was the first in my family to go to law school.

Oh, I know why I picked DePaul. Well, I got married. So anyway, I graduated -- I finished up my classes in December of '74. My degree is really dated January of '75, though, because that's when graduation was. So December, '74, I left U of I with my degree and got married in January, January 18th. And so I was going to be living, you know -- Actually my -- I should have either gone to U of I or Northwestern or somewhere like that probably, but -- I was wait-listed at Northwestern because I applied late. And then at U of I, I'm not sure I applied to their law school just because of the distance.

But I think my husband was supportive of me going there, continuing on there, because I had graduated, you know, very high. I was on the bronze tablet and all that stuff. And I'm sure I would have gotten into the law school. I had a 4.88 on a five point grade point scale. But I didn't want to be commuting back and forth and only seeing him on weekends, so. I chose to stay in Chicago, you know, once we got married, and then -- I don't know why I picked DePaul. I think it was because my mother had an attorney whose name was Lawrence Pusateri, who represented, like, her with regard to my aunt's estate and my grandmother's stuff. And he was from DePaul. So she had me talk to him. I don't know. Anyway, I probably applied to several schools in Chicago and just chose DePaul for no particular reason actually.

But anyway, that worked out okay, because frankly, my impression was, although, you know, for law firms and that type of a thing, they are very geared towards taking students from the top law schools. My experience was, you -- I worked really

hard in law school and felt like it probably didn't really matter all that much where you went because the professors were very good at DePaul, too. And you just worked hard and studied hard. And I think I wouldn't have worked any harder at any other law school I went to. And I ended up graduating in the top 5% of my class and got a job with a big law firm in Chicago. But it was only those very, very top students from schools like DePaul that would even get a look from those big law firms. But I have no regrets. Everything turned out good for me, so.

Q: What are some of your other memories of law school, like teachers, classes your peers?

A: Peg Allison, I'm actually meeting her for dinner on April 18th up in Chicago when I'm there for the education conference. She and I were very good friends in law school. I forgot to tell you the rest of this story. So anyway, we got married January 18th. I had my first child on December 17th, 1975. So Jason was born about 11 months after I got married. I was accepted to start law school in 1975, but I had to defer a year when I got pregnant.

So I had a job when I graduated from college at Clearbrook Training Center, which was in Elk Grove Village. And I worked with developmentally disabled young adults, let's say, adolescents and young adults. So I kept working until I had Jason. And then I went back to work after I had him. And then I started school in '76. And the school was understanding. They let me defer. And then when I went back, they let me take a lighter load. So I took one less class than everybody else was, and then I made it up in the summer. Took two classes in the summer, and then I was caught up with my peers.

I remember having study groups in law school. I felt like people were more mature in law school than they were in undergrad. We all pulled together, tried to help each other get through it. Peg and I both said to each other after that first year, if we had known how hard it was going to be, we probably never would have gone in the first place.

But, you know, we'd meet in the cafeteria and do study groups and study in the library. I had to study a lot while I was there because when I went home at night, I had -- or in the late afternoon, I had to take care of Jason. My husband worked nights. So he was home with Jason during the day. And we lived in a two flat in Brighton Park that was owned by his parents at one point in time. And then after we got married, his dad died before Jason was born. So his dad died in September. Jason was born in December. So his mother was a widow. And she had the building. And she didn't want to deal with it, because every time she rented it out, she had problems. And they had never had problems before that. And, you know, just the culture changed up there, so. There was a couple that lived in the building that were engaging in domestic violence while we were living there. And then another older lady came in and she wouldn't pay her rent. And it was just a nightmare.

So my mother-in-law was stressed out. And so we ended up buying the house from her. And I would take the Archer Avenue bus to school and Al worked, like, second shift, I think it was, either second shift or third shift. Anyway, he worked at night. I'd go to school during the day, and then his mom would help me when I -- you know, like in-between. If Al had to leave for work and I wasn't home yet, she took care of Jason. She lived in our building. She was renting from us then.

So what would happen is, I'd come home. I'd cook dinner for Jason and me. And he was a late night person. He wouldn't go to bed 'til 10:00 at night. And he was still getting up in the middle of the night when I started law school. So by the time he'd finally fall asleep, was 10:00 or 10:30. I was, like, I cannot study at that time. I was exhausted, because I'd left early in the morning to go to school. So in-between classes, like, if I had an hour or two break, I'd go in the library, I'd study. On the weekends, I'd go down to the library to study because if I stayed home, I wouldn't study. So I'd go down to the library. I'd study. Al would come and pick me up. I always took Sunday nights off so that we could play cards and just be together with his mom and Jason. And I always looked forward to Sunday nights.

So it was tough. It was tough getting through law school. There was another person in our class, Nancy Donellan was her name. She had four children. She was older and finished raising her family. Four or six kids, I don't know. She had a large family, I remember that. Some people, quite a few were still single. So some people were married. Stan Austin was in my class. He just retired from the judiciary. He was a DuPage County judge. I'm trying to think what else. Anyway. Once you got through that first year, the second and third year were a lot easier.

And then of course I did the law review, which took a lot of extra time. And I also served as an intern for my tax professor, which was a good experience for me. So I was busy with school and that kind of thing. Another person from my class became a judge in the same circuit I was in as a trial court judge, Alesia McMillen. She's over at Schuyler County. She was in my class. She became a judge. And I'm trying to think if there was anybody else. I think that's all that I know of from my class. But we had a

pretty good class. I mean, you know, we had quite a large class. And we ran in certain tracks, too, so you got to know the people in your own track more than the other people. But it was a good experience. I think I got a really good education at DePaul, so.

Q: You mentioned you ran in tracks? Would you (overlapping dialogue; inaudible) --

A: Yeah, like, they had three sections. You weren't tracked by ability or anything like that, but it was just three sections. So you were with your section the whole way through. So, like, you had the same kids in your class for constitutional law, crim pro, you know? And you kind of were with them for all three years of law school.

[00:30]

Q: What sort of classes did you take? Or what was most enjoyable for you?

A: Well, you have to take a certain number of core classes that they call. So I took evidence. I took -- I enjoyed the criminal classes the best, I'd say. Took a lot of tax classes. I enjoyed those, too. Corporate law, I didn't like. I remember that. I had a good bankruptcy professor, Robert Ginsberg. He was a good professor, probably one of the better teachers I had. Took commercial code stuff, didn't care for that either. Constitutional law I liked, you know? It was -- There was plenty -- Civil procedure, I wasn't crazy about. You had to take it. You know, I liked picking electives. It was interesting.

