

COOK COUNTY COURT ORAL HISTORY PROJECT
BIOGRAPHICAL INFORMATION FORM

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Years on the bench (i.e. 1949-1953) 1976-1994

Important Cases _____

Children
Letitia
Michael
Mary Ellen
Deidre

COOK COUNTY COURT ORAL HISTORY PROJECT

**INTERVIEWER: BJORN SKAPTASON
INTERVIEWEE: JUDGE MICHAEL C. CLOSE (RET.)
DATE: NOVEMBER 09, 2004**

COOK COUNTY ORAL HISTORY PROJECT
JUDGE MICHAL C. CLOSE (RET.), INTERVIEWEE

ABSTRACT

This interview was conducted as part of the larger Cook County Oral History Project, supervised by Dr. Christopher Manning of Loyola University Chicago. The goal of the project is to give a human face to the judiciary, and as such, retired Cook County judges such as Michael C. Close were interviewed.

Judge Close begins with his early childhood years, from birth and early rearing in the Lathrop Homes public housing to growing up in the North Side neighborhoods of Old Town and Lincoln Park. Judge Close continues with his elementary Catholic school education through DePaul Academy secondary school, and later DePaul University and DePaul Law School. His Navy service is mentioned, as are other early jobs and career decisions that follow Judge Close as he finances his education with jobs ranging from postal worker to newsstand boy to insurance adjuster. Judge Close's time in private practice is detailed, and the interview concludes with the Regular Democratic Party and early slating efforts as he begins the transition to the bench.

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 JUDGE MICHAL C. CLOSE (RET.), INTERVIEWEE

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Interview I: Judge Michael C. Close
Date: November 09, 2004
Time: 1:30 pm
Place: Daley Center, Chicago
Interviewer: Bjorn Skaptason
Also Present: Christopher Manning, PhD, Judge Theodore Swain

Bjorn Skaptason: Today is November 09, 2004, it's about one o'clock in the afternoon. We are at the Cook County court building at the Daley Center, and we're speaking with Judge Michael Close about his career as a judge in the Cook County Courts. Thank you Judge Close for agreeing to talk with us today.

Michael Close: Alright.

BS: The first thing that, the first part of your career that we'd like to cover is the...some of the things about your upbringing, some of the things about your childhood in Chicago and how they influenced your decision to enter the legal profession in the first place.

Um...you said, you already told us you were born in Chicago. What neighborhood are you from?

MC: I was born in Chicago, at the time of my birth I believe we were living in that area known as Humboldt Park...I was baptized in the B.V.M. church in Humboldt Park. Shortly thereafter we moved from that location to what is now known as Old Town. At that time, that neighborhood didn't have that designation...I think Old Town is a newer name for that section of Chicago. We lived on Sedgwick Street just north of North

Avenue, 1600 block of North Avenue. I lived in that locale for probably until I was about four years of age, at which time – I don't believe it was quite my fourth birthday when we moved from that location to...to Julia Lathrop Homes, which had just been built as a public housing development in the City of Chicago. We lived there for a number of years. We left the Lathrop Homes when I was entering the fourth grade, maybe about nine years of age. We were required to move out of the Lathrop Homes because the Chicago Housing Authority at that time had a maximum amount of money that you could make, and I didn't think my father was making that much money, there was 6 kids but in those days you could get bounced out of the projects if you exceeded a certain amount of money. So at that time we left the projects and moved to a area, again, located close to Old Town, which is just north of what is now called Old Town, that would be Lincoln Park.

BS: OK

(3:30) MC: And Lincoln Park in those days was a far cry from what it is today, where it is a very high-toned neighborhood. In those days Lincoln Park was inhabited basically by poor families, and most of whom were at best one generation removed from Europe and the greater majority of people, probably their parents were immigrants, kids were first generation.

BS: Okay

(4:18) MC: That was the fourth grade, and I lived in that locale for two years, and then we moved into the neighborhood that is now known as Ravenswood, it was then known as Ravenswood also. Lived there from that time until the time that I was married.

BS: Ok. So it seems like you moved around a lot...moved around the city anyway. What did your father do for a living?

(4:43) MC: My father was an electrician. Of course in the earlier part of my life we were in the midst of the Depression and there was little construction work going on in Chicago, nothing was built at that time. There was little need for construction electricians. My father was in Local 134, International Brotherhood of Electrical Workers and he was...he wasn't able to obtain any work as were most electricians at that time. There just was no work for them. So he didn't obtain employment, but outside of the building trades and we were able to survive through the Depression, as most other working class families in Chicago.

