

*The Honorable Judge Michael J. Hogan  
Interview*

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### *Judge Michael J. Hogan Interview Abstract*

This interview was conducted as part of the Cook County Oral History Project supervised by Dr. Christopher Manning of Loyola University, Chicago. The interviews were conducted by graduate students for the course: Oral History: Methods and Practice. The goal of the project is to provide insight into the workings of the judiciary by conducting a series of interviews with both retired and active Cook County Circuit Court Judges.

At the time of the interview, Judge Michael J. Hogan had been retired from the bench of the 1<sup>st</sup> Municipal District Circuit Court for 10 months. Judge Hogan begins the interview by describing his early childhood which included growing up in the Rogers Park neighborhood where he still resides. From a family standpoint, Judge Hogan's Irish background made him, both then and now, a frequenter of the Catholic Mass at St. Ignatius in Roger's Park--the parish in which he has spent his entire life. After tracing his childhood of a close Irish family background with a strong connection to the entertainment community, he discusses his Catholic schooling from grammar school through Loyola Law School, military service and his relationship with his wife Peggy who he grew up with in the same neighborhood. Judge Hogan details his work in private practice with Ward, Lussier & Dee, his time working for the Illinois Attorney General's Office in the legal division while his cousin, Neil Hartigan, was Illinois Attorney General and his nearly 17 years of experience as a judge for the Cook County Circuit Court. While the practice and the judging of the law remained important aspects of Judge Hogan's life, they did not always occupy the sole focus of his life. Judge Hogan is a very social man and during his interview he briefly reminisced about his former Loyola professor, Father Cunningham who represented the Berrigans (peace activists), his father being Bob Newhart's agent into the 1970s and a cousin being Mayor Richard M. Daley's top assistant. General thematic issues include his Irish ethnicity, the role of attorneys and judges and the experience of being a judge on the Cook County Circuit Court.

### ***Judge Michael J. Hogan – Biographical Outline***

- 1946 Born in Chicago to parents actively involved in the entertainment business. Mom had a career in vaudeville before becoming a housewife and father was an agent, representing Chicago area bands and Bob Newhart until the early 70's
- 1964-1968 Undergraduate Studies, Loyola University (History Major)  
Played basketball at Loyola University on scholarship  
Socially active member of TKE
- 1968-1971 Loyola Law School; married Peggy during 3<sup>rd</sup> year of Law School
- 1972 Completed ROTC commitment at Fort Benning as an officer; chose membership with ROTC to stay out of Vietnam
- Early 70s Clerked for Ward, Lussier & Dee during law school. Continued working for firm approximately 9 years (Firm changed from Ward, Lussier & Dee to Ward, Hartigan & Dee after 2 years). For the last 4 years he practiced with Ward, Hartigan & Dee, he was a single practitioner and rented space from the firm.
- 1982 He began working for the Illinois Attorney General's Office where his cousin, Neil Hartigan was the Attorney General. (36 years old)
- 1987 Appointed as a Cook County Circuit Court Judge to the First Municipal Court (40 years old)
- 2005 Retired from the Cook County Circuit Court in December
- 2006 Currently doing mediation work through ADR Systems

(0:00:00)

Albert Vogt: Alright, the date is October 28, 2006. I am Albert Vogt and I'm joined by JoAnn Baldwin and we're interviewing the Honorable Judge Michael J. Hogan. How are you doing today?

(0:00:18)

Judge Michael J. Hogan: Good.

(0:00:19)

AV: Good. Alright, we're going to start way back at the beginning. So, if you could tell us a little about where you were born, the neighborhood you grew up in, your family, that sort of thing.

(0:00:30)

Judge Hogan: Sure. I was born in 1946 and I lived in Rogers Park all my life. I live in the house that my dad moved into in... when he was in second grade, so the house has been in the family continually since probably the 20s, the 1920s sometime. When he was married either he or his sister ended up living in the house and then he moved next door, and so I was raised next door. And then since then, either my Aunts has lived in there in the house, or cousins, and now myself. And then the house next door that I grew up in has been nephews, nieces, and now my son owns the house next door. So it's been in the family. We're in St. Ignatius Parish which is a Jesuit parish, or it was for many many years, and it's two or three blocks from Loyola U. So, we've had close affiliations with Loyola University and Loyola Academy which, up until mid-50s, Loyola Academy was also at Loyola University. I have two brothers, both graduates of Loyola Academy and Loyola University, although I'm not positive my brother Jim graduated, but anyways he went there. My father also went to Loyola University and my...the wife went to Loyola U, and I went to saint... and they all went to St. Ignatius grade school, and I went to St. Ignatius grade school, Loyola Academy, Loyola University and Loyola law school. My two sons went... and my daughter went to Loyola Academy, then two boys went to Georgetown and Molly went off to Trinity at Hartford, then finally graduated from Northeastern, and both boys graduated from Loyola law school. I don't know, what else?

(0:02:39)

AV: Talk a little bit about Rogers Park...

(0:02:42)

Judge Hogan: Okay.

(0:02:42)

AV: ...And what it was like when you were growing up there.

(0:02:45)

Judge Hogan: Alright. My folks were very involved in everything in Rogers Park, especially St. Ignatius Parish. Both my mom and dad were in the entertainment business. My dad initially was a band leader for many years, and then when I came along he wasn't ...he had gotten out of that,

he was an agent. And my mom was in vaudeville and then when I came around, she was a mom, housewife. During that time though, they were very--my brothers are older, both are nine or ten years older than me, so they [parents] were very active in the parish, Loyola Academy, Loyola University. But they started off working on--they have a big theater at St. Ignatius--so they were involved in the Loyola Community Theater in which plays were put on and performances were had. People would come in--they had actually a theater group there, but they also had various... You know, I remember the Trapp Family Singers'd come in, and then Loyola was connected with it also, with the community theater. Then they put on--I think they started, St. Ignatius was the first, teen clubs in the forties, and then they had a cantina. And then they put on teenage shows and these teenage shows would be where they have all the teen--probably a couple hundred teenagers, and my dad, mom, with a bunch of the parents would write the shows, and then my dad would write a bunch of the songs. So that was a big deal when growing up: hanging around there, and I was still--I wasn't old enough, but I hung around the theater all the time. Loyola, or St. Ignatius and Rogers Park was very big in sports, athletics, and basketball especially. There's all sorts of players who played in college basketball when growing up, had lots of players who played high school and college. One guy played in the Pan Am Games. So it was great. My brother--so we played basketball all the time out on the school grounds. My brother Frank played for Loyola Academy and Loyola University in the fifties, so I remember going to all the games in--they used to have the games in the Chicago Stadium, so I would go to all those. My brother, Jim, was a manager. And in one of their [Loyola] big games they played Kentucky who was number one in the country and they beat them, played St. John's, so it was a big deal. I kind of followed the foot steps, so I played at Loyola Academy and also at Loyola University in the sixties. The parish and the neighborhood is extremely close. When I got sworn in, I had a picture of I think thirteen or fourteen of us who I was in kindergarten with, or a year later. So I've maintained all the--lots of friendships. I was just out to dinner last night with probably my best friends of...both of them I went to kindergarten with and I still maintain friendship. That's kind of how the neighborhood was: you grew up and you stayed close, and there's neighbors who have been in the parish as long as my folks, you know. My wife's family she lived three blocks away, and her dad and my dad went to high school together, and played baseball together, and stuff. And her brother was my class mate at St. Ignatius--he was the same age, she was three years younger than I. And so, you know, everyone was very close, and her family had been in the parish, Rogers Park since the turn of the century I think. The parish started where--started off at Holy Family around St. Ignatius on Roosevelt Road, that's where my dad...lived, on Jackson Boulevard and then moved. I think...most of the people from St. Ignatius came from that area in the turn of the century. My mom's family was also in show business and they have a long history of--in the entertainment business. They were from Davenport, Iowa. But all the brothers--most of the brothers and sisters were in vaudeville so that's kind of the background.

(0:06:48)

AV: So the Loyola Community Theater, was that something that pretty much everybody in your--in your neighborhood participated in?

(0:06:56)

Judge Hogan: They were active in it, but...and there was a community theater. Again, this was--I was young. But I just remember it because they would have various variety shows, and various acts would come in and perform. And I think Loyola had their theater--Loyola U performed there also. So...but the teenage club and the teenage shows were a big deal. Everybody was involved in that. And they use to have the cantina where all the kids would come--I think it was open the weekends, or I think it was open every day after school, and then there'd be Fridays and Sundays, and that was kind of where you congregated and stuff, and everyone would come back after--if you weren't doing stuff you would come back. In the summer it was always open, so that's kind of where you socialized.

(0:07:37)

AV: Okay. So the neighborhood that you grew up in, what kind of ethnic background was that?

(0:07:45)

Judge Hogan: When I grew up--when I was young, it was almost entirely Catholic and Jewish. And out of the Catholics, it was mostly Irish Catholic, Italians, Catholics. Generally, that was pretty much it. Since then... you really didn't know too many Protestants. It was either--they either went to--grade school--they either went to St. Ignatius or Kilmer, and high school, they either went to Loyola or St. George and the public school was Sullivan, and I guess... Sullivan. Since then it has, Rogers Park has changed a great deal. Now its probably the most integrated--I'm sure it is the most integrated neighborhood in the city. You know, you name it, we got it, and it's great.

(0:08:35)

AV: Was there an interchange between the Irish and Italians? Did they mix a lot?

(0:08:42)

Judge Hogan: Yes. Yeah, it was never--that was never a problem...very much so. And a lot of the Roadies, and the Carbaneros, I mean, they're still--many of them are still there. There was never any problem at all, it was fine, and it still is.

(0:09:01)

AV: And what about the interchange with the Jewish community there?

(0:09:05)

Judge Hogan: Growing up, it was always--now we had neighbors who were Jewish.... But really you pretty much... in the neighborhood you dealt with your neighbors, but generally speaking you stayed--my recollection, the kids I played with were the kids from the Catholic school or at least--yeah, the Catholic school kids, or whether they were all Catholic I'm not 100 percent sure of that.

(0:09:30)

AV: So what was the economic status of your family growing up?