Q: Is there any professors that really stick out in your mind?

A: Let's see... Phil Ashley, I still remember Phil. He was good. I had Robert Ginsberg, like I said. I had Elliot Goldstein for evidence. He was very good. I think that's about it. Let's see... I'm trying to think of the name of the professor I interned with. It's on

my resume. I'll have Diane pull that. That's terrible that I can't remember that. But he was a quirky guy.

[Justice Pope exits the room and calls to her secretary] Hey Diane, can you run my resume, bring it in? [Justice Pope returns to the interview] I can't think of his name. He always gave this speech at the end of the class, on the last day. And it was hilarious, because he was a real kind of prim and proper guy. And he would get up on the last day of class and give this long, hilarious speech that you never would have expected would come from him. And I think that's what made it so funny, because you didn't expect it from him.

Q: What was your internship with him?

A: It was taxes. I was his assistant on tax stuff. He would write articles and so I would research 'em and that kind of thing.

Q: Okay. You already mentioned the law review. You were one of the editors. What was that like?

A: It was fun, because it was a group of kids, you know, young people, all interested in doing a good job on editing articles. You had to write an article, too, and be published if you were on the law review, which I did. It was really good experience because you had deadlines to meet. You were managing a publication basically. And, you know, there were people who were ambitious who were working hard and working as a team. It was a good experience. One thing I learned was, when we would get articles in from people who were, you know, submitting articles to be published, they were terrible. And I would have to work really hard to edit 'em to get 'em into shape to be published. And it was shocking to me. But anyway.

Q: With your personal judicial legal philosophy, how would you describe that or how did it develop?

A: What do you mean by that?

Q: I guess what approach do you take to the law?

A: Well, I mean as far as hearing cases, I worked for 17 years as a trial lawyer -- or trial judge.

[Secretary hands Justice Pope her resume] William Baker was my tax professor. That's terrible. Billy Baker. The only approach I've ever had is, I've listened to the evidence, watched the witnesses when they testified, and then study up on the law and decide the case based on the law. And as an appellate judge, it's the same. I was asked the question when I was being evaluated about whether I had a certain philosophy with respect to medical malpractice cases. And I said, I don't even think about that. I take every case as it comes. I look at the facts of each case, and then I just apply the law to the best of my ability. And that's what I think every judge should do.

Q: Did your approach, did you develop that out of your personal experience? Or did you have practical training at DePaul?

A: No, probably personal experience. My first job out of law school was a Federal clerkship with a trial court judge down here in Springfield named J. Waldo Ackerman. So I clerked for Wally for four years. And that gave me a real bird's eye view of what a judge would do. And of course we were doing a lot of research and writing for the judge. And we'd sit in court when our cases were up and listen to the arguments and that kind of thing. So I'd say that's probably where I developed my take on how I should act if I were ever a judge.

Q: When you were in college, was there any political or social outlook that you remember?

A: I don't know exactly what you mean by that.

Q: You mentioned with U of I, you specifically [mentioned] not remembering any riots or protests.

A: Right.

Q: Were there any vocal students or any opinions towards politics or current events that you can remember?

A: You know, I think when you're on a college campus, I think for the most part, people are kind of interested in what's going on in the world, to a certain extent anyway. But I can't say that anybody was -- I mean we had a lot of good discussions about issues, but I can't say that anybody was really, you know, working on campaigns or political in that respect. It was a fun time, though, because, you know, you're kind of finding your own way in the world during your college years and coming to conclusions on your own and being, you know, somewhat influenced by your friends and people you hang out with. So it was fun, just -- You could get into a lot of good discussions in college. So I liked that part of it. But as far as political or social, I don't really have much recollection of anything specific.

Q: Okay. Well maybe a little more personal, what was your family's reaction to you choosing to study law?

A: I think they were proud of me. I was always a high achiever, and I would say they were proud. And then, you know, like when I became a judge, I used to go up to Chicago and hold court in Cook County because for awhile there -- let's see -- I went on the bench in '91 and probably for the first five to seven years I was a judge, downstate judges

regularly went to Chicago. So my circuit, the eighth circuit, gave 50 weeks a year. So we would be up there manning a courtroom 50 weeks a year. We were in room 1112 of the Daley Center. We were always in the same courtroom.

And so I would go up three weeks of the year, not all at once, but three different weeks during the year. And we had an apartment up there. And I'd hold court in the Daley Center. So when I was down there, my dad would come down and watch and my grandmother came down and watched. And he brought my great aunt down to watch, you know? So those kinds of things lead you to believe that they were proud of you, you know? So my grandmother was down here, too. She was staying with me for awhile. And she came to court and she was a character. She came to court here in Petersburg to watch. And I was sentencing a defendant. And he was a regular. And he really, had like, crazy hair, like, really kind of rat's nesty, you know? So anyway, I'm in the small courtroom. And in the small courtroom over in the courthouse, we had the ceremonial courtroom on the third floor, which we didn't use very often. We only used it for jury trials. The small courtroom on the second floor we used regularly 'til we remodeled the courthouse, and then renovated the courthouse. And then we went -- I used the third floor courtroom all the time.

So anyway, in the small courtroom, there's only, like, two rows of seats. It's a very small courtroom. So my grandmother's sitting out in the audience with my son, Jason. And the defendant's sitting at the table with his attorney. There's a bailiff here, and I'm on the bench. And I can hear my grandmother talking to Jason. I can hear her. So she -- he's -- I can't remember what the heck it was. He's telling me something he needs: "I need this, Your Honor, I need that." And she said -- She leans over to Jason

and says, "He needs a comb," you know, 'cause his hair was so messy. And I -- Oh my god. I mean, I have to hold my grandmother in contempt. So anyway, it was kind of nice to have her there, see it, so. You know? They never had anybody in their family who was a judge. Same on my husband's side.

Let's see... His mother died before I went on the bench. When we moved here from Chicago, his mother moved with us. And she lived in an apartment here in town, walking distance to our house. And my husband stayed home for eight years. This will be interesting (inaudible). He ended up -- When we moved here, he had been working for Rheem Manufacturing in Chicago. I moved down here with Jason. Jason was three at that time. And Al stayed in Chicago to keep working 'til he found a job down here.

Well, the job search wasn't going very well. That was in 1979. There was a big recession then. This will give you some idea. When we bought our house here in Petersburg, our first interest rate was, like, 10% or 10.5% on our mortgage. And that was a good rate. During that time I was clerking with Wally, I remember that the interest rates went up to 18% on a mortgage. Today, you know what you can get a mortgage for? Under 4% for 30-year mortgage today. It's crazy.