BS: Do you have any specific memories regarding the Depression or how it affected you personally, or how it you affected your family?

MC: Well, I think at that young age I was living among a lot of people who were similarly situated; they were all basically poor, and they didn't have too much of anything. And so I had no life experience where you were affluent so we didn't know the

difference. So as a youngster I think I had a very loving family and I enjoyed the company of a lot of other kids in the neighborhood who were likewise running around with holes in their shoes and patches all over their trousers. That's where it was at that particular point in time. Once the United States...just before the United States entered the Second World War the government went into a big ship building program and then required other types of construction related to the impending war effort. And they started up shipyards in various locations. My father was hired on as a electrician in the shipbuilding industry.

BS: Here in Chicago?

(7:23) MC: Actually in a place called Seneca Illinois. There were other locations. Destroyer escorts and vessels of that size, minesweepers and other smaller seagoing vessels were built if you believe it, right here in Illinois. And they were floated down the Illinois River to the Mississippi and from there down to Mississippi to New Orleans and the Gulf of Mexico.

BS: Ok.

MC: So there were some sizeable ships built, quite a few ships built in the Heartland. I don't know if people realize that or not.

BS: That's very interesting. What other experiences did you have during the war years that you can relate that were important to you, or that you remember now as being important to your community, or to your family?

(8:35) MC: We had a very loving family as I indicated. And my parents were Irish immigrant. My mother was from the Irish area of Galway known as Connemara. My father is from the north of Ireland, the area of Belfast and they're Irish Catholic. And they immigrated to the United States, a very close knit individuals who had ties to the Irish community; of course we were not an insular family, we related, I believe, very well to our neighbors, and as a youngster I had dealt with a lot of other immigrant kids, who... different nationalities; Italian, German, Polish... and during that time I believe that I made lasting friendships with individuals of many and varied backgrounds.

BS: Was that difficult, considering that sometimes the communities, the ethnic communities on the North Side were pretty standoffish. I've read about it. Was it difficult to reach out to people of other ethnicities?

MC: Well, not really. I recall as a youngster seeing individuals of different ethnic groups all in the same neighborhood standing around on the different corners of a intersection where you had individuals speaking Yiddish in one group, and another group speaking German, another group in Italian, and Irish. I saw that and I, even as a youngster I found it interesting, even at that young age. I attended St. Bonaventure grammar school in my early years of grammar school. I then went to St. Michael

grammar school. That was at... in Old Town, and thereafter attended Our Lady of Victory grammar school, from which I graduated. These are North Side communities. I attended the DePaul Academy. That's the high school which no longer exists.

BS: Where was that?

MC: That's located at the Uptown Campus of DePaul University. It's at Webster and Kenmore Avenue. It's on the East corner. That building, I believe is now called Burke Hall. Part of DePaul University, Uptown Campus. At that time it was DePaul Academy. It's since gone out of existence. After that I attended DePaul University, College of Liberal Arts, undergraduate school, and went on attending DePaul University College of Law.

(12:17) BS: So, all of the education you had was Catholic education?

MC: Yes.

BS: And was there ever a possibility of going to public school, or in your family did everybody just go to parochial schools?

MC: Everybody in my family attended parochial schools. However, at that time, the public school system in the City of Chicago was a excellent system, and obviously today I don't think that anybody in his right mind would say it's a system that works. It is not.

The public school system in the City of Chicago is totally and completely a failure, and couldn't reasonably be compared to the public school system that existed in my youth, which I believe was excellent and I have many contemporaries who practiced law who will tell you that, because the public school system in the City of Chicago was, indeed, a very good product. Today it's a system that just does not work.

BS: So, when your parents decided to send you to parochial school it was a matter of faith rather than a matter of that quality of that education over public education?

(13:44) MC: That is absolutely correct. I believe probably at that time in our history here in the City of Chicago there was a very definite preference by certainly people in the Irish Catholic community, and most of the Irish are Catholic anyways, to send their kids to parochial schools as opposed to the public schools, which were in fact very good schools. And it was a faith-based preference.

BS: Ok. Can you think of or remember anything in your childhood or in your education that you would say first hooked you into the legal profession? Either observing police or observing lawyers, some lawyer that you might know? Anything like that?