(0:09:40)

Judge Hogan: When my dad first started...my recollection--we always--we were okay. We were... the house we were in is a small little house which was not uncommon... houses--and a lot of two flats in the neighborhood. And contrary to today, you would...you could have a two or three bedroom apartment with, you know, five kids, and that's just not the way it is today. My house, we had two big bedrooms and one small bedroom, and my grandmother lived in the small bedroom, my mom's mom, and I guess before I was around, my dad's aunt also lived with us. So they were basically with somebody the whole time. And then we shared--truthfully, most of the time--when I was first growing up, I was on a cot in my folks room, 'til a certain age. Then my brothers moved out and I moved into their room, so you just didn't think anything of it. So, it was a small house. We always did fine. My dad was an agent and basically--kind of before my time what he did was there was all sorts of night clubs all over the place, in those days, and he would book acts in the various night clubs. He had people like--you probably don't remember--but, you know, Shelly--George Gobel, Patti Page, and various people, and he would book them a number of days and they would go on to California. When I came around, it kind of seems he made the decision that instead of just booking these acts, he was going to be people's agent. So he was Shelly Burman's agent for a number of years, and then that kind of stopped, and then he was collecting people. And then his main one though, when I was growing up, he was Bob Newhart's agent. So he was Bob Newhart's agent probably from the start of his career until maybe, I would guess, the early seventies, maybe. So when he did that, then he started making, I would say more money, so we were fine. He had plenty of money. So we had no struggles. I didn't. I think there was much more struggle before I--when I was much younger which I don't remember.

(0:11:49)

AV: Did your mother work?

(0:11:50)

Judge Hogan: No.

(0:11:51)

AV: No?

(0:11:52)

Judge Hogan: Until--now they got married later, so my mom was--lived in... you know, was on the road a lot, lived in California--or lived in New York. And they married--and they met in an agent's office--I think in Chicago. But I think my mother always lied about her age. She always said she was, no matter what is was, she was a year younger than my dad which surely wasn't the case. So on her gravestone we don't even have her birth date because we don't know. But she lived in New York for many years. I'm sure she got married in her thirties or something, but... and then she was on the road in vaudeville. And she had... her brother was--one brother was a big star in the thirties on Broadway and in movies and got killed I guess by a plain--train crash. And then she was in the Skelly Sisters when she met my dad with her sister and her niece. And--but once they got married that was pretty much it. Then she didn't work anymore. But she was extremely active in, you know...she was, you know, she was always--then later--I mean, she was in everything. She was a very, very energetic woman, extremely so, and very active at Loyola, St. Ignatius. She was always head of the Women's Club at Loyola Academy, and on the

various boards and such. And then my dad was the same way: he was very active at Loyola Academy and Loyola U.

(0:13:13)

AV: So you were obviously very involved with the Church -

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Judge Hogan: Mm-hmm.

(0:13:17)

AV: --your family, and involved in sports, and school, and stuff like that. Did...was anybody in your family a lawyer or a judge that sort of inspired you while you were in school, or doing any of these other things?

(0:13:39)

Judge Hogan: My dad--I think my dad's dad was a lawyer--died at a young age, but he was...he used to show me--he was, what was the guy's name, Horace Stone's attorney who was, I think, one of the Giants, so he had a pass to get into every baseball game in the...he could get into any stadium you want. And he was also, I think, attorney for the fire department, but he died a long time ago. So I think my dad kind of always wanted, I think, be a lawyer so he definitely pushed me that way. My cousins are lawyers and we're very close. Basically what happened was, we grew up in a small house and my dad's sister grew up in the house that I'm living in now and they were the Hartigans. And we did everything together and we still do, I mean we're extremely--it's like one family. So the cousins--the Hartigans were all lawyers and their dad was an alderman and he was a lawyer and they had an uncle who was a judge. I just sort of a little bit remember. So it's kind, you know, it's kind of in the blood. And my dad definitely thought that was an honorable profession for sure.

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AV: So your family more so than your, say, your religion or your ethnicity had more to do with you being a judge? Or wanting to be a lawyer, I should say?

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Judge Hogan: I would say that's true. I mean, to be absolutely honest with you too, at the time, I was trying to figure out what to do and my dad absolutely geared me toward law school and that was it. But there's also, at that time, the choice of going to law school or going to Vietnam, and there was no doubt I wanted to go to Loyola law school rather than Vietnam so--because I was in ROTC, so I was an officer, so I was commissioned, and I was obligated for two years. So that was--how much of a factor--I always tell people that was a big factor, but I don't know, I think I would have gone to law school no matter what, but I was glad I wasn't going to Vietnam, that's for sure.

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AV: Well, did you not want to go to Vietnam because of any conscientious objector status, or...?

(0:15:47)

Judge Hogan: I wouldn't say conscience--when I have gone if I was sent? I would have. Did I think we should have been in Vietnam? No. Did I think it was the right thing to do? No. Did I want to get shot at? No. But would I have gone if I been ordered to do it? I would have.

(0:16:04)

AV: And did that influence your decision to be a lawyer? I mean, the fact that you didn't think Vietnam was right.

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Judge Hogan: I don't know, probably not. I think it was more for my father and family, you know, just kind of had thought it was a good thing and an honorable profession and I just kind of went that way. I think his guidance was more important than anything else.

(0:16:33)

AV: Okay. So you said that you went to Loyola University--

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Judge Hogan: Mm-hmm.

(0:16:37)

AV:--for your undergrad--

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Judge Hogan: Mm-hmm.

(0:16:38)

AV: --okay. Let's go into that time-

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Judge Hogan: Okay.

(0:16:43)

AV: --a little bit. What sort of courses did you take? Were you pre-law?

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Judge Hogan: I was a history major which is an excellent major....

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AV: Thank you.

(0:16:56)

Judge Hogan: (Laughter) I'm trying to think if I even had a minor. You know, in those days you took so many requirements, you know, I had I think like five or six philosophy courses, and, you know, theology courses, and political science courses. So, certainly more in the liberal arts than in the sciences, that's for sure. But--so that's basically it. I was a history major. I did fine--I liked it--I was in ROTC too, so I was taking those courses also. At that time I was on basketball

scholarship. I lived in the dorm. It was great: I lived in the dorm--in those days they had one...I don't know if you're familiar with it, I suppose you are, the dorm was the one on Sheridan Road that I think now is the seminary students use, and--across from Bruno's the tavern. But...so I lived in that there, and I still lived--but my house was three blocks away, so it was great. I would live there, and then I would go home, and if I got in a fight with my folks I'd come back there, and then I'd go back to the house two weeks later and they would be glad to see me again. Plus, my girlfriend who ended up being my wife lived two blocks away. So it was--we had a great time. And... so I played basketball, I was in a fraternity, I was a TKE [pronounced "teek"] which was lot's of fun. Made good friends. I don't know, that's about it.

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AV: So, which...did you enjoy your courses in history the most, or...?

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Judge Hogan: Absolutely. I, you know, I was kind of... what I was good at, I was good at and the ones I wasn't so interested in, I wasn't really interested in them, so I was very good, and I did very well in history, and in political science especially. You know, give me an economics course or a language, I just didn't particularly like it, or I wasn't that interested in that. But I was--yeah, I liked my history courses a lot. I liked the teachers a lot. And I still do. I mean, I'm still interested in history. I like it, that's what I read usually.

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AV: What kind of history courses did you take? Were they more American history?

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Judge Hogan: I think a little bit...I'd say more American, some European. I remember I took--I would say mostly American. I took a Latin American course. But I would say at least half of them were American, just my recollection.

(0:19:28)

AV: Okay. And the fact that you were still living close to home, did that affect any of your decisions as far as what you were going to do with your education later on?

(0:19:45)

Judge Hogan: Well, I think it did in so far as my relationship with... you know, my girlfriend was pretty close. And by the time she got to college--I was dating her when I was a senior in high school and she was a freshman high school, so pretty much by the time she graduated from high school, she was going to stay at Loyola, so I was going to stay at Loyola too, so...you know, we weren't going anywhere. So did that--I would say that had more of an affect, and, you know, because I could have gone to other schools to play basketball, and it was just kind of a natural thing because my brother was there and my dad loyal, and they were such avid Loyola people. My brother had coached at Loyola U for a year or two and he coached the team that won the NCAA as freshmen, so that would have been '60, I think. And so he was close to Ireland.

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AV: Close to Ireland?

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Judge Hogan: George Ireland was the coach....

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AV: Oh. (Laughter)

(0:20:48)

JoAnn Baldwin: That's right. (Laughter)

(0:20:50)

Judge Hogan: George Ireland was the coach there for many, many years. He was kind of like the Ray Meyer--

(0:20:54)

AV: Yeah.

(0:20:55)

Judge Hogan: --of Loyola. So my dad was close to him, and so was my brother.

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AV: Okay. And what about your fraternity?

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Judge Hogan: The TKEs?

(0:21:04)

AV: Yes.

(0:21:05)

Judge Hogan: Lot's of fun. Don't know...I don't think I would--you couldn't pay to live there, that's for sure. It was a pit. It was very much like the Animal House type of atmosphere. I joined my sophomore year, I was...still a lot of friends, who are TKEs. Just at a wedding of a friend of mine who's daughter--and in fact one of my law clerks Kim Frost was her--her father was a fraternity brother mine. So, it was a great time. I don't know that I was really--I really didn't have the time to really be in the nitty-gritty of fraternity life. To be truthful, I was much more into the party life of the fraternity than as far as, you know, I was not in like the...no officer, or running the place. I mean, we just hung around with them, came over. And I was more--a lot of the people I pledged with were a year older, so was more into it my sophomore and junior year than I was my senior year.

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AV: Did you bring your girlfriend around?

(0:22:05)

Judge Hogan: She was around all the time. It was always great it was, you know, she was in high school when I brought her around, so it was...but, yes, all the time.

(0:22:15)

AV: Now had you decided that you wanted to go on to law school when you started as an undergrad, or...?

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Judge Hogan: No. I would say it kind of just toward the end--you know I--all of the sudden I started thinking about it more than anything else. Can I say I really thought of my career as a freshman college? No. But, you know, as it went on I kind of, at least subconsciously, thought that would probably the way I would go because nothing else really stuck out, and, you know, it was part--kind of in the blood and so I always kind of thought is what I would do. But I don't know that I had--when I first joined--you know, I'm going to be a lawyer and that's what I want to do with my life? No. I can't say that. But gradually I did decide that.

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AV: Could you go a little bit more into that genesis of how you came to the decision to go on to law school?

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Judge Hogan: Just mainly because -

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AV: I mean, there's your father, obviously, but....

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Judge Hogan: Yeah, and, you know, I like to read, and the history aspect of it was, you know, interesting. And the politics--I love politics which made a natural progression to be a lawyer. You know, there are politics. A cousin at the time, let's see, what was he when I was--I think he was...certainly, he was board committee-man, and I helped him out, and he was working with Mayor Daley's--the first Mayor Daley's top assistant. And so I was interested in that, and that was kind of it. It was just...I found it fascinating.