So anyway, after about three or four weeks of being down here alone with Jason, not knowing anybody in the community, I was very lonely. And I called my husband. And he said, "You want me to quit my job?" And I said, "Yes." I had a job that I hadn't started yet in the Federal courthouse. So he quit his job and came down and kept looking for awhile. But the Fiat Allis plant in Springfield was closing. And his background was manufacturing. So anyway, he ended up staying home with Jason. And we ended up having a second child, so he stayed home. So he was home with the boys for eight years

while I worked. His mom lived in town. So he ran back then. He was a jogger. And he would take the boys to his mom's and she'd watch 'em and have lunch. And then he'd run in the morning and then meet them and have lunch, and then he'd take care of 'em in the afternoon.

So I don't even know what got me started on that. Where were we going with that one?

Q: You were talking about -- Well first you were talking about your family supporting you in moving down here [Petersburg, Illinois], getting your first home here, and your husband staying home with the children.

A: I don't know where I was going with that, but anyway. And then what happened? So here, I'll just tell you my whole story. So then what happened was -- Well first of all, I had a two-year clerkship with Wally Ackerman. After about one year, he asked me -- He had been to a seminar in Orlando, Florida and met a judge, another Federal judge from somewhere, Massachusetts I think. And this guy was talking to Wally about the fact that he had a permanent law clerk. That was unheard of back then. So Wally came back from that seminar and brought me into his office. And he said, "You know, I was" -- tells me the story about meeting this judge who had a permanent law clerk. And he said, "I was wondering if you'd consider staying on." And when you become a judge who has law clerks, you can see the benefit of having somebody who's been there with you for a long time, because they understand how you like to write, how you think about cases, and that type of thing.

So anyway, what I did was tell Wally I was thinking about having another child. And I would stay on if that was okay with him. And he said sure. I said, "Well, I'm

going to have to be off at least six weeks,” because I knew I’d have to have a Caesarian section because I had one with my first child. He said that was fine. So I ended up staying with him for four years. And I had Douglas. Let’s see... I got pregnant with Doug. And he was born in July of ’81. So I stayed with Wally ‘til ’83. Yeah. So I was with Wally from ’79 to ’83. And then I went back to work –

I forgot to tell you, during the summers, of law school, I worked at Mayer, Brown & Platt, which is a big law firm in Chicago. And when I took my clerkship, they were very supportive. And they’d call me every year and want to know if I was coming back to work for them. And I finally said to them -- I felt bad that they kept calling me, because I really didn’t have any intention of going back to Chicago. But I told them, I said, “Don’t keep that job open for me, because I really don’t know what I’m going to do.”

Well it turns out they kept calling me. And then my husband talked me into going back up there. So we actually had our house on the market here in Petersburg, couldn’t

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sell it, because houses weren’t selling. So I ended up going up there and getting a studio apartment in the Outer Drive East building where his brother lived with his wife and newborn baby daughter who is now 30 or almost 30. And then I worked at Mayer Brown. So shortly after I went to work for Mayer Brown -- And then what would happen is Al would come up every Friday with the kids and they’d stay ‘til Sunday night or Monday morning.

One night he called me while I was in the apartment and he said, "I hate to even tell you this, but Nolan Lipsky" -- who was the State's Attorney here at the time -- "...isn't going to run for office again." He had been a two-termer. And he said, "People are stopping me at the racquetball club and asking me if I thought you'd run." And he knew I wanted to. So anyway, he didn't want me to, but I did. So I'd go home every weekend and campaign. I'd take the train home. And we still had only been here -- Let's see... We'd only lived in Petersburg for four years. You're a real newcomer in a small town. But somehow, somebody introduced me to a man named Herman Harrison, who was such a nice man. He was a farmer, an older man. And he took me all around the county to meet all the farmers. And it was just so nice. People were so kind to me. And so I ended up winning that election. That was my first election. I was 30 years-old and I was elected State's Attorney. It was funny, because my youngest son, Doug -- Let's see... He would have been three years-old. He turned three when I was running. He loved campaigning. He still loves politics and campaigns. It's, like, in his blood now.

So he'd go campaigning with me. He'd ring the doorbells. It was a great weapon, because when people would open the door and see the little guy, they would spend the time to talk with you. And they weren't afraid to open the door and that type of thing. So he'd ring the bell and, you know, he'd hand up the literature and that kind of thing. My older boy, Jason, he was never interested and he hated it. And he still -- He's interested in politics today, but he wouldn't be interested in ever running for an office or anything like that. And he was not a happy camper when he had to campaign with me.

He did it because he had to, but he wasn't happy about it. Whereas Doug loved it and still does, you know? So it's funny.

So then, let's see... I ran in '84 for State's Attorney, and then I was reelected in '88. And then in 1991, I got appointed to the bench by Ben Miller who was a Supreme Court Justice who recommended me to the whole Supreme Court. And then I ran in '92 and was elected, and then retained ever since then. So we're in 2012. And I just ran for the Appellate Court. So I've been on the Appellate Court since 2008 by assignment, and then ran this March 20. And so I'll be on the ballot in November. Hopefully -- Right now, I don't have a challenger, so hopefully it'll stay that way.³

Then my seat will be vacant on the circuit court here. And they'll appoint or allow the election to fill my spot. My office will stay here, though, in Petersburg.

Q: You mentioned a little bit about campaigning and meeting local farmers and community members. What are maybe some of the other differences between practicing in a city and a rural area?

A: Well one thing that I should have mentioned is, one thing that was very unusual, I was the first and only female ever to be elected State's Attorney here in Menard County. I was also the first female judge in the whole circuit. We didn't have any females before me, and I was the only woman for seven years after I got on the bench. So I was not exactly sure how I would be accepted in this community as a prosecutor. It was unusual. When I won my election, I had a contested primary and I had a contested general election. But what was unique about that is, my opponent in the general election was a woman. So they were going to get a woman State's Attorney one way or the other. This county is fairly Republican. And I was running as a Republican. She ran as a Democrat.

³ Justice Pope was elected to a full term on the 4th District Appellate Court in November, 2012.

Let's see...

(break in interview)

A: Anyway, my credentials were good. And so when we were running ads in the paper, you know, I graduated at the top of my class from law school. But what really played well in my community was the fact that I had done so well at the University of Illinois and I had graduated magna cum laude. I was on the bronze tablet. I was Phi Beta Kappa. All those things were in my ads. And so when Herman would take me in to meet the farmer, he'd say, "Oh, you're that smart one that's running for State's Attorney." So I think people respected my educational background and how well I had done in school. But the truth be told, I had never tried a case in my life when I was elected State's Attorney. And when I won, I was, like, "Oh no. Now what am I gonna do?"