MC: [As I pointed out] I worked at an early age. My folks always believed that kids should have some work experience, so I had a situation where I worked on a newspaper stand at Armitage, Lincoln, and Sedgwick streets – northwest corner of that intersection there was a paper stand - I used to work there as a youngster. I worked there for nine

hours on a Saturday, and I also worked on Sunday after mass. And I would go to seven o'clock mass and I worked on that paper stand till one o'clock in the afternoon on Sunday. And then I'd work on the paper stand in the evenings after school. So I was a pretty avid reader of the newspapers. There were enough of them in the stand, so [there were an] awful lot of papers we had. We had so many papers I can't really remember them all today. We had German language papers, Polish language papers, a Jewish newspaper, and we had, I believe, four dailies at that time, and maybe more. So there was... there's a lot to read there. And I noticed that some of the customers that would come a lot, living over to the east end over there - a little higher end area - on occasion I'd run into somebody in a pretty good looking set of threads, you know. I'd strike up a conversation with these people that would be buying newspapers and whatnot, and I ran into doctors and lawyers, and I came to the conclusion that these lawyers were pretty well educated. And I got the impression these fellows were making a contribution to society as I saw it as a youngster, and I felt that was something to aspire to. I decided at a pretty young age to become a lawyer. That was my decision, it was made early on. I never spent a lot of time thinking about it beyond that point. I decided to become a lawyer probably when I was in fourth grade.

(18:05) BS: About fourth grade, you said? Almost the time...

MC: And thereafter... I never wavered in that decision. I decided that's where I was going to go.

BS: Really?

MC: Yes.

BS: Did you have... this might be stepping back a little bit. But did you have... living... You described around the news stand in Old Town, but also in the Lathrop homes and in Ravenswood. Did you have encounters with crime? Did you see a lot of crime as a child, or was that kind of thing something that happened in other neighborhoods, or were you kind of insulated?

(18:43) MC: I think the level of violence in the City of Chicago was relatively low at that time, but you still had gangland activity. I shouldn't just say gangland activity meaning the type of street gangs we have today, but what's known as the Outfit or the Mob. They were around and people got killed, but the level of violence was relatively lower... considerably lower than it is today.

BS: Really?

MC: Oh sure. Other things that happened beyond that that impressed me. There was a mass murderer on the loose, I think they called "The Hammer Man" and you know it got a lot of attention at the time. We had a war going on, and that grabbed most of the headlines on a daily basis. Every day you would read the newspaper, or I would read the newspaper, and I had plenty of them available to me. I'd just look at the headlines and

would see the American army in North Africa, and going on beyond that to Anzio and on to D-Day, and there was a tremendous amount of press devoted to the war. So I think that was the biggest item that the newspapers carried on the front page. There was crime, and that was reported in Chicago, and the more sensational things, this "Hammer Man" murderer, and then later after the war of course everybody will recall the death of a girl by the name of Susan Nathan, in 1946 I believe it was. And a student at the University of Chicago by the name of Herrons was arrested and prosecuted for that murder; in fact he's still in the Illinois Department of Corrections.

BS: Oh wow.

(21:20) MC: And the release, I don't know whether he will be or not, but those were the big things in those days. And as a youngster there wasn't the proliferation of handguns in the city as there presently is. At that time, if the street gangs, they were around, but they were not of the strength that they are today and they weren't, back then they didn't have the financial resources that they do today from the ordinance that they get from the narcotics trafficking...cocaine and heroin and other drugs that they sought. So they didn't have that financial wherewithal, but they did engage in violence and it was usually with homemade guns called zip-guns.

BS: Zip-guns?

(22:22) MC: Yes, which were just basically a piece of wood and a improvised hammer and a bullet, and that didn't take much in Chicago, so today though you wouldn't find any of these individuals in these gangs dealing with zip-guns.

BS: [Laughs]

MC: And then they went on later to Saturday night specials, cheap handguns which were much better equipment.

[Judge Theodore Swain enters the room and joins the conversation]

Judge Theodore Swain: How come you're still so young?

[pause in tape]

MC: Bjorn was just asking about the level of violence I had experienced as a youngster in the City of Chicago and I thought that relatively speaking, of course now I'm going back and I'm giving you the opinion of myself looking back upon myself as an individual somewhere about seven, eight, nine, ten, twelve, fifteen years old, and at that time I thought the level of violence in the City of Chicago was considerably lower than it presently is and I think, as I told you, the tools of the trade on the basis of gangland or street-gang violence was...was in the area of talking about zip-guns, and that progressed somewhat later to these cheap handguns called Saturday night specials. But today, I don't

think that any self-respecting street-gang hoodlum is dealing with zip-guns or Saturday night specials. They have .357 magnums and all kinds of other artillery that they deal with, so that obviously their resources - or financial resources - are greater and they are able to get these types of weapons.