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AV: Were politics really important to your family?

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Judge Hogan: I'd say yes. Certainly we talked about it, and certainly with my cousin's--obviously, that was his life, and had been. But yeah, it just always interested me. Somebody told me...I think actually in the '80s I might have had some Graham was a mayor, or something like that, I was told, but I don't know if that influenced me. But mainly because just everyone was involved in local government stuff, and it just always interested me. And it does have--you know, Kennedy in 1960, when--I mean, we were out in California during the convention and stuff, and it was extremely exciting. So did I like that? I did.

(0:24:45)

AV: So your religion and ethnicity played a role in that--in your liking of politics?

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Judge Hogan: Sure. Because, you know, when Kennedy ran, it was the first Catholic you know, and that was exciting. And you were interested in that, and, you know, the Irish were a part of it. Sure, very much so.

(0:25:04)

AV: And how did you arrive at the decision as to which law school you would attend?

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Judge Hogan: Basically two reasons--when I get into it, I guess three reasons. Grade wise--I contemplated Notre Dame, but I'm not so sure I could have into Notre Dame. Undergrad, I had a basketball scholarship to Notre Dame and I turned that down, and I thought, well maybe I should--but I never really wanted to. I was really going to stay Loyola because I liked Loyola undergrad, I wanted to stay home. And I thought Loyola, you know, had a good law school.

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AV: And did your experiences in law school vary radically, or were they pretty much the same, from when you were an undergrad?

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Judge Hogan: I would say, as far as educationally it varied greatly because I had to study a lot more. (Laughter) You know, law school's hard, you had to study, and it took me a little to figure that out, and because I was, you know, I was living at home and, as I said, girlfriend close so we spent a lot of time together. So...but it worked out. I got married my third year of law school, so I was married at the end of law school.

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AV: What kind of experiences did you have in law school? I mean, was it, you know, very rewarding, or...?

(0:26:38)

Judge Hogan: Yeah, I liked it. I liked the teachers. We had a professor, Hayes, who had been there for many, many years and he taught property, and he had been in my dad's band back in the--I guess '30s, I suppose. So he was somebody you could--you know, was nice to talk to. It was kind of nice--they had a lot of teachers who had been there a long time. Forkins was another guy, and Professor Michaels who I know well. He was there, although he's a little younger. And I was friends with Fritz Virullo, who I think ended up going over might be De Paul. But he was the Assistant Dean at Loyola when I was there, and he was a big guy. And then they had--it was kind of interesting--when I was there, they brought a new professor, a priest, Father Cunningham, who was extremely--was very much into the anti-war movement, and had represented a number of the--I think he represented the Berrigans who--Jesuit priest--who had got arrested and stuff. So he was... yeah very, very active, and a good guy. But he kind of threw--it was great--he kind of threw the grading system out. In those days, fifty-five was

passing, and...my recollection, seventy or something like that was honors or...you were doing great. But they really took it that way. So I had a friend who got, I think, an eighteen on a property exam. I mean they really, you know looked at that. Well, all the sudden you got people who didn't have that history who were very much--in those days you got guys who, you know, grades aren't that important and want to be friends with the students which is great for the students, but he might give you an eighty-five or a ninety. Well, it threw everything out of whack then. So I think they eventually had to change it to letter grades because it kind of screwed it up. But it was good. I...Professor Hayes was a great man, he ended up going to the Appellate Court, and a great guy, just the nicest guy in the world.

(0:28:35)

AV: Did you have a very close relationship with your professors?

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Judge Hogan: I had a close relationship with Hayes, Professor Hayes, and probably the other one would be Virquillo, Fritz Virquillo. That's the two people I talked to the most.

(0:28:48)

AV: Were they the most influential on your early...?

(0:28:54)

Judge Hogan: Course decisions, and yeah. Yes.

(0:28:59)

AV: While you were in law school, did you have an internship of any kind? Or a job, or anything like that?

(0:29:06)

Judge Hogan: No.

(0:29:08)

AV: No?

(0:29:09)

Judge Hogan: I had an internship, that's a lie. I did, now thinking about it. I was in the Federal... what is it, where they appoint lawyers for... to represent indigents, and Terry McCarthy was the head of it. And that was great, and that was first semester, I did that and that was good. That was lots of fun, you go interview--and, you know, you go to court and you actually had some trials, and I sat in the trials and helped them, and then you go to lock-up and interview, you know, the clients and stuff. That was lots fun. Federal Defender Program.

(0:29:52)

AV: Okay. I think we've covered law school pretty well.

(0:30:00)

JB: You guys are doing great. I haven't--there hasn't really been anything to make me go "Oh!" I look forward to that. Actually, I could--I'll slide this in -

(0:30:09)

Judge Hogan: Okay.

(0:30:10)

JB: Your wife was going through undergrad at Loyola--

(0:30:12)

Judge Hogan: Right.

(0:30:13)

JB: What did she study?

(0:30:14)

Judge Hogan: Psychology. And we got married when she was a...going into her senior year of college and I was going into third year of law school. So she was young, although at the time we didn't think so. (Laughter)

(0:30:26)

JB: Did she become a psychologist then?

(0:30:28)

Judge Hogan: No. She pretty much stayed at home.

(0:30:29)

JB: Okay.

(0:30:30)

Judge Hogan: Took care of the kids.

(0:30:31)

JB: Okay.

(0:30:32)

Judge Hogan: She... right after I got out of law school she was working. And then I went into the army for six months, so she came down to Fort Benning. And then when she came home, she worked at St. Scholastica's which is a high school in the neighborhood because her sister was a nun. She did recruiting and that kind of stuff. And she did that, and then our first child came along, and she did it part-time, and then when our second child came along, that was it.

(0:31:00)

AV: Did your military experience have any influence upon you as an early lawyer, or while you were in law school, or anything like that?

(0:31:12)

Judge Hogan: No. I mean--what is was, was--I was...I had a two year commitment and Vietnam was ending, so they sent us to Fort Benning for infantry school, and then said you don't have to--you can get out in four months. It was because they had so many--they just had so many officers. They were sending all these officers back from Vietnam, and there was basically guys who wanted to make careers out of the army, and they were saying you can't--they're throwing them out. So they didn't want any more officers like us, so.... I think out of the whole--our whole company, like 120, they kept three or four, basically minorities and maybe the top guy. So they... I was only there maybe four or five months.

(0:31:54)

AV: Any recollections -

(0:31:55)

Judge Hogan: But I didn't mind it. I mean, I liked the people there. I liked them. I liked... I always liked the regular army guys, you know, at Loyola. It was nice because the guy--the Loyola guy happened to be transferred down to Benning, so he was a colonel. He was a very nice man.

(0:32:12)

AV: Any specific recollections or experiences you'd like to relate about your time at Fort Benning?

(0:32:19)

Judge Hogan: I liked it when my wife came down. (Laughter) You know, made lots of friends. It was interesting, you know, at that time how many of the officer corps were really against Vietnam, and I think they did a--at the time we were there they--I don't even remember what happened, but something happened to think that maybe things were going to start up more strongly. And so they interviewed, I think, somebody told me this but I don't know if it's true or not, but, you know, fifteen or twenty officers and like half of them said they wouldn't go if they were ordered. And, you know, here's the officer corps--so it kind of tells you what the mood of the country was.

(0:32:57)

JB: What year would that have been?

(0:32:58)

Judge Hogan: '71 or '2.

(0:33:00)

JB: '71-ish.

(0:33:02)

Judge Hogan: '72 I guess. '72, early.

(0:33:07)

AV: Well it's Georgia, you know, so it's a very different place from....

(0:33:15)

Judge Hogan: It sure was. I had not been down South, but...and when my wife Peggy came down, we lived off base and it was very much, "Oh, you're a Yankee." But, you know, once you got to know it, it was fine. The people were--she was young and cute, so it made it easier. And... we made--and I don't see anybody anymore, but at the time, you know, we had a great time. You know, we went over to Savannah, we went down to Atlanta and stuff, so we had a good time.

(0:33:48)

AV: Alright, well, what did you--when and where did you begin your career as a lawyer?

(0:33:53)

Judge Hogan: Started off with a firm Ward, Lussier, and Dee who I had clerked for at the time I got out of law school and going into the army, and so then when I came out of the army, they hired me. And I pretty much stayed with them the whole time until I went to the Attorney General's office. They switched around...it was Ward, Lussier, and Dee, and I mainly worked for Ward and Dee. And then, after a while...Bill Ward was representing...it was a law firm dissolution, and he represented one guy. And my cousin, Dave Hartigan, represented another guy, so they got to know each other. And then I went and worked just--I was still there but I helped my cousin out on a trial, and so they got together. And all of a sudden then it became Hartigan and Ward. And then Tom Dee was around for a while--I can't remember exactly how, but he was there too. So I kind of stayed that way all the way up to the Attorney General's office.

(0:35:00)

AV: Are there any specific cases that you remember from when you were there?

(0:35:09)

Judge Hogan: Bill Ward was extremely... You know Tom Dee did mostly personal injury stuff, and his trials—he would generally send out to other people—he mainly was just a business getter, and he'd try to settle cases. He'd been a State Farm agent. But Bill Ward was an extremely good lawyer, a character, but the kind of guy, was almost a Bill Hart, if you know, where he had very, very good cases but he was on his own. I don't know; it's hard to do that anymore because people don't want to [send them]. But, he did a lot of condemnation work, represented the Forest Preserve and the Park District and then when I was there he represented the title company. Did a lot of securities work. 10-B-5 cases and fraud in the marketplace—did a little bit of everything—and he was an extremely good lawyer, but a character and cantankerous, especially in litigation. You'd...every case was a war. But it was interesting. He had one, one of the big cases I remember was, they had a case where...there was a broker who...his theory was...he would trade these companies that didn't have a lot of stock—you know thinly traded—and he would have his customers buy all sorts of shares so he could kind of effect the market. And he worked at a company which was a big brokerage house—Loebrhodes. So he would put these people into these various stocks and when he thought the stock might, wasn't going the way it was going down, he would then just buy more stocks for margin and they'd call up and

say “I didn’t order this, why you doin’ this” and he’d say “don’t worry about it, it just went up 5 points and you just made x-zillion dollars.” So they—I guess they went along with it—and he was constantly doing this, but now everybody was way up, you know, everybody was margined out of their minds and he did lose a number of people. We had, I think, 3 or 4 people we represented. LoebRhodes got wind of it and didn’t know what to do because they were already so margined. So they took—they basically fired him—and told him to go and so he went over to this other company that had lasted the Depression and been there for years and years and survived everything. He was there 18 days and all of a sudden what happened was one of the guys—I think he worked for, it wasn’t Wall Street, but it was one of the magazines, Fortune or something like that—and he wrote an article about it because he or one of his relatives was on the other end of all this thing and he wanted it to go down so he said how these were all overpriced and stuff like that. So, then it started going down and so he started putting, buying all these other shares. All of a sudden they didn’t have the money anymore so they got calls for the margin accounts and these people didn’t have the money. And it was millions and millions of dollars and the brokerage house couldn’t cover it either. The brokerage house went under after about 2 weeks, 3 weeks, and we represented them and it was (laughing) and it went on forever. It was a nightmare. But those were the kinds of cases, you know he did a lot of those cases and condemnation stuff he did a lot of that. He, we represented all the landowners who were out in Rosemont when they were building the...Horizon? What is that called now? I don’t know what it’s called; but whatever the name of...the Rosemont? It’s not the United—wherever DePaul plays and stuff...we represented those landowners which was kind of interesting. But those kind of cases.