And so I practiced law at Mayer, Brown & Platt. And I had been in the Federal court, but I had never tried a case or been in state courts before when I -- And I won my election at age 30. So what I did -- Well, Mayer Brown was very kind to me. They offered to pay me after I won the -- First of all, they told me to take a leave of absence in October. And they paid me for that whole month, because I came home to campaign full-time. I was only campaigning on weekends before that. And so for the month of October, I campaigned full-time. The election was in November. I won that. And Mayer Brown said to me, "Don't worry about coming back." You know? "Come and get your stuff. We'll pay you 'til you take office, keep you on your health insurance," and that kind of thing. So I thought that was awfully generous of them.

And then -- So I had some time before I took office, because the election was early November. You don't take office 'til early December. So how I spent my time was

going around to other State's Attorney's offices and watching them in court and taking notes and figuring out how you do traffic court. How do you do a preliminary hearing? I worked so hard that first year. I was terrified, so terror helps. I just, you know, would get the books out. I'd read the statutes. I had to learn how to charge. They did have a prosecutors course I took through the State's Attorneys Appellate Prosecutors Office for new State's Attorneys. I took that class.

But it was mainly trial by fire. So of course in April -- In Menard County, we did jury trials in April and November. And then if you had a speedy trial problem, you'd have to call a special jury. I had a slew of trials coming up in April. And of course everybody wanted to test me because I was new. So I worked extremely hard. And I lost my first trial, which was a drag racing case that was a holdover from my predecessor, which I thought I did a good job on and should have won. And I lost my last trial. And I won everything in-between when I went to trial. My last trial was an aggravated battery, outside of a bar. I knew it was going to be a tough case. What happened was, this kid came out of the bar -- he was drunk -- and started a fight. And then he was knocked to the ground and just got the crap beat out of him. And he wasn't resisting. He wasn't trying to hit the other guy. But he was the initial aggressor. And, I mean, he -- his face was just -- It's a miracle the guy didn't die. His face was all swelled up and black and blue. I mean, he just got the crap beat out of him.

So anyway, Bill Harris was the defense attorney. And Bill Harris was a good lawyer. And he and I got along well. And I offered him -- Because I knew that was going to be a hard case to win -- Because in a town -- That was from -- That happened in

Athens. When you start a fight, you've got to expect to be -- have it finished one way or the other. And I knew that I would probably have trouble with a jury.

But anyway, I offered a plea to a misdemeanor of battery and Bill wanted his client to take it. And the client, the defendant's father, wouldn't let him plead guilty. So I had to go to trial. The best thing I ever did in that case was go and talk to the mother of the victim. And I told her -- You know, I told them ahead of time that I was going to offer a battery plea, and they agreed to it. And then when he wouldn't take the plea, I said, well, I'm going to try the case, but I'm going to tell you right now, we're going to have a hard time winning it.

And she came to the trial. She watched the whole case. We lost it. She thought I had done a great job, and I did. And I had a decent juror -- juries, jurors on the jury. But it was exactly what I said. The trial judge told me later, Lyle Lipe, that he had talked to one of the jurors who told him, you know, that's what happens when you start a fight. And that's how they viewed it. And Lyle had told him -- Actually the juror told me this, Don Hopwood, afterwards. He said Lyle told him, "Well, if it was a bench trial, I'd have found him guilty," because technically he was no longer an assailant or anything. And they just took advantage, beat the crap [out of him]. So anyway.

I learned how to try cases, because I was the only one. I didn't have any assistants. I only had a secretary. It was fun, hard work. Trial work is very hard. But to get up and try to persuade 12 people to believe that you've got enough evidence to convict somebody that you believe is guilty was really exhilarating work.

The traffic court stuff, you know, the day in, day out type of stuff wasn't too exciting. And then of course I served as the advisor for the county board, too. Probably

the highest compliment I ever got paid while I was State's Attorney was from a defense attorney who said to me, "You know Carol, when I go around to these other counties, I can just wing it." He said, "But when I come here to Menard County, I know I have to be prepared, because you're always prepared." And I was. I would over-work, because I always felt like -- I didn't want anybody to think because I was a woman, I was weak or lazy or anything like that. So I worked my butt off and was able to compete in the courtroom with good, skilled trial attorneys. They all had to work when they came up against me, so. That was high praise, because I think no matter how smart you are, if you're not willing to put in the effort, you're not going to really succeed, you know? You can be smart as a whip, but if you're not willing to work hard and put the effort in, you know, it's not worth -- You know, you're just not worth your weight in salt, let's say.

Q: Did you ever have any negative experiences being a woman and a trial attorney?

A: I can't say that I did, really. Although I would say just generally, I always felt like I had to prove myself. And I think I was held to a higher standard than a male attorney would be. And one example of that would be, when I was campaigning -- So in my second election for State's Attorney, I ended up with an opponent who was from the community and had been the quarterback of the high school football team. And he could go into the taverns and leave his literature and things like that. I just could not do that in this community. And so there was, in my opinion, a double standard. Maybe I just applied it to myself, but frankly, I think if I had been in the taverns campaigning, it would have hurt me and people would have been -- would have held it against me, let's put it that way. So I always felt like, from that aspect, at that time anyway, I couldn't do some of the things that a male opponent could do.

When I got elected State's Attorney, there were 102 State's Attorneys in the state, five of which were women. So there were very few women state's attorneys. And I don't know how the numbers are today. I don't think they're that much different, maybe double, 10 maybe out of 102. Maybe 15. I don't know. But there aren't a lot of female State's Attorneys. So it's kind of been a male dominated field, although Alesia McMillen who became the judge in Schuyler County, also was a State's Attorney. When she got out of law school, she ran right away and got elected. So she was in the same boat I was. She'd never tried a case either. She was a very good trial attorney. She just trained herself, had a solo practice.

But it's funny, because I still have friends -- A lot of my -- people who were State's Attorneys at the same time I was, became judges. So some of the people I see all the time now as judges, we were State's Attorneys together. And it's kind of nice. But, you know, not anything like blatant as far as any difference because of a gender, but just kind of a general, back then anyway, you know, which was a long time ago, you had to prove yourself. At least I felt like I had to prove myself. And I felt like I did, so. Once you prove yourself, you know, once they test you in court, you give 'em a fight, and you

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win, they tend to respect you. And I'm talking about male attorneys.

And I think it's probably changed today. There are a lot of good female practitioners in Springfield. Although, you know, it's probably still not totally even, but -- I think women are coming out of law school almost 50/50 with men, so. It's changing.