(24:33) BS: So there's a big difference between street violence 1945 and street violence in 2004?

MC: Oh yes, absolutely. And I think that obviously in the poorer neighborhoods you would have more, more street violence and maybe that accounted for less violence in the poorer neighborhoods of those years. They just didn't have that wherewithal. Of course it was not my experience to find any kind of really well-organized gang activity at that time. The activity was lot less in those days.

BS: Ok. You graduated from DePaul Academy, and then what, did you just naturally go into DePaul University from there, or did you have other choices to make?

MC: Well I went directly from DePaul Academy to DePaul University, but it was a economic matter, we didn't have financial resources or wherewithal to attend an out-of-state university or some campus university as a resident student. I've been regularly employed since the time of the third grade and I had jobs all the way through grammar school through high school. I worked at least forty hours a week in my junior and senior years of high school here in Chicago. I worked at a gasoline station pumping gas and

greasing cars, changing oil, repairing tires, you know that sort of thing. Through high school and when I went to undergraduate school I was able to obtain a job as a mail person. I went down and took the regular civil service examination for a letter carrier and I suppose in the government they say you are appointed to this position as a regular civil service mailman. In undergraduate school I was very fortunate to work out my hours in the post office to accommodate my class schedule. I attended the Uptown campus for most of my classes. I did take some classes at the downtown campus. And during that time I would start in the morning about 5:30 in the local post office and I would throw mail, that is, letter carriers have what they call cases, and those are rounds. And I would go over and take the large trays of mail that we would receive and I'd put them in these little pockets, or the case. And I would do what they call tie that out, at about 8:30 in the morning. When I finished that I would then run what they called relays. And they had a lot of relay boxes throughout the postal zone in which I worked and I would put those relay bags for the various carriers of all these routes. There would be about fifty or fifty-five routes in this station and there would be two or three relay trucks which would actually take these relay bags to various boxes all of which are written on these labels. I would put those relays in those boxes. They don't do this anymore in this particular fashion.

(29:08) BS: Oh, ok.

MC: They're all handled by trucks. But then I'd do that until maybe about 9:30 or so, and I'd come back in and I would punch out on the clock there and I'd go down to

DePaul Uptown campus and I'd go to a ten o'clock class there and maybe I'd have another class after that one till maybe noon or something beyond that. And I might have a afternoon class, it depends on the day of the week. You know yourself, as a college student.

BS: Right. [laughs]

(29:45) MC: So that was my routine when I was in undergrad school and it worked out well. I would have to work at least forty hours a week in order to be a regular carrier, or a regular in the post office and they did accommodate me, they were very good at that. So then I'd work all day Saturday of course, straight through, and I'd work sometimes, ah, practically every Sunday. I'd handle what they call collections. Collection service in the Post Office is much different than it presently is. [Usually they'll] put it in the box maybe once a day, at that time we'd have to put it in the box three or four times a day, five or six times a day sometimes. So those routes were available and other times I'd work in the evening. After I'd finish my two o'clock class, maybe even later. From the campus I'd go back to the Post Office and do what they call mail handling. That is loading packages onto trucks that would go downtown. So I would get at least forty hours a week in, most times more than forty hours a week. So that's my routine throughout undergraduate school. When I went to law school I found another way of handling it and I became an insurance adjuster. And that I found to be very, very nice, well...it worked in, it fitted in with my routine.

Law school in those days was 9 – 12 at DePaul or Loyola. And as much as these schools want to now call themselves national universities and so on and so forth, they were known at that day basically as “trolley colleges”. And that’s a reputation that they have long stiven to eradicate, erase, get rid of. “Don’t call it that”. They don’t like that term.

BS: But DePaul is definitely a “trolley college”?