(Discussion between interviewers in regards to whether anything has been missed.)

(0:38:58)

AV: All right, so you mentioned that you went on to the Attorney General’s office...

(0:39:02)

Judge Hogan: What happened was I was with Hartigan and Ward, and then I kind of was no longer with them but I shared a space with them. I represented Glenview and Mt. Prospect Park Districts and I would do just general practice and I would do work for them at a reduced rate which would help pay for the space. So I did that for, I don’t know how long I did that... a number of years and there was another fellow in there who at the time, two guys, Matt Lyden and Frank Dole. And I had a big case with Frank Dole, he had just left the core council’s office and he was doing police brutality, theft cases and I had a case of police brutality case which I gave to him and then we did it for awhile until I went to the Attorney General’s office and then he did it himself where a guy... it was a weird case.... This guy was a guy from Mexico who came home from work and he stopped and probably had a drink and then was leaving and the police started following him, but they didn’t pull him over for some reason—I don’t know why—and they followed him up to his house which was a two-flat with a high... To get up to the second flat was a long stairways and they followed him up and finally [they] catch up to him—and they went out of their districts and didn’t radio and why I still don’t know to this day—but they get him up on top and his wife comes out and they cuff him and the wife says they started kicking him and the wife goes to get her, the guy’s brother, and then they supposedly pushed him down the stairs. Now the cops said he resisted, but we have all sorts of medical tests made...

Anyways, they made it down the stairs, the one policeman is saying to the other policeman, “Oh Christ, I don’t like this stuff, what are we going to do?” and the other guy is saying “just shut up” and he [the Mexican] is unconscious and they drag him into the police car and then bring him over to the, I don’t know where exactly, whatever, the hospital, but he’s in a coma for like a month or something like that and he’s like brain damaged and stuff. So, that was a big case for us and we ended up settling so that worked out well. But it was interesting, I mean, why Frank did such a good job was he was, you know we, he was just a single practitioner, too and the city would never offer any money, never offer any money, now it’s a trial and they offer us a substantial amount of money which would have covered...Frank had spent lots of money and he...his child had been sick and so he knew all the doctors in the world, I mean he had the best doctors going, but it was all expensive. And they offered a lot of money at trial and what it would have done was paid off us and our expenses and a good fee, but by that time that guy was out in Elgin in a hospital and the state was paying his way so all it really would have done for him was reimburse the state and he would have been exactly the same. So Frank turned it down and I’m having a heart attack because there goes my fee (laughter), but it was the right thing to do. And they said we’re never going to give you more money, never going to give you more, and it’s terrible and then two days later they gave him a third more than what they had [offered] so lots more. And it worked out. But that was a big case for us. So, what happened then is I was on my own. And then Bill Ward got sick. And Tom Dee was going some place else and so the firm kind of broke up and so then I went over to the AG’s office.

(0:42:35)

AV: Before I go on talking about the Attorney General’s office, I wanted to ask, how specifically did you represent the Park Districts?

(0:42:43)

Judge Hogan: I just did all the legal work. Normally what would happen is I would go to all the meetings and that kind of stuff and then if there was any heavy litigation like condemnation stuff, then Ward would do it because it was his client initially. It was kind of an interesting [story]. When I first went with him, Ward and Dee, he was in a firm, I don’t remember the name of it. But Frank Lorenz was in it, who was Attorney General, and then by that time, when I was there, was in the Appellate Court; and then a guy named Hy Raskin was in there and then a guy named Mitchell who I guess ran for Governor, but I never knew him. But Hy Raskin I got to know. He was a guy who in the 50s got to be very active in Democratic politics and had been active in Cook County, but also on the national level had been as far as the Democratic National Committee. So he was active in that and so when Kennedy decided to run for president he called and this was through I remember *The Making of a President*, the 1960s, is that right? He had like 10 guys come to Hyannis Port to discuss his strategy about becoming a president and Hy Raskin was one of them. And so he was very instrumental in Kennedy securing the presidency and from there he opened, he became a lobbyist in Washington and Bill Ward then went down and worked for him. And then, what was kind of interesting, was when I was there Raskin was in retirement and he kind of came out of retirement and this was during what must have been the early 70s when Ted Kennedy was going to run and so you’re getting phone calls and then he had been running Scoop Jackson’s campaign who was the Senator from Washington, but he was in the office and then that kind of fell apart so he was getting all sorts of calls from Ted Kennedy, and Richard Biden [probably referring to Senator Joseph Biden]—all these guys were calling our

office which was kind of fun—because I was young. But that was that firm, so I represented the Park District basically. I would go to the meetings and any kind of bond issues or condemnations or any kind of complaints or whatever it was, I would do that. And the meetings were once a month, and it was good and I had a good relationship. It was fun. I remember the very first time, though, I went. Bill Ward says, go on out there... At least Mount Prospect, there's no problems, they're [meetings] over in an hour, everybody gets along, it's great. So I go pulling up and I couldn't find a parking place because the whole parking lot was filled and every tv station was there. I go—now I'm a young lawyer—and I go uh-oh and I walk in and they were fighting over whether they should put a, I think it was a baseball field...you know they were going to put softball fields in there and they were going to bring in almost semi-pro 16-inch softball out there and put lights up and there was a big hoopla and I'm going "oh boy". All these people asking me questions and I'm going "Oh Boy, I hope I'm right." But that was my first experience. So anyways, that's kind of what I was doing.

(0:45:55)

AV: So, let's move on than to how you got to be into the Attorney General's Office.

(0:46:00)

JB: When would this have been actually?

(0:46:02)

Judge Hogan: The Attorney General's Office would have been when I was forty. That's not right... it would have to be in the early 80s and I was 36 or something because I became a judge at forty. So, it was four years before that and so it was '82 or something like that. The firm had kind of fallen apart and my cousin was Attorney General and I knew in the back of my mind that my goal was to be a judge I thought and my thinking was that as a sole practitioner you really don't get to try as many cases as you wanted and so I went over to the Attorney General's office thinking I'll just try every kind of case I can and that would help if I ever did become a judge... that would be good experience and that's what happened.

(0:47:04)

JB: So at this point you were already thinking in terms of becoming a judge?

(0:47:06)

Judge Hogan: I was.

(0:47:07)

JB: Ok.

(0:47:08)

Judge Hogan: I was.

(0:47:09)

AV: You said your firm was falling apart at this time?

(0:47:12)

Judge Hogan: Well, Bill Ward was sick and he died shortly there after. And Tom Dee didn't want to practice any more—because he was older and Dave Hartigan, I don't remember what Dave Hartigan did, but he did something. So, anyways, there was a couple of other guys, and Frank Dolan was going to do something different, and Matt Lyden had gone over to Webbs because they were all at the U.S. Attorneys together and this was right before Webb became U.S. Attorney. Ah, but they were all [unclear]. It was Webb, Montana and Bliden for a short time before Webb became U.S. Attorney.

(0:47:48)

JB: What was your cousin's name that was the Attorney General?

(0:47:50)

Judge Hogan: Neil, Neil Hartigan.

(0:47:57)

AV: So, your cousin invited you in to the Attorney General's office?

(0:48:00)

Judge Hogan: Yes. Right.

(0:48:04)

AV: Ok.

(0:48:06)

Judge Hogan: What was good, though, I really didn't get, I really was not involved in the political aspect. It was very much...kind of intentionally. He was on one floor and I went on one and all I wanted to do was the legal aspect and that's what I really did, I really didn't get too much involved in the politics—in fact I didn't get at all involved in the politics.

(0:48:20)

AV: Well, could you go into a little bit more about what you did at the Attorney General's office?

(0:48:24)

Hogan: Sure. I was a little bit older—you know I kind of did it backwards. Although there were, it was interesting, there were a lot of guys, who had been, it was an extremely good office, and the people were very good and the people have all gone on to do very well. There had been people that had been there a long time, but there also people, who were younger people and I started off with four, three other guys the same day that I am [still] extremely good friends with. The main one would be John Ward, who's now a judge and his dad was a [Illinois] Supreme Court Justice and he's like one of my best friends now and we started the same day. And Rob Cushing, who was a great friend and became a judge for a while and he passed away. But those were the main guys I started with, so we the three of us hung out together because we started the same day and we shared offices and stuff like that and basically what I did was, I went over to the general law division and I think now they more compartmentalized [with] what you do, but then in general law you did a little bit of everything, especially because I was older and I was

ready, so I tried a lot of cases. And mostly it was prisoner cases—you know prisoners are suing the department. I did administrative reviews. John and I represented the securities division of the Secretary of State. Some personal injuries, defense—a little...shit, there's a lot of stuff, you know basically any time the state gets sued you represent them or if the state is going to sue somebody you represent them that way, too. But probably the most trials, the most you did... In Federal Court what they do is, pretty much the prisoner cases they appoint a lawyer to represent them and there's lots of cases that are class action type cases where they are suing over the conditions of the prisons so those were the big ones that we did.

(0:50:39)

AV: Ok, so you said that during this time you were thinking about becoming a judge...

(0:50:45)

Judge Hogan: I was.

(0:50:46)

AV: Could you go a little bit more into your thought process and what made you decide to make the leap from being a lawyer to being a judge?