Q: So why did you decide to become a judge?

A: Well I think my experience with Wally probably instilled that in me. And I think a lot of trial attorneys, when you've been a trial attorney like I was, and you're in the courtroom all the time, it's kind of, like, a natural progression. You just -- You know, you want to be the one calling the balls and the strikes. So I just think it was kind of a natural progression from being a State's Attorney. So I was 37 when I went on the bench. Let's see... So, let's see... How did that go...? Ben Miller appointed a committee of people when Lyle Lipe retired. Oh, this was great. I always have the best timing. Lyle Lipe decided to retire. He'd been on the bench since 1962. This was in 19 -- When did I get that phone call from him...? Might have been in '91, like, the summer, right at the end of May. We were going on vacation for a week or ten days with the kids and I already had the vacation, you know, booked and paid for, Grandview Lodge in Minnesota.

And I found out, like, two days before we were leaving. I'm, like, oh my gosh, things happen fast when a vacancy comes up. And I had no experience applying for judge. I had no family down here basically, nobody to pull for me politically. I had to do everything on my own. So anyway, I grabbed my phone books and took them with me. And for an hour or two a day, I was on the phone, making phone calls, trying to get enough support in the community from people who had supported me as State's Attorney. So that was really hectic.

But anyway, what happened was, Ben Miller ended up setting up a committee of people to screen the applicants. And there were five or six people who applied for the judgeship. And they did, you know, interviews with other lawyers and people and then the judges that you appeared in front of. And then you had to meet with the committee. And so anyway, I ended up getting appointed. And I was 37. Actually the day I got

called by Ben Miller, I was out trick or treating with the kids. It was Halloween. My husband was home to give out candy. And when I got home from trick or treating -- Well, when Ben called -- I got home from trick or treating and Al said to me, "Ben Miller called." And I said, "Oh boy." I said, "What did you tell him?" He said, "I told him the truth. You were out trick or treating," like, oh, great. So I called Ben back, and that's when he told me that he was going to appoint me. And I was just thrilled. And really, by that time -- Let's see.... I told you about timing is everything, you know? Wally Ackerman was a big proponent of mine. You know? He just thought I was great. I was, you know, his law clerk for four years. But he got sick. He got sick while I clerked for him with pancreatic cancer and ended up dying around Thanksgiving of 1984.

So I went up to see him in the hospital before he died. And he knew I won my election as State's Attorney. He was really proud and happy for me. Wally would have been a great contact for me throughout my career because he knew Ben Miller and knew all the local politics. And he would have been a big cheerleader for me locally. And he died just as I was starting as State's Attorney. So he couldn't help me get a judgeship, you know? I was really on my own. And I remember -- Let's see, how did this go...?

I remember Jeanne Scott -- I think it was when I went on the bench in '91 when I talked to her. And Jeannie ended up being the Federal judge here in Springfield for about 12 years. When I talked to her, she says, "Congratulations," she says. "It's nice to see somebody who deserves it get the appointment," you know? And I felt very complimented by that, but also, you know -- I just felt like, I'm not sure I had a huge chance with no, you know, big connections at all. But I was lucky, very lucky. And I ended up with that, and then worked hard as a judge and just got involved in judicial

education and ended up being on the committee on education for the Illinois Judicial Conference. Rita Garman put me on that. And then I ended up chairing that committee for three years. I got to know judges throughout the whole state. And it was a lot of work, chairing the committee on education and teaching. I taught for the last 16 or 17 years.

And then when a vacancy occurred, Bob Cook -- Let's see... How did this go...? Bob Cook retired and Rita assigned me, you know, recommended my assignment to the rest of the Supreme Court who assigned me to the fourth district in 2008. And again, people felt -- I mean, I never felt that anybody was upset that I got that assignment. People like Heidi Ladd over in Champaign said to me, "Oh, we're so glad it's somebody like you who really deserves it and has worked hard," you know, "...and not just somebody political who was given this as a plum," you know?

So I felt like all that groundwork that I laid by just working hard and being involved in judicial education matters just paid off. And, you know, that's -- When my kids ask me or anybody asks me, I just say, "Work hard at something you love doing and you'll be a success at it." You know? You just will. And then I never think ahead. I really don't. I'm not one of those people who kind of, like, charts out their life. You know? I would have been perfectly happy staying as a trial court judge and retiring from that. I loved my job. And then this came, and I love this job, you know? And so it's an honor and a privilege, really, to be able to serve on an appellate court where you're reviewing your colleagues' work, you know? So it's been a great career for me. I'm totally satisfied with my life.

Q: What would have been some of the types of cases that you've tried or any memorable ones that kind of stuck out?

A: Well, I tried a lot of cases as State's Attorney, you know? I was the only lawyer in the office. So anything that got tried, I tried it. Let's see... I had an interesting case -- Well, it was my biggest case of -- while I was State's Attorney. I was just talking about it this morning with my law clerks. We had a home invasion in Tallula, some carnival workers who were working in a carnival around Peoria somehow got wind of a rumor that this elderly gentleman who lived in Tallula had a load of money stashed away in his house.

So they drove over. And when the carnival closed, they drove over from Peoria to Tallula and invaded this man's home. It was around 11:00 at night. He was asleep in his bed. They came in and beat him up. He ended up breaking a hip. And he was taken to the hospital. And while he was under anesthesia for the repair of the hip, the anesthetist, or the anesthesiologist left the operating room. He was a compromised victim. He had chronic obstructive lung disease. He had diabetes. He was real thin. He was just, you know, a mess physically. And he ended up dying during surgery. So anyway.

I had a six-day jury trial. I worked very, very hard preparing for trial. I did not want to lose the trial. This was a notorious case in our county. We don't usually get home invasions here in Menard County. And I felt a big responsibility to the family and that kind of thing. So anyway, it was a six-day trial. Bruce Harmening was our chief deputy at the time. And Bruce worked the case and did a terrific job, just a terrific job investigating it. They had it solved within, you know, days.

Anyway, one guy ended up pleading guilty and the other one went to trial. So I was in a six-day trial. Pat O'Hara was the defense attorney, terrific lawyer, very hardworking and aggressive. And so it was a hard fought battle. And by the sixth day, I was exhausted. Jury has the case. It was around 4:00 or 5:00 in the afternoon. I went home, hadn't seen my family all week because I was working every night. We ordered food out. I was starving. And a half hour after I left the courthouse, the phone rings and it's Larry Hollis who was the deputy. And he says, "Carol, they've got a verdict." I said, "Larry, don't mess around with me," you know? I didn't say it that way. I swore. I'm, like, "Don't -- Don't -- C'mon. Cut it out." He said, "I'm serious as a heart attack. You better get down here to the courthouse."