(32:08) MC: Well DePaul was a “trolley college”, and Loyola here in Chicago is also a “trolley college”. And two very good universities. And I don’t mean to demean them by calling them “trolley colleges”. But I think the present administrations at those universities find it rather offensive. They don’t like it. Maybe a lot of the people in the country don’t like it. They like to be known as something more prestigious. So they like to term themselves some kind of a thing like a national university. And look like they’re being very selective about who gets in, and who does this, and who does that. But as a practical matter they were more accommodating to individuals who were working in order to go to law school. So I found a 9 – 12 routine very good. I’m saddened by the fact that DePaul and Loyola have managed to string out their classes beyond that 9 – 12 framework so that they force the student body to be around at two o’clock in the afternoon to take some course over at Loyola that could have been offered at nine o’clock, ten o’clock, eleven o’clock in the morning. And they would follow those courses in the three year curriculum in the law school. If you’re going to day law school - I saw no point in going to night law school when you can go to day law school you can

get out in three years – at night it takes you longer. So it was a good system as far as I'm concerned. It's gone, it's a thing of the past. But at that time the insurance company was very accommodating. They gave me an automobile and a expense account and they provided that I would go around and see various appointments. And the best time to see the appointments is basically in the later afternoon or evening. And so that worked out very well with my schedule.

And also to see lawyers because DePaul at that time when I first started was at 64 E. Lake Street and they had a parking garage right next door to that so you could park your car in the garage and then go around after class to either see claimants or to pick up a court reporter and go around and canvass for witnesses. Or go over and see some of the lawyers in the Loop who were handling these small P.I. cases because that's about the only authorization I had was on small cases. So it was a great situation. And I went to DePaul law school. And in large part I owe a lot to the insurance industry for providing me with that opportunity to work as an insurance adjuster.

(35:21) BS: Was there any particular claim that resulted in a good story or an interesting situation? Some claimants...

MC: I don't really, couldn't comment on any of that right now. I don't think anything in particular. A lot of bump-and-bruise cases...and fender-benders, things of that nature for the most part. Any really serious accidents were going to be litigated. You know it's just talking about leg-off cases or anybody with serious injuries, very serious injuries, those cases would obviously go to situations where lawyers would file law-suits. And

they'd be litigated...there'd be protracted litigation for a number of years. No, I wasn't settling those. I was settling the case where the little old lady was walking across the public way and she comes to a pedestrian cross-walk, and she's got her arms with the groceries, and one of the insurants would make a right turn and upset her and her groceries and she had maybe a minor bruise, or something of that nature and maybe some rip to a garment, some jar of pickles that was broken and laying in the public way [laughs] but beyond that...it was that sort of a business. And maybe there was somebody that had a theft of an automobile, and you'd have to go and let them know that the new car that they had really only has a book value of "x" number of dollars, now that [laughs] it is gone. That sort of thing. It was an interesting thing when I did it, I enjoyed that. I was an outside adjuster, so to speak, so I didn't really go into the office very often, which worked out perfectly...

(37:48) BS: ...with law school.

MC: With law school.

BS: When you were in law school did you have an ambition already of the type of law that you wanted to pursue, whether it be criminal or civil, or did that develop during the...

MC: No I think when I was in law school I was basically focused on becoming a lawyer and getting the credentials and finishing law school and getting on with it. I knew

that once I got out then I'd have to obviously fit into some particular category one way or the other. I at that time thought that I'd like to practice individually if I could, or on some small partnership, possibly. I didn't really focus on becoming a...not an attorney with a large firm but I was open to the possibility of having a civil practice and maybe some personal injury business. As it turned out I ended up practicing a fair amount of criminal law.

BS: I guess I need to take another step back right here. I wanted to fit in your military service. I wasn't able to figure out from your CV exactly where that fit in. Did you go into the Navy after undergraduate?

(39:18) MC: Yes I joined the Naval Reserve and was activated. And I spent approximately total in the Navy almost thirty months on active duty. I was an enlisted man; I didn't see anything to be gained by attempting to get a commission in the Navy. At that time, they wanted you to put in four years of active duty and that didn't fit in with my plans at that time. I did have additional reserve obligations, so total time in the Naval Reserve was about ten years.

BS: Did the active duty take you on sea-service?

MC: Yes. I was aboard a destroyer in the Atlantic for the most part, and it traveled to the 6th Fleet, the Mediterranean, and into the North Atlantic at the 2nd Fleet. We did a lot

of sea-duty and into a component of the ...I believe, the 5th Fleet, gone through the Suez Canal into the area of the Persian Gulf and around the Indian Ocean. It was interesting.

(41:00) BS: Got to see the world?

MC: I thought it was fine. I never had a bad day in the service. I never had any...bad thoughts about it at all. You're in an environment in which you have little control.