(0:50:53)

Judge Hogan: Just my experience was pretty much... I tend to think most lawyers, especially if you can afford it, it's [becoming a judge] kind of something you shoot for. It's a great job, you feel like you can really affect people's lives, you feel that you can really make a difference—perhaps more so than a lawyer—at least I did. I thought I'd be a better judge than a lawyer. Truthfully I wasn't thrilled with private practice and general practice,... You know, you feel like sometimes you know a little about everything, but you're not an expert about anything and that concerned me. I loved practicing at the Attorney General's Office. It was great. You know all of a sudden, where I was working, everybody else was older than me when I was in private practice and now you've got 50 or 60 people where you [are no longer the kid]... it's just a great place to practice. And there were great lawyers and socially it was great and you would try cases and you would be 24-7 and then you'd have a couple of weeks where you could goof off. And it was just great. And the environment was good and the guy I worked for, Mike Hayes, was smart and extremely supportive and lots of fun, but he was very good. And he ended up being first assistant over at Gardner-Carton and now he's with... He was head of litigation at Gardner-Carton and I don't know truthfully where he is anymore—another big firm. So, I don't even remember the question anymore (laughter).

(0:52:42)

AV: We were just talking about the things that led to your wanting to become a judge...

(0:52:46)

Judge Hogan: So, that was kind of... I just thought that it was kind of the thing you shoot for. I felt you could have more affect than you could as a lawyer. And, luckily on a couple cases I'd made some money, so that was kind of put away, for the kids schooling, which now is all gone. (Laughter). So monetarily it was fine. I mean it was more than I was making with the Attorney General, which was good and the pension was good. It was nice with private practice; you could

always get the cases, the big cases where you could make a lot and that did happen a couple of times.

(0:53:31)

AV: So you were pretty successful as a lawyer?

(0:53:36)

Judge Hogan: Ok, not great, but ok. You know, I could make the living and stuff and you know. It was fine. As Attorney General... trying cases, I was good at that I thought. And, all you did was litigate, that's all you did. It was fun being in court.

(0:53:57)

AV: So, being a judge maybe provided a more stable income?

(0:54:05)

Judge Hogan: For sure, for sure. At the Attorney's Generals Office, you certainly make a lot more than at the Attorney General's Office—you couldn't live on what you made at the Attorney General's Office. But as I say, I had things, but the one case I told you about settled when I was at the Attorney General's Office and I got another case... I got a bunch of fees coming in after I was at the Attorney General's Office, it worked out great. And then there was another, I'm not sure if that got paid off when I was at the Attorney General's or when I was a judge; I can't remember. But these were cases that had been in the process that I had worked on that actually settled. So, you got a pushing fee.

(0:55:00)

AV: So, when did you become a judge?

(0:55:03)

Judge Hogan: 1987, I think.

(0:55:09)

AV: And what court did you sit in?

(0:55:10)

Judge Hogan: When I started off I was in First Municipal.

(0:55:16)

AV: First Municipal, you say?

(0:55:19)

Judge Hogan: That's doing civil cases in those days under \$15,000, now it's under \$30, 000.

(0:55:25)

AV: Inflation, right? (Laughter)

(0:55:26)

Judge Hogan: Exactly.

(0:55:31)

AV: Did you rotate around to any other courts?

(0:55:35)

Judge Hogan: I got appointed by the Supreme Court, so I was a full circuit [court judge]. There's a difference between—I don't know if you know difference between full circuits and associates? Full circuits make more money and in theory they do more substantial cases than associates. The associates go out to the branches, they go to traffic, etc. There's not nearly the distinction now than there once was, but there was then. So, for example they wouldn't send me to the branch courts or they wouldn't send me to traffic court. But I would stay in this building and I would rotate around or I would do the first jury, or just about anything and I was very willing to do anything. So, I did evictions, I did bench trials, I did prose court and if they got short I would go over to traffic cause they knew I would do it and I would marry people and stuff so I would kind of do anything.

(0: 56:40)

AV: How long did you serve for a judge, as a judge?

(0:56:44)

Judge Hogan: How long? 18 and a half, 19 years.

(0:56:49)

AV: And you said you were appointed? And you did not run a campaign?

(0:56:54)

Judge Hogan: The way it works, is when there's a vacancy, when somebody leaves, when somebody dies and if there is enough time the Supreme Court will appoint you to fill that vacancy and then you have to run the next time the election's up. And so the next election you have to run and so that's what I did. I got appointed and I probably, I don't remember exactly, but at least until 1988 when I ran, before I ran for the spot.

(0:57:21)

AV: How did your campaign go?

(0:57:24)

Judge Hogan: It was an election campaign since there was no one running against me. It was the best kind of campaign there could be. (Laughter) I think it was advantageous. In the old days it used to be pretty much if you were slated by the Democratic Party, you pretty much got it. It was changing when I came around, in fact there were a number of people slated who lost. My benefit was—this is the system, so it's goofy—but I had a good last name and people knew I was from the Attorney General's office, they knew probably that I was related to Neil so I would have a lot of support, which I did and no one ran against me.

(0:58:11)

JB: How were you appointed? Do you put your name in a hat? How did people know you were interested?

(0:58:15)

Judge Hogan: Basically, John, my friend, I told you, John Ward, his dad was a Supreme Court judge. So he knew I was interested and we were trial partners and then also Neil, who's the Attorney General. So, that was basically the two ways and I sent something over and truthfully to this day I don't remember exactly what I sent over. But I'm sure I sent a resume and a letter requesting it [the judgeship] and that kind of stuff, but certainly it was advantageous, you know, when one of your best friend's dads was a Supreme Court Judge and the Attorney General's you know [a relative]. John's dad was a wonderful guy, a great man.

(0:59:11)

AV: Now, was there a certain court that you preferred to sit in or were you just...

(0:59:17)

Judge Hogan: I liked them, I really liked being a judge so I kind of liked them all. You know I would do prose, eviction say where you'd have the whole courtroom packed and everybody, half the people aren't with lawyers and it was kind of fun. Instead of trying, what you want to do is let people think and know how important you felt their case was and that you were paying attention to them. Then you try hopefully, when they walk out of there, they at least feel you listened to them and you at least did something right. After rotating, I went over and sat what they call the 11<sup>th</sup> floor where they would have like six courtrooms and all you'd do would be hear cases that were under \$15,000 and were non-insuring. You'd have a call every morning of 70 cases or 80 cases. Because so many were collections stuff, there were contracts. There was everything. Out of that you might have, you'd go through the call and then at the end of the call, when you go through everything and you decided, then you would set aside anything for trial and then you might have 4 or 5 trials, bench trials and then you either would do them or they would come. They had a system where they'd come around and they'd say, "How many trials do you have?" Well, I have four and then they'd try to send them out to other judges, like jury judges, who had jury calls, who didn't have a jury that day, because it had settled or something, so they gave them to various people who weren't busy. So you'd do that everyday and that was, I always liked that all the way through. I liked it where I had a call with lots of people. I've always had that; I liked lots of lawyers and I liked the lawyers and I liked the interaction. And I liked, I enjoyed that.

(1:01:04)

Judge Hogan: I did that for a year or two, I guess, it couldn't have been that long. About a year, I suppose. Then I went over and I guess the next progression were the jury rooms, handling for a while [the] personal injury jury room and then Judge O'Connell asked me to do ones that handled contract calls, contracts and property damage. So, there were about eight million property damage cases for jurors and I did those and then when Judge O'Connell—he was head of First Municipal—when he went up to the law division, then he took me with him, approximately two or three months after that. And the law division—the cases over \$30,000 or the debt—or was it over \$15,000? I don't know when they changed it.

(1:01:55)

Judge Hogan: Do you want to take a break?

## ***File Two***

(0:00:00)

AV: All right, Judge Hogan, we're going to switch gears here really quick cause I saw something that inspired a question.

(0:00:20)

Judge Hogan: Ok.

(0:00:25)

AV: I wanted to ask before we go on because it applies to your background, where you grew up and your religion and everything—what do you think of having this in the courtroom, “in God we trust”? As a former lawyer and judge and I'm sure somebody who pays attention to it?

(0:00:50)

Judge Hogan: Well, it seems to me that our... I'd have to think about it more. I see it both ways, I mean, what's the, isn't the motto of the government and the Supreme Court they have it, I think. I guess though if it was really challenged, would I have a problem with it? Perhaps.

(0:00:55)

AV: As a judge?

(0:00:59)

Judge Hogan: As a person I have no problem with it, but as a judge if somebody... you know, I'd have to think about it. I guess. I'd have to sit down and look at the law. You know, I've never had a case like that, but it's a concern certainly. I'm a firm believer in the separation of church and state, more so [now] than ever. Is it possible that I would think that it shouldn't be there? It's possible. I'd have to think about it.

(0:01:28)

AV: All right, well, let's move ahead then and let me ask you if your political allegiances had any effect on your judgeship or any of your decisions or anything like that.

(0:01:50)

Judge Hogan: Political allegiances? No. Political philosophy? No. What you do is, in my opinion, you read the cases and follow the law. Now as far as the way you deal with people and stuff, I suppose. Maybe so. Would I rule, for example, if I really felt bad for somebody, and I felt terrible and I thought, you know, would love to give them the judgment. But if the law said no, the case law said no you can't, would I rule and follow the law? The answer is I would. The answer is I'd follow the law, so I guess not. But I think as far as...do I go into eviction court for example or prose court, do I have empathy for people who you know really have no representation many times, have no one looking out for their rights, the answer is yes. And would I make sure that their rights were protected, the answer is yes, I would. And would I, you

know, and it's true, would I treat a case, a \$500 case, or a \$1000 case, the same as a million dollar case? I would. Because to those people it's just absolutely as important as anybody else. But you have cases where people are paralyzed or just terrible things, and you feel terrible for them, but have I dismissed those cases? I have.

(0:03:20)

AV: You mentioned sort of a difference between political allegiance and political philosophy. How do you separate the two?

(0:03:35)

Judge Hogan: You know, do I have ideas about right and wrong, I think that has something to do with political philosophy. Political allegiance, would be, seems to me, you knew someone who... because this case has something to do with being a democrat say, which I am, would have some effect on the Democratic Party, therefore I would vote that way, or I would rule that way because it would help whatever party it is, or whatever person it is who [I] happen to know. Would I do that, I would not. With political philosophy, I think everything in your life somehow effects your decision making process. So basically, I'm Catholic, or I believe in God, does that have some effect? How could you say not? You know I'm much more liberal than conservative for sure. Would that have some philosophy? How it affects it, I have no idea. But it's just in your decision making. And, your everyday life experiences has to effect that. But can I look at the law and rule how I think the case law is, I can and I have and I do... did.