And I thought I was getting punked, you know? So I went down to the courthouse and the jury had a verdict half an hour after a six-day trial. So they found him guilty. And the family was just, you know, very thrilled and appreciative. That night, my phone rings and it's one of the jurors. It was a man that -- Clyde Noll was his name. And he went to my church, but I didn't really know him too well. And he said, "Carol, I just wanted to tell you. I'm sure glad you're our State's Attorney," you know? So I thought that was nice. And I still remember that case. It's unbelievable. Because during that case, some issue came up during the trial about what the next door neighbors could see from their home looking into his, the old man's house. So Bruce and I went out there at night to see under the same conditions, with the same lighting, what you could see. And that was kind of a pivotal point in the case. And Bruce was able to testify that you could see into their home from where he was standing in the neighbor's house.

And actually -- So we had eyewitnesses to what had happened. So anyway, that was probably my hardest fought, most exciting jury trial that I tried as a lawyer. Then as a trial judge, I had a couple of murder cases. One was a death penalty case that I had to try over in Mt. Sterling. And it was a prison case where one prisoner killed another prisoner. And the kid that was killed, oh my god, nice looking young man who was in prison on an attempt burglary charge, which I couldn't understand. And I didn't see much else on his record, but he got sent to prison on an attempt burglary. And he was probably 20 or 21 years-old from -- His mother testified at the sentencing hearing or at the trial. She just seemed very nice and just devastated that her son had been killed by his cellmate.

And the cellmate -- I can't even think of what his name -- Harold...? First name was Harold. Mann, M-A-N-N, Harold Mann. He stepped on the kid's throat to kill him. And that case, I ended up having two jury trials. The first one was on fitness. And had a jury trial on fitness. The jury found him fit and able to stand trial. And then I did the jury trial on the murder case, probably had over 50 hard fought motions in that case. And the defense attorney in that case was a very good lawyer, John Leonard. And I always felt that throughout that case, all he was trying to do was get me to commit error so that they could win on appeal, you know? So I was very stressed out and trying to make sure that all the bases were covered and that I didn't make any mistakes that would cause a reversal.

And the jury convicted him. During that case, one of the juror's house burned down. Yeah. So that was unusual. It took a long time to get a jury picked because we had to screen people who were either opposed or too much in favor of the death penalty

and that type of thing. And then -- So they convicted him and then we had the eligibility phase. They found him eligible for the death penalty because he was -- killed somebody in the prison. And then his -- He did have some people come down, his family people and testified about how rough his life had been, and that kind of thing. And he was -- He absented himself from the trial. He was not all there. So we had a trial in absentia. He did not want to be -- I had him brought to the courthouse every day. He would tell me before the jury came out that he did not want to sit there. So we had the trial without him.

And then the jury decided not to give him death. So I sentenced him to life. It was mandatory life in prison. So that was interesting. And then I brought you a civil case that you can take with you maybe.⁴ It's got the cites and stuff. This case is an interesting case. It has to do with, you know, changes in technology in our society today. This was an estate case where one sibling was trying to bring an action to have another sibling disinherited because the first sibling contended he wasn't a descendant of the father. And so they wanted DNA testing. And the trial court ordered DNA testing. And we reversed and said no. The child was presumed to be legitimate, born during the course of the marriage, and there was no evidence that he was anything other than the child of the father.

But that case has -- I don't know if the Supreme Court has taken that case on a

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petition for leave to appeal or not. But that case could have wide reaching effects if we were overturned, you know? You could imagine. If all you have to do is come into court and say, "Well, I don't think my sister was a child of my father," and then you get DNA

⁴ See, *Jarke v. Mondry*, 2011 IL App (4th) 110150, 958 N.E. 2nd 730, 354 Ill. Dec. 798.

testing and you prove she wasn't or you prove she was, I mean, can you imagine how disruptive that would be to families? Oh my gosh. So anyway, that was kind of an interesting civil case that I had. [Justice Pope provides an article about the case]

Q: Yes, thank you. That seems very interesting. Well, doing some background research on you, you seem very involved with family violence prevention efforts. How did that develop?

A: Well, okay, so this is interesting because of course until I was State's Attorney I had no idea that these kinds of problems existed. You know? So when I was State's Attorney and I -- we'd get these arrests that were made because some -- usually a man was beating up on a woman, I'd have to file charges. And I'd go in and help the woman get an order of protection and that type of thing. A lot of State's Attorneys don't do that. They send the woman into civil court. But I would try to help my victims.

And I remember one case, the woman was from a local family who was well-known in the community, large family. And her husband was known to be engaging in domestic violence with her. And one time he beat her so bad she called the police. And he was arrested and I charged him and got her an order of protection. And what happened in that case -- And this was Pat O'Hara, too, was representing him.

Pat called her, the victim, into his office and got her to recant. And she signed something, just basically saying she hadn't told the truth, and she -- he had never hit her and this and that. Well, I had the pictures. I had all kinds of proof. So I'm -- I went to trial in that case, and it was a bench trial in front of Lyle Lipe and put on the evidence that I had and -- I can't remember. I think I called her as a witness, and she denied it on

the stand. But anyway, I had family members testifying and I had the photographs and that kind of thing. And the guy was found guilty.

So anyway, that really opened my eyes to the fact that victims can be pressured into changing their testimony. And it really upset me. So anyway, I was aware that Janice DiGiralomo was active in this area, in setting up these domestic violence councils. She happened to live in Menard County. So I called Janice and said, you know, "I'm interested in doing something," when I became a judge, "...to help people in my county get the services that they need to support them so that they can stand up to these beatings and get themselves out of the situation," that kind of thing.

So Janice helped me and we set up a local coordinating council right here in the county. And we were the only county-wide one. She was trying to set them up circuit-wide. I could not drum up enough interest in our circuit to set up a circuit-wide council. So then we just went with one in here. So what we tried to do was get a Sojourn -- what do they call 'em? -- volunteer domestic violence advocate to come into Menard County and meet with victims and help them fill out the forms and that kind of thing. And we were successful in getting that done. And Cathy Tapscott, that's our victim witness -- or victim advocate today. And she does a really good job.

And we had some others before Cathy and they were all great. I recruited them myself. Jean Hartman had a master's degree in English. Connie Davis was an accomplished high school teacher who had retired. They did a great job with the victims. Penny Newton was a nurse. And then Cathy -- And they were just volunteers. Cathy got hired by Sojourn through a grant or something, and so. The goal was to provide services to them. We set up a treatment program here in the county that the perpetrators could go

to. We did set up a visitation exchange place for awhile so that people who are having family violence issues could drop their children off at the health department, leave, and then the other partner, parent would come and pick up the children from visitation or do the visitation there at the health department. So anyway.

I ended up going around the state and helping other circuits set up their domestic violence councils and lecturing on custody and visitation issues when you have domestic violence. And I ended up teaching domestic violence, writing the bench book on domestic violence together with Vera Hurst from AOIC, the first bench book on domestic violence, which was a great tool for judges because a lot of judges come on the bench, they were just like me, never heard of domestic violence or knew it even existed.

And then we -- Since -- When I was chair of the committee on education, I also served as the editor of the bench book, the updated domestic violence bench book for judges, too. So anyway. It's just an area that needs a lot of services, just to get people on a level playing field. Because oftentimes, the perpetrator would come into court with a lawyer and the victim doesn't have a lawyer. That's the biggest problem in these types of cases, the lack of legal advocacy for victims of domestic violence. So anyway, I'm kind of out of that game now that I'm on the appellate court, but it's good experience, I thought.

Q: Well, since you're not as active in family violence anymore, or protection, but you're still very involved in your education pursuits -- And you mentioned it briefly earlier, a little bit how you got started and -- You know, I read about a lot of different initiatives that are happening. You want to talk more about how you got involved and what you're doing with that?

A: Well, you know, I told you, I started teaching probably three years after I got on the bench. And the area I was picked to teach in, which, you know, contributes to this whole perception, was domestic violence. And I kind of became an expert in it when I did the bench book and all this other jazz. But anyway. And then I branched out and started teaching other things, too, and ended up on the committee on education, and then ended up as chair. Probably when I was on the committee, even before I was chair, the biggest project I had was revamping the whole new judge seminar.

Mary Jane Theis who's now on the Supreme Court, and Sue Hutchinson, who were both previous chairs of the committee on education, came to me and said, "Would you be willing to take on a project? We think the new judge seminar needs to be totally revamped. And we'd like you to do it." I'm, like, okay. And it was a huge job. But we did it. And what we did was, change everything from -- When I went through the new judge seminar in 1992, it was straight lecture from 9:00 to 5:00, lecture, lecture, lecture, lecture. It was horrible. And not that the teachers weren't good; they were good. But, you know, you can't sit in a class from 9:00 to 5:00, five days in a row, and learn much.

So what we did was change it to more interactive types of things, role playing. We still teach the substantive law, but we do it in a way that's more engaging, a lot of question and answer. We break into small groups. We do things with the responder system where you'll have a question up. People can vote on what they think the right answer is, and then the results come up right away on the screen. And then people get to choose which courses they want. They're not all in lockstep all day long.

So it's been very successful, but it was a lot of work. Anyway, then -- Let's see... I was chair of the committee on education when I got the call asking me if I would be

interested in starting into the officer rotation of the Illinois Judges Association. And when you're the chair of the committee on education, you're extremely busy. It takes a lot of time. And I was still a trial court judge then. I'm sure that's right. I was still on the trial court. But people assured me that as the treasurer and secretary and third vice president, you really weren't that busy with IJA stuff, and that by the time I'd become the president and the first vice president, the -- my term on this committee on education would be over so I'd have the time to do it.

The problem with that was, my term on the committee ended in December a year ago. So let's see... December of 2010. In February, I found out I'd be running for the appellate court. And then in April, our first vice president, who was going to be the incoming president, decided to step back because her husband was ill. So I had to leapfrog our first vice president, Rita Novak, to take over the presidency on very short notice.

So I was relatively new at my job, working full-time. I just finished chairing the committee on education. I was running for office, and I became president of the Illinois Judges Association in very short order. So ordinarily, you'd have your whole year when you serve as first vice president, you're kind of gearing up for your year as president. You have planning and things you do. I did not get that chance.

But I did have in mind this program that I think you're referring to. I wanted to do a program where judges would go out into the schools and engage one class of students at a time, so, like, a class of 20 or 25, on issues involving kids in the courts. And we decided to call it, Bringing the Courtroom to the Classroom. And I had an intern last summer, Jessica Nardulli, who helped me put together a PowerPoint presentation. She

did a great job. We tweaked it. And now we're going out into the schools to do it. So I'm going to Pleasant Plains High School in April. I'm going to Rochester High School, Staunton High School in May. I was invited there, and then other judges are going out in their communities. I'm going to Porta also in April.

So this program is really fun because the Illinois Judges Association had developed a program called, Seven Reasons to Leave the Party. And that's been in progress for probably five to seven years, very well received in the high schools throughout the state. And it deals with trying to get kids to make good choices when they're in high school concerning drugs and alcohol and sex. But that program is designed to be delivered in a big gymnasium setting with the whole high school present or in an auditorium with all the high school present. And it's a big rah-rah, lots of loud music type of a presentation.

I always felt like some judges would be intimidated and wouldn't want to do that type of a program, because when you face a whole high school, it's intimidating. And they're just not into the rah-rah stuff. And you feel like stilted when you're doing it and you're not comfortable.

So I wanted to develop a program that I thought judges would be comfortable doing and getting out into their communities. And it was this one, Bringing the Courtroom to the Classroom. So it's pretty cool. We start out with a slide of Chief Justice John Roberts and Steven Tyler, who is an *American Idol* judge. And the quote at the top is, "Who are these two men, and what do they have in common?" Nobody recognizes the Chief Justice of the Supreme Court, but they all recognize Steven Tyler. So it's kind of a nice opening.

We have some film clips from *My Cousin Vinny* in there, so it kind of livens it up. And basically what we end up doing is talking about the courts, how they fit into our society, the three branches of government. And then we talk about a case called New Jersey versus TLO, which involved the search of a student's handbag on school property when she was accused of smoking in the bathroom, denied it and then the assistant principal searched her purse, and in the course of the search found marijuana, money, and a ledger book of people who owed her money. And so she was charged with possession of marijuana. And a motion to suppress was filed based on the fact that the school personnel did not get a search warrant to search her handbag.

So I chose that case because I thought it would interest students. They could relate to it. And it does. I mean, we get really good discussion going in the classes. I've done the program twice already, once at Porta and once in Bloomington. And you'd

[01:30]

never -- I mean by the time you know it, the class period is over and the kids seem to really get a lot out of it. And the interesting thing is, when you ask the kids how they would have ruled, you know, if they were the court, about half of them say they would uphold the search, and the other half say, "No, they should have had to get a search warrant."