(0:04:55)

AV: Did you come along as a judge before or after the court system was restructured?

0:05:00

Judge Hogan: I'm not quite sure when the court system was restructured—I'm not quite sure what you mean. I would assume it's after. I don't know if there was any major restructuring after I got on. There was always changes. I mean there's always different, you know, ways they do things differently, but any major restructuring there was none when I was there I would say. The way they divided it up and the way they [do now], is the same.

(0:05:34)

AV: Ok, so there for except for the chief judge was there anyone you had to report to, or take orders from, as far as, or was there...?

(0:05:45)

Judge Hogan: You never really, the way they did it was, there was the chief judge and then there was various divisions, i.e. First Municipal, Law Division, Chancery Division (Judge Henry's in), Divorce Division, Probate Division, etc. Each one of these division had someone in charge of that division so your immediate supervisor would be the [lead] person in that division. First Municipal they'd have somebody in charge of evictions and somebody in charge of...traffic court. There would be someone in charge of traffic court even though it's under the first municipal so you could go under a number of tiers. When I was doing it basically my, in First Municipal, when I reported to most was Judge O'Connell, who was head of the First Municipal, then Judge Humiford was the chief judge, but generally my immediate supervisor was Judge

O'Connell and then when I went to the Law Division it was also Judge O'Connell. And then...he became chief judge and so then it was Judge Cohn who I reported to and then when Judge Cohn went to the Appellate Court it was Judge Maddox. No, it was Judge Evans and then Judge Evans became Chief Judge, when Judge O'Connell left and then it was Judge Maddox—who's still there. And those are the people I generally reported to. You know when you say take orders, orders would be... here's your assignment. There was never any orders as far as how you should rule. But as far as assignments—you're in this courtroom or that courtroom—then that's what it [the Court] did.

(0:07:30)

AV: What was your relationship, how would you typify your relationship with your superior judge?

(0:07:45)

Judge Hogan: I got along with them all well. I wouldn't... probably as far as socially, [I] was closest with Judge Maddox, there's no doubt about that. Judge O'Connell was a judge when my wife got sick. He was the head of Law Division when she got sick and he was wonderful and so I will always be grateful for that. And he does a great job, is a great administrator too. But, so, in that respect too, you know I respect him as a judge, but during that hard time he was great to me.

(0:08:15)

AV: And what about your relationship with other judges?

(0:08:20)

Judge Hogan: I have good relations. Extremely friendly. I got along with all the judges great—I can't think of any judge I really didn't get along with. Actually Judge Newicki and I started softball games where we play various divisions. I still socialize with six or eight judges, we have Bulls tickets together and we go out. Judge Ward is one of my best friends. I probably have 10 or 12 very good friends who are judges and then socially I would go out with any of them. So the relationships are good. It was hard; when you first get appointed, you're kind of on your own. They appoint one guy and then here's your assignment. What's nice about associate judges, you'd have a class and they'd appoint for associates. The way associates got appointed is the Chief Judge ultimately does the appointment. He has...no, that's not true. What happens is the Chief Judge, if there is ten vacancies [he] will nominate twenty people and then all the full circuit judges vote on 10 out of the 20. But what happens, what's kind of nice, is than you have a group of 10 or 20 people who start off together and they usually always went over to traffic court and they became very good friends, so that was easier in that relationship. I didn't have that [as an appointee], so you just get to know people gradually—and you do.

(0:10:00)

AV: Ok, are there any significant cases or memorable ones that you would want to talk about during your time as a judge?

(0:10:10)

Judge Hogan: Let's see, what are some cases? I mean they're all kind of... One was an interesting case. I had a case where a little girl, a girl, was killed by a guy. His parents then bail him out of jail and then he ends up killing his brother and attacking his sister. The case revolved around whether the parents of the little girl, the girl who was killed, could sue the parents of the kid who did it, the theory being negligent supervision and negligent entrustment. Because the theory would be that they knew all these problems were going on and he had a long history of problems, they didn't take care of [it]. Right before, now he was 17 or 18 or something, and right before his birthday they gave him this long hunting knife and that was the knife he used for killing the girl. So the question was, could they hold him responsible? It was kind of interesting, the issues for me... a lot of the discovery stuff, where the question was you would have to show these parents knew about all these problems and what the doctors told them, what the psychiatrists told them, etc., etc. Then they did these things and didn't follow through or they knew and why didn't you do this if you knew this stuff? So what the defense claimed was privileged saying you can't disclose this child's psychological records. So, I had to rule on that and in fact I said you could and the court said I couldn't. But, eventually I think those cases settle. But it was hard because you know I took the deposition of the sister, of the guy who did it, who he attacked. And so I sat in because she was so emotionally upset by the whole thing, and I sat in on the deposition with them. But it was a hard case. But it did settle. I know that. Let's see what other ones did I have. I had the Brown's Chicken case.

(12:50)

Cell Phone Interruption.

### ***File Three***

(0:00:00)

Judge Hogan: Of notoriety, the Brown's Chicken case where... If you remember that's where the... somebody killed seven people, (indecipherable) Brown's Chicken. And I had the case where the people were suing Brown's Chicken, you know the franchisee and Brown's Chicken them self. And for like they were negligent as far as any kind of safety measures and that kind of stuff. And so we did all sorts of discovery on that and there was lots of questions about whether they could get the investigate, cause this was many years after, whether they could get the investigative files and the question is when it's the investigation is still going on there is a privilege with regard to, investigative privilege, and so I had to go through a lot of the records and stuff and eventually I dismissed the case, affirmed. And but that was an important one. And then another one, Mancow Mueller was being sued by Keith Van Horn, who was a bear, a Chicago Bear and he was working with the same station he was on and Mueller said that Van Horn accosted him and threatened him and all this kind of, this guy's a maniac and he's a wild man, he should be thrown in jail, and all this kind of stuff and they made songs about him and parities and including the reporters on the news. And according to Van Horn none of it ever happened and so he sued them for defamation and that case ended up settling. And, but what was kind of interesting was the question was whether they could sue the radio station for negligent hiring and supervision. And, the arguments were one, that you couldn't because it would be such a... problem with first amendment... it would hinder speech and the other argument was that you had to show in order to do that you had to show they had similar conduct.

So, one of the arguments was that they did show that he did all these crazy, lots of crazy things, but nothing quite like this. So, I ruled, I threw the negligent supervision, I left the defamation claim against him in but I threw the claim out against the radio station saying that it was a violation of first amendment, you really couldn't do that, and there was no similar conduct. And the Supreme Court, the appellate court reversed me... What made me laugh was one of the arguments was if you did this, this radio station would never hire this guy and it would be such a problem with--cause they would be liable for all of this stuff and they really didn't have any control over it and they would never hire this guy. And so I got reversed so the case was still pending against the radio station and right after that they resigned him to about a--they quadrupled his salary, so I said well I guess, there goes that argument, but what ended up happening was then the Supreme Court took it and reversed the appellate court and affirmed me saying there were no similar conduct and they never really got to the first amendment issue, but that was interesting. I don't know I am sure there are lots more.

(0:03:25)

AV: I have a question. What do you mean about discovery?

(0:03:30)

Judge Hogan: What that is, is when you file a lawsuit, and then between/before the time of the lawsuit going to trial, each side has a right to find out the positions of the other side and you do it through discovery. And, the way you do it is initially we usually file a interrogatories document request. So in the interrogatory he'll say, you know, who your witness is, what are your injuries, what are your bills, etc. And then the plaintiff will come and say, you know, come and get facts with regards to help support his case. And then they will send out document requests, give me all the documents... an example with/in the Mancow Mueller... give me every document you have ever been, you have ever reprimanded Mancow Mueller for. And/or in the other case, give me all your medical records. And then somebody can either produce them or they will come and say, well no these are privileged because of what the attorney client privilege or medical doctor/patient privilege, or whatever the privilege may be. So, basically they go back and forth producing documents and if there is any disputes then it comes to the judge and the judge decides well, well there is if there is really a privilege or not a privilege, or if its too broad or of its relevant, or whatever the case may be. Because generally speaking they will ask for as many--they hope to get as many documents as they can because they hope they find something. And, so that's kind of the discovery. And after that what they do is, once they get all the documents and the interrogatories then they will start taking depositions, so they will bring people in and ask people question under oath. So the theory is, is that you get all the information so there's no surprises in trial. You really know what is going to happen in trial. So what I did was, when I went up to the law division I was assigned pretty much close to Judge O'Connell so I did stuff off of the assignment call. The assignment call is where they actually take the cases and when the cases are ready for trial, the chief judge of the law division will assign cases to various judges to try. And so, they also have lots of motions off that call--undiscovered motions... So, I did that. And, I also did jury trials. So, I did both of them for probably a year, a year and a half. And then my wife got sick, and so then they assigned me to progress call, which is really just kind of monitoring cases and there really wasn't any kind of brain work, particularly. And then, after a little while, I went to a motion call. And a motion call is... and I did that for ten or twelve years... a long time, until I retired, and that does... when a case is filed, it immediately gets a

letter A, B, C, D, E, F, and I was F. And so I was assigned to F, and the motion judge will do all... everything up until the trial itself. So, every motion, every... any attempt to settle it, anything dealing with the case, any discovery disputes, then you handle it. The motions being, motions to dismiss, motions for summary judgment, motions saying jurisdiction shouldn't be in Cook County, it should be someplace else; and motions to dismiss are, you look at the pleadings and based on the pleadings you say, this guy doesn't have a case. And then a bubbly he says here, he still doesn't have a case. In a motion for summary judgment they do discovery, so they'll take the depositions, and then they get all the facts, and they say, well here are all the facts, here is what all these people said, he doesn't have a case. And then you decide that so you throw it out before it goes to trial. And that is what I did for a bunch of years. And then you also in all the motions, it started in the last six or eight years, you monitor the case, you make sure that people are doing what they are supposed to be doing. You know, why haven't you done this, why haven't you... you are going to be in trial in a certain time, you've got to be ready. That's kind of what it is.

(0:07:25)

AV: Now you mentioned in the case with Keith Van Horn and Mancow Mueller that the appellate court reversed your decision. Now, did that sort of thing happen to you often and when it did happen, how did you feel about it?

(0:07:42)

Judge Hogan: Did it happen often? I would say not too often. The key to it is, you got to remember, I am making lots of decisions everyday that are appealable. And you have two sides arguing their points, so... you have lots of chances to be reversed. The other issue is that many of these issues are extremely--I mean obviously they are bringing it because they are not... it's close--there's cases on both sides there is nothing right on point, so they are all--a lot of them are very close issues. I would do three or four motions like that a day, so you only have so much time. The appellate court would spend weeks on the same motion. So, if I got reversed would it bother me? Um, you always want to get it right, but not particularly. You know, you do the best you can and you be as fair as you can and if they think it should be this way rather than that way--as long as they don't criticize you or say you didn't know what you were talking about or didn't do the research or didn't read the stuff, which that never happened. But a lot of these issues can go either way. And, uh, they can go the way you think but if they go the other way that's okay. Then, the next time you follow what they say. I had one that was kind of interesting where they... it was the death of a baby in a malpractice case. And the question... You have a statute of limitations and you can file it within two years or when you discover the malpractice, so it can be extended. And there is a rule that says if it's a sudden impact type situation where it would put you/ anybody on notice that there was negligence so therefore the discovery rule doesn't apply; you have to do it within two years. And, for some reason the appellate court had decided that the death of a baby is that kind of situation where it's so traumatic that you should be on notice, so you just have the two years. And I had a case where it was twins or something like that where [the baby] died shortly thereafter. Maybe it wasn't, I think the case I was relying on but it was... the baby died maybe two or three weeks afterwards, and they felt -- the cases I thought said, that was a traumatic event and you wouldn't have discovery rule. And I ruled... I had two cases right within the next week and I ruled and I said, I didn't think this was appropriate and I didn't think it was right but I thought that was the case line and I was required

to follow it. So, I had two cases and within a week... both were conducted very closely... one was affirmed and one was reversed because they were different panels (Judge Hogan laughter). But what happened was good... was that the one I was reversed on was published. Sometimes they don't have to publish the opinions and that was precedent so that was what you should follow, and I thought that was the right way. (Indecipherable) And you should have the discovery. So that is the kind of thing--so you know, do I/ did I get upset? Really not. I did not. I figured if that is what... if I was wrong, somebody should change my way. So I didn't get too upset, no.

(0:11:00)

AV: Okay. What kind of boards did you sit on during your profession or what kind of organizations did you belong to, that sort of thing?

(0:11:08)

Judge Hogan: You know, when you are a judge you really can't be on anything raising money that would put your name on it. So, I was on, I a little bit waffled on it, but (indecipherable) basically church stuff. So, I ran parties and stuff and we really didn't make any money but it was like St. Patrick's Day parties, so I was active in that kind of stuff. I sat on the board at St. Scholastica's. Um, what else, let's see... That's kind of it. I was not on any kind of legal boards or stuff like that... that I can think of.

(0:11:48)

AV: And what sort of things did you do at St. Scholastica's?

(0:11:50)

Judge Hogan: Nothing really there, I was just on the board. And I would go to a meeting once a year or twice a year--just because my sister-in-law is a nun up there.

(0:12:01)

AV: So it had more to do with family connections than anything having to do with your career...

(0:12:06)

Judge Hogan: Right.

(0:12:07)

AV: Now, what about the system of retention? How many times did you come up for retention?

(0:12:13)

Judge Hogan: Uh, I ran once and then retention is every six years, so twice. And then the third time would have been when I decided I wasn't going to go retention, so I didn't do it, I just served a full six years.

(0:12:33)

AV: And what's the process like? Or what was it like for you?

(0:12:39)

Judge Hogan: It was... you had to fill out a form and all the people who appear before you and that kind of stuff. And in some ways it was good because you get some feedback. So you go before the... well, first you of all they assign two lawyers or three, however many, who will then call all the people who have just appeared before you and see if they liked you or not, and all that kind of stuff. And then they look at a list of all your decisions, all your appeals and whether you were affirmed or reversed. They want to see what was there. So they will interview lots and lots of lawyers and then report back to the committee and then you come in and the committee interviews you. So it's nice to have the feedback... you know, everybody said nice things, so it was nice, you'll feel like you're doing a good job. Sometimes that doesn't happen with other people, but it did with me, so for me it was not a hard process. You didn't have to raise any money and you never campaigned... you don't raise any money, you don't campaign, you don't do anything like... at least I never did. You just go before the bar associations, they say you're qualified and then you... hopefully and then that's it.

(0:13:51)

AV: Did you ever have any worries going into a retention that maybe... you know?

(0:13:58)

Judge Hogan: Truthfully, no. I never did.

(0:14:02)

AV: I might have figured that. (Laughter)

(0:14:04)

Judge Hogan: I mean I guess you never know for sure but I would have been... if I was found not qualified I would have been surprised, I must admit.

(0:14:15)

AV: Were you ever called before a disciplinary committee?

(0:14:20)

Judge Hogan: Nope.

(0:14:25)

AV: I probably could have guessed that too. (Laughter)

(0:14:29)

AV: Okay, so the Democratic Political Machine in Cook County...

(0:14:34)

Judge Hogan: Um-huh.

(0:14:35)

AV: ...you mentioned before that things were sort of changing when you became a judge...

(0:14:39)

Judge Hogan: Um-huh.

(0:14:40)

AV: ... but did you ever feel a sense that it was, that it still had some weight in your profession?

(0:14:49)

Judge Hogan: Yes. It certainly has weight in so far as getting slated and... getting on the bench. I mean by getting slated it is still an important process. I don't—I really never looked at the statistics but I assume that most of the people who have been slated still win. Is it as much? No. Do people still, if you had a choice between getting slated and not getting slated, would you want to get slated? Yes. So it has an impact in there. I think it probably has even more of an impact now because they've changed the way the elections... they have eliminated a lot of the associate spots, that's why there is not as much distinction and more full circuits, and now for a lot of the elections you are in instead of... when I ran it was city-wide or other people were county-wide, so you had a whole five million voters, whatever it is... Now, a lot of the vote is, it's in districts, so it's more concentrated and in theory I think the political process... you know, so you have three or four committeemen and they can control it more and then if you are on a whole city-wide polling place, there is not a whole heck of a lot they can do. This was after my time, but I just feel that probably you are more beholding to get elected. They had not been beholding but they have more influence on an outcome of an election because it's a more concentrated area. If that's true or not, I don't know, but it seems to me it probably is.

(0:16:30)

AV: Okay, what about the distinction of Cook County politics and other things involving, you know, the Cook County government as being corrupt?

(0:16:50)

Judge Hogan: Um, does that have any effect on/ as far as a judge? The answer is no.

(0:16:56)

AV: Well maybe not for you but did you see it at all in...?

(0:17:00)

Judge Hogan: I did not. I mean, I obviously was the most naïve person in the whole world at that point (laughter). It was like Graylord when everybody had traffic ... now this was before my time, but I am sure I was over there. I mean, I didn't do much work in traffic court but I am sure I went over there with friends or something like that or myself, I got a ticket I suppose. And, I mean people had to know about it I suppose. You know Graylord was when there was, it was the big... where they found judges and I suppose lawyers too who were taking bribes and stuff like that. But I never saw it, and I was absolutely shocked and I am sure other people were thinking, oh, you've got to be kidding me, but I am sure I am naïve, but I never ever saw it. And did I ever see, did I ever think anybody on the bench when I was practicing or was you know was somehow... the answer is no, I didn't.

(0:17:54)

AV: So, did you feel that Operation Graylord did anything to tarnish the respectability at all of ...?

(0:18:04)

Judge Hogan: Tremendously. For sure. I mean when you've got however many judges going to jail, I mean it's a terrible... hopefully, I would assume it improved the judiciary greatly. I think it did. When I was on the bench I never ever saw anything like that. And I can honestly say in twenty years I never had anybody ever even approach me or pretend to try to influence me in any way. And you listen to Graylord and it sounds like that wasn't the case before. So, I don't know. So, did it hurt our reputation of the judiciary and as all lawyers? Absolutely, one hundred percent, yes. Hopefully it's better... now.

(0:18:48)

AV: Are there any other sentiments you'd like to share about the topic of corruption?

(0:18:54)

Judge Hogan: Um – no, just that obviously that you have to be aware of it all the time. I think if you have a reputation of partiality and honesty that no one would ever dare come say anything to you, try to influence you, because they'd know if they did, you'd report it right away. And as long as you had that reputation out there, you're fine. I can honestly say I never ever had a problem. I remember one time a kind of acquaintance started talking about a case that was before me, and all I did was, the next day I got all the lawyers together and recused myself and said this guy was talking about the case; I'm sure it was inadvertent, if it was not I don't have any idea and I just got it assigned to another judge. So I pose that to be the only time. But that had nothing to do with political corruption that was just a guy, you know a friend who came by and started talking about a case and whether he knew I had it or not I don't know. But I just recused myself the next day and disclosed it to everybody. It's easier to do that in Cook County because there's so many judges. It's hard in these smaller districts where there is only one or two judges and everybody knows everybody but you know I guess on that hand everybody knows everybody, so you know both sides so it doesn't make any difference.

(0:20:26)

AV: Interesting. Now, were you, did you become a judge when Harold Washington was mayor?

(0:20:34)

Judge Hogan: ... I can't remember when Harold Washington was mayor. I don't think so; I think I was at the Attorney General's when Harold Washington was Mayor.

(0:20:47)

AV: Okay, because I was going to ask, and maybe you can still comment on this; if there were any changes that judges like yourself might have experienced when a new city mayor was elected?

(0:21:10)

Judge Hogan: I can't speak back then. Would it make any difference... I guess maybe I was... I don't remember when Harold Washington left. But, would it make any difference who the mayor was? None... to me. I can't imagine that with anybody else, but no.

(0:21:55)

JB: I guess I will (indecipherable)... I was kind of looking for the perfect opportunity. You had mentioned that with you being so social and your family being so important, your wife was sick about, ten, twenty, or fifteen years ago?

(0:22:12)

Judge Hogan: Fifteen years ago.

(0:22:15)

JB: About fifteen, okay. How was it to manage your family life with both your wife being ill and where were your kids age-wise in all of this? Were they in school at this point?

(0:22:26)

Judge Hogan: Well, she wasn't ill very long. She got sick in the end of July, she was operated on at the beginning of August and she died at the beginning of September. So, it was a very fast process. And I had--my kids were, one was in sixth grade, one was a sophomore and one was a senior. And yeah, it was a very difficult time, it was terrible. But, the truth, as I told you, the assignment I got wasn't particularly difficult. And, so it made it much easier to be around the kids a lot. And I was a typical Irish husband; I didn't do a thing. And so all of a sudden now you're doing everything. But it's worked out, and it's been okay.