When you change the facts a little bit and say, "Well, what if the principal looked in the purse and saw a gun, then what?" "Oh no, you can search without a warrant then." So it's very interesting to see how, you know, the more serious the offense, they think the rules should change. So, you know, you try to explain to them it's the same standard whether it's a gun or another illegal thing like marijuana. So that program I think is

going to be very, very successful. We've already trained 115 judges. We have about 50 more signed up for training in April. So by the time we're finished with our education conference in April, we'll have over 150 judges trained throughout the state to give the program.

We make it real easy on them. This was kind of my signature project for my year. We give them the PowerPoint. It's all prepared for them. We give them a letter to send to the school. We give them a press release. We give them the facts of the case and a short summary that they can give to the students. We give them the decision in a short summary. We have notes for each slide that helps them. We have discussion questions prepared. So it's a lot of work to get it going. I worked on it during the summer with Jessica, and then tweaked it, and then did our -- We did our first training for judges in December at our mid-year meeting. And we had about 80 judges sign up for training then, so.

It's been very successful. The judges have enjoyed learning it. And some of them are getting out now around the state and have really enjoyed doing it, so. It's been very successful. And I think it'll go on and be very successful, too, over the years to come.

Q: Kind of also sounds like one way as a judge you can help enhance the public's awareness of the judiciary. Is there any other way or ways that you think --

A: Yeah.

Q: -- judges in particular can get out there and --

A: Well, another thing we did, we started a column called Judicial Perspectives. And so our first article came out March first. And it was an article. We have our own logo column

head. And we distribute our articles through the Illinois Press Association who distributes to all the newspapers in the state. And it's going to be a monthly column. Our first column was entitled "What Judges Really Do". And so it was a column about judges and some of the restraints on judges and what -- how we really -- what kind of things we really do when you're a judge.

I wrote an article on the unnoticed layer of the judiciary, the appellate court. This article I sent in for April first delivery, just talks about, what does the appellate court do? Nobody knows what the appellate court does. And so it talked about some of the things, the standard of review, that we're not there just to reverse every case where a judge makes a mistake or something happened. It's -- You know, we have certain standards of review we have to apply and that type of thing.

I've got another article written on e-filing and the direction that the court is going with e-filing, which is big news. And so those are the first three articles. And then other judges, which I suggested with some of the other officers, could each take a turn and write an article. So we hope to do twelve of them this year, kind of educational public interest pieces.

Another thing that the Judges Association did while I was president was, we actually provided faculty for continuing legal education courses for lawyers. Up in Chicago, January 26th, we had a big CLE up there. I think we had 150 lawyers sign up for it. And it was all taught by judicial faculty, very good teachers who have been teaching under the, you know, committee on education. We even had Justice Theis who is on the Supreme Court, as one of the faculty members. We're doing another one downstate here in Springfield May 16th. And it takes a lot of organization. I had to

recruit the faculty. We got great judges from central Illinois to come in and teach it. And we're hoping for a big turnout here, too. And then there's a judicial reception afterwards. And we had a judicial reception up in Chicago, too.

So those types of things are kind of outreach into the community. I was asked -- I go out and I give speeches all over the place about the appellate court, the judiciary, Bringing the Courtroom to the Classroom. I talk to Kiwanis and Rotary. I'm going to Danville Kiwanis in May. I'm giving a speech at the Prairie State Legal Services luncheon in Bloomington April 13th. I'm giving another speech over at ISU. So there's a lot of outreach that judges do in the communities, just in that way, to get public awareness up. We're going to do our oral arguments in Quincy April 25th. And the newspaper is going to write about it so that people can come and watch what the appellate court does.

Last year we did oral arguments at Illinois State University. And we had a huge crowd. We had 300 people come and watch. So that was very gratifying. We go to the U of I Law School once a year to do oral arguments. And these are real cases that we're hearing. But the public gets to come and watch, so it's kind of interesting. And I think that's also a really good thing. So twice a year, in the Spring and the Fall, we go outside of our courthouse to an area in our district and hear oral arguments there and give the public a chance to come and see it. I'm very supportive of that effort. I think it's really good. And it gives, you know, people who are interested a chance to come and see, what does the appellate court do.

Q: Very interesting. I'll have to get to one myself.

A: Yeah, there you go. You can come to the courthouse anytime.

Q: Well, maybe we can kind of wrap the session up a little bit. You can talk about being a grandmother and being a judge.

A: I'm so glad you asked.

Q: Well, from everything I've read you're very proud to be a grandmother.

A: I am. I'm very proud. I love my grandchildren. They are so fun. I have two grandsons. Charlie is four and Nathan is about 20 months or 21 months now. He'll be two on August first. And they're just a barrel of fun, very active boys. You have to keep your eye on 'em all the time if you're watching them, mainly the younger one now. Charlie's getting old enough where, you know, he's pretty self-reliant. But that little guy, oh my gosh. They're exhausting but exhilarating, and just the best thing that's ever happened to me. Can't tell you.

I could go on and on -- and I won't -- but they're both smart, funny, and very active, so they're great. I should mention, I have two sons, Douglas and Jason, and a daughter-in-law named Camille. And Jason and Cam are the parents of Charlie and Nathan. Jason's an emergency room physician and Cam is a financial person. And Doug, who is the younger of the two, is an entrepreneur who started his own company called HotPads.com. And they're still in business. They've been in business six or seven years already. And he just, a year ago, moved to San Francisco. They had operated out of Washington, D.C., but they can operate anywhere. So now they're out -- the whole company's out in San Francisco. And they do real well. It's a search engine for real estate, rentals and sales. That's the story of my life.

Q: Very interesting. Well, thank you very much. Was there anything else you'd like to add, or --

A: No. Did I mention that it was Justice Garman who recommended me to the Supreme Court for the appellate court? I don't remember if I mentioned that. But --

Q: To be honest, I don't remember if you've mentioned it or I've read that, so.

A: Okay. Yeah. And, you know, Justice Garman was active on the committee on education, too. So she has a lot of respect for the work that that committee does, because she did it herself firsthand. And of course she was the first woman on the appellate court in the fourth district. She's had a lot of firsts. But she's a very good mentor for me, so. That's about it.

Q: All right, well thank you very much and congratulations on all your accomplishments so far --

A: Well, thanks Kelsey.

Q: I'm so glad I got to do this. You're a very interesting woman.

A: Oh, well thank you. I don't know about that, but thanks for taking the time.

Q: Absolutely.

[Total Running Time: 01:39]

END OF INTERVIEW