(0:23:16)

JB: So, a son and a daughter?

(0:23:18)

Judge Hogan: Two sons who are both lawyers and the youngest was a daughter. The sixth grader was a daughter.

(0:23:24)

JB: Okay, and the boys, one was a senior; one was in college?

(0:23:27)

Judge Hogan: One was a senior in high-school; one was a sophomore in high-school. Both--they were at Loyola.

(0:23:32)

JB: What does your daughter do?

(0:23:34)

Judge Hogan: She now is in North Carolina because there is a boyfriend there. (Laughter) And she is working at the University of North Carolina.

(0:23:45)

JB: Do you think your sons are going to aspire to be judges at some point?

(0:23:49)

Judge Hogan: My oldest son would definitely like to be, in my opinion. He's a state's attorney. And that's... I think he would. My middle son, I don't know. He is doing a dining group around -- he's doing insurance defense work. I'm not sure. It wouldn't shock me if both of them would like to be. I mean, I think they know and saw I liked it a lot. So it wouldn't surprise me.

(0:24:45)

AV: Now, as a recently retired Judge, what reflections at all, now that you are sort of on the other side, do you have on the Cook County's judiciary system?

(0:24:36)

Judge Hogan: I can say that the people I know, my friends are extremely conscientious, smart, well-prepared and moreover they absolutely want to do what's right. And I think that's all you can... What you want to convey is that you've heard the case; you've listened to the case, you've read the case, you've looked at all the material, you've analyzed it, you've done everything and then you decide and that's all you can ask for. I mean it's once side is going to think you're smart and one guy is going to think you're dumb. But at least they'll know that you were prepared. And the other thing I think is important is that you treat the lawyers with respect. Because it's an extremely hard job, it's a very difficult job being a lawyer. And so I think you have an obligation to treat not only the lawyers but everyone in front of you with respect. It's how you would want to be treated. And I think if you use that philosophy you really have very little problems with the lawyers or the people and they generally treated you the same way. Cause it is, I mean the whole nature of the beast is confrontation, I mean it's an adversary type proceeding and you're the one who has to keep it within bounds of decency where you are kind of the calming influence and I think that's important to do and as a judge I think you can do that and that's what you have to do.

(0:26:12)

AV: Okay now, since you've retired, Associate Judge Preston L. Bowie Jr. took your spot.

(0:26:23)

Judge Hogan: No.

(0:26:24)

AV: No?

(0:26:25)

Judge Hogan: Oh, took my spot as...

(0:26:27)

AV: He was appointed to your vacancy.

(0:26:29)

Judge Hogan: Oh, I thought you meant my spot on what I was doing in the motion call, yeah.

(0:26:34)

AV: Okay. Is there any sort of transitional process that occurs when this, when somebody...?

(0:26:43)

Judge Hogan: It really has nothing... you know that's just a vacancy and they fill them. It really has nothing to do with what I was doing. More importantly, I was in the motion call for twelve years and they just appointed a judge to take my call and is there any process... You know I talked to him for a while about that and he kept my clerks and so if he had a question I would answer it to him, you know. But as far as Judge Bowie, I don't even know where he's assigned to tell you the truth, he's I don't know... I don't think he is in law division; I'm not exactly sure where he is. So there is really no connection that way.

(0:27:17)

AV: And when you retire, do you complete all the cases that are before you?

(0:27:23)

Judge Hogan: I hope so. (Laughter) I wrote a lot of orders the day before I left! (Laughter) So that was the idea. I think there might have been one or two that I didn't, but ideally, yes you do. And that's what you want to do. You don't want to make anybody do the same thing over again because of somebody else.

(0:27:45)

AV: Were there any awards that you received over the course of your term?

(0:27:48)

Judge Hogan: Celtic Man of the Year! (Laughter)

(0:27:50)

AV: Celtic Man of the Year?

(0:27:52)

Judge Hogan: Uh-hum. (Laughter) Or Celtic [Keltic pronunciation], whatever. I got that! (Laughter)

(0:27:55)

AV: Are you serious?

(0:27:56)

Judge Hogan: Yep! (Laughter)

(0:27:57)

AV: Okay, cool! (Laughter)

(0:27:58)

JB: From whom?

(0:27:59)

Judge Hogan: The Celtics Lawyers Association. So, I got that.

(0:28:04)

AV: Excellent. That's the kind of award I would want. (Laughter)

(0:28:06)

Judge Hogan: Yeah, exactly. Great party! (Laughter) I think that's probably it.

(0:28:12)

AV: Okay, I like it. Are you still active at all with the Cook County Judicial System? Do you still...

(0:28:21)

Judge Hogan: Yeah. Basically what I do know is mediations and arbitrations. So, and what that basically is, is when people, rather than going through litigation in the courts, they'll come to me and I'll try either... a mediation generally would be me trying to bring both sides together to settle the case. Binding arbitration would be like a mini bench trial where the people will come and they'll agree upon all the various documents so they don't have to put any foundation. So I'll have all the medical records or all the depositions and then they can put a couple people on to testify before me and they'll do that under oath and then I'll make a decision as to what the case is worth, twenty million or twenty thousand dollars. So, in that way... it is basically the same lawyers who appear before me. So I am extremely busy doing that.

(0:29:12)

AV: Have you had any interesting cases that you'd want to talk about in this, in this regard here?

(0:29:16)

Judge Hogan: Ah, well, you know I think probably... I think the agreement says it's confidential, so probably not.

(0:29:21)

AV: Okay.

(0:29:22)

Judge Hogan: But there, it's the same cases... it's basically the same cases. And people realize... that's kind of the speech I give. One of the risks involved, you never know what's going to happen. So the compromise is much better off and they realize the cost involved, you know doctors and if you have to pay your attorneys fees et cetera it costs thousands and it's an expensive process and I tell people that the time, it can take a number of years, lots of years go to trial this way and it can get done with sooner. And then I tell the people also the emotional impact on your life, especially playing with... having to go through the process of you know, being put on the stand and sitting through the trial, it's difficult. So, if you can settle it, it's a

good thing. And, most settle. I think people like to... what's nice about this is that I think people, especially plaintiffs, want someone to hear their concerns, you know why they think they deserve it. It's almost a way to air some of their grievances and I think they like once that's done then at least they feel they can move on and try to settle the case. But it's a good... I mean, you're settling hundreds and hundreds of cases so it's just such a good thing for the court system and the court system is now pushing it very much. In first municipal all cases are arbitrated but through a court process. So, it's definitely the future to try alternative dispute resolutions, it's definitely the way to go. And it's financially great for me. (Laughter) Now I get paid for doing this stuff. It's great! (Laughter)

(0:30:58)

JB: It's all voluntary for you?

(0:31:00)

Judge Hogan: No, I get paid. (Laughter)

(0:31:02)

JB: Oh, you do get paid for that.

(0:31:03)

Judge Hogan: Oh, yeah I get paid. Sure.

(0:31:05)

JB: Are you getting paid through the court system, or?

(0:31:08)

Judge Hogan: No. No. These are... I have pretty much done it where either people call me individually or most of them... It's actually called AD... There are lots of different mediation systems and I'm working for ADR Systems and they'll call them and then they'll hire me and they'll hire ADR systems and then I'm like an independent contractor with ADR systems. But it's nice, what has turned out. It's nice financially for sure, but it's also nice, I think it's kind of rewarding because my call literally, when I said one person hates you and one person likes you, I mean that's basically what you did everyday was you have two people and you ruled for one guy and so... so I find it rewarding that people will come and hire you because obviously then they must have thought you were at least fair and did a good job on the bench and I will always think of myself as a judge more than a mediator or even a lawyer and that was rewarding for me. And still is. Because I am very busy.

(0:32:08)

AV: Alright well, we'll start wrapping it up here.

(0:32:11)

Judge Hogan: Okay good.

(0:32:12)

AV: And what I would ask a couple of things. I have to ask you to end this on is, is do you have any general reflections that you would like to share based on your experiences as a judge or a lawyer?

(0:32:27)

Judge Hogan: No, just that... I believe especially in today's like today in this kind of alignment where people don't think so, but I think so. I think being a lawyer is an extremely honorable profession and that I would I recommend my children or grandchildren and being a judge is, I think, the pinnacle of that profession and I loved being a judge. Best job in the world and I thank God that I was able to do it.

(0:32:56)

AV: Now, one that that I've taken from some things that you've said that I think is interesting, and I wonder how many other judges would share this sentiment with you, is you keep alluding to it and in fact keep saying how much fun you've had in your career. And especially something you said was out of an adversarial situation, which I find interesting and I was wondering if you could comment some more on that.

(0:33:29)

Judge Hogan: As far as being a... Being a lawyer, I can't say being a lawyer at all times was fun because you know you have so many other things going on besides practicing. That's why law, you know you are worried about financially, you're worried about getting business, you're worried about winning or losing. That's why the Attorney General's office was so good. Because you weren't worried about... you knew what you were going to make and you weren't worried about getting business and you worried about your clients to some extent, but it wasn't like some poor person whose life's going to be over if you lose the case. So that's why it was good. As far as being on the bench, I liked it, I liked, I enjoyed the lawyers, and I enjoyed the interaction with the lawyers. And when you say, as far as adversarial process, it's just one side and the other side, or you know if you didn't have this, the people have to settle their disputes some other way; they'd be shooting each other. So, this is where people are very emotional, you get something you know like divorces or even you know these kinds... you know people are very, very emotional. This is their life in front of you and so that's why you have to really treat these people with respect and with kid gloves. And even with lawyers, I mean, a lawyer, this will be his case and if he loses this case he's just lost hundreds of thousands of dollars and he might be out of business. And you know he's got to feed his kids and it's a very emotional type thing for lawyers too. And so, it doesn't make any difference... I mean it doesn't affect how you rule; you still rule how you rule, but you have to when you... if you throw somebody's case out, you have to feel or at least show that you feel terrible about it. And you really feel bad and you wish you didn't have to, but you got to. So, it's not like, hey idiot, why did you ever file this case in the first place. You have to try to, I think, show people the proper respect. And that's kind of what I was saying.

(0:35:24)

AV: Is there anything else you would like to add?

(0:35:26)

Judge Hogan: Nope. It was fun, I liked it. Become a judge, become a lawyer, become a judge, it's great! (Laughter)

(0:35:31)

AV: Alright, well I think we will end there.

(0:35:33)

Judge Hogan: Okay.

(0:35:34)

JB: Thanks.