TS: What years was that?

MC: That was back in the mid-fifties. And you have no control over your environment. You're told this is the program, this is what we're gonna do, you report to a ship. I was a radio man, actually, and fortunately when I came aboard the mailman aboard the ship was just being rotated to another assignment. So he left, and I became the ship's mailman in addition to being the radio man. Which was very good. [I got to] get off the ship at every port we came into [laughs]. So it had its benefits.

I had no complaints about my time in the military on active duty. I thought it was fine, and Navy food was good. And I've often heard guys complain and beef about being in, wanting to get out. I never could understand it. They knew that they had an obligation and that they were supposed to perform that, and they may as well enjoy that as long as you're there. I had a lot of good experiences, I rather enjoyed it. I had other plans in mind, otherwise I might have spent even some more time in there. [laughs] But I gotta get on with my life.

BS: I suppose one question you have to ask any old sailor is if you ever "crossed the line"? If you ever went over the...

(43:03) TS: The Equator.

MC: The Equator. No, I never made it. [laughs] I never made it.

BS: So you didn't have to go through that particular hazing? Alright, good. Well, do you want to take a break for five minutes or so?

MC: Ok.

[break]

(43:30) BS: Alright. We're back with Judge Michael Close, and once you...we're going to move on to the experience in the legal profession, and move into the legal profession. If we can, we'll get as far as the bench. But we'll just go over whatever's interesting...whatever we want to talk about, about the career of a lawyer. The first thing you did after graduating was private practice, was it?

MC: Yes it was. Shortly after I was admitted to the bar I was contacted by a fella who was in the construction business. He was a fairly large excavator who was doing a lot of

what is called "site development" and for developers in the suburban Chicago-land area. He was also doing some roadwork as highway construction and in Chicago and in other areas of the state and outside of the state of Illinois. He had fallen upon fairly hard times. He was having problems collecting monies from individuals who owed him money, he had problems with bonding companies that claimed that he had defaulted on certain contracts. And for want of other work at that particular point in time, I said we'll take a look at these problems for you. The man had previously had other lawyers at law firms that represented him. But at this time, as I said, very serious financial problems. So I also had serious financial considerations because I was leaving my former employment as an insurance adjuster. I didn't want to continue to work as an insurance adjuster when I had a brand-new license to practice law. I was interested in finding out just what I could do out there with that law license and so I jumped in with both feet. Took a look at his problems; he also had serious problems with the Internal Revenue Service. [laughs] And I learned a lot very quickly about collections, about liens, about property, about negotiating with individuals who are a rather hearty, rough crowd of developers. And I learned a lot of interesting things over those years, at that time.

I also recall, of course, this was a critical time in my life. I now have a child, I'm married and have a child.

(47:27) BS: What year did you get married?

MC: I was married in 1960, and I was interested in making money because I needed it to support my family. So I took on all of these matters as a first impression of me. The

US government wanted to seize his equipment in the state of Illinois anyways, and came out and in fact did plaster signs of the government seizure on his large pieces of construction equipment; and he had quite a bit of it, trucks and 955 excavation equipment, caterpillar tractors, and the road graders and all that other equipment. So I was off to the I.R.S. and reading up on the Internal Revenue Code and just what they could do to an individual under these circumstances. And they found that they had a lot of power. I talked with the...I shouldn't say lower level individual in the I.R.S., but certainly I talked to his supervisor in the department that was interested in collecting off of him. And they were making this seizure on the basis of their interpretation of the law. And I was finally able to persuade a individual higher-up that it would absolutely and totally cripple this guy, he'll never be able to pay anything if he can't work and there are other possibilities of collecting money from this individual or that individual, and so on and so forth. And my days were very filled with trying to collect money for this individual. And this was not going to be a situation where you were going to sit down and file lawsuits, because we couldn't wait around a long time. So I went out and I saw some developers, and they said "well, he hasn't performed properly"; this is a big site excavation, in a area...a community in the southwest suburbs, and a lot of homes were going up there, and there was a lot of V.A. and F.H.A. financing, I knew. So he was telling me that my client hadn't performed according to the plans and specs, and he's the site developer, and if he doesn't perform according to these plans and specs, then the developer himself has to make representations when he sells these particular units to other individuals that they do conform to the plans and specifications that have been filed, because they're underwritten by these government loans. (50:42) And these are

representations that he's making, so I tried that with the developer and he told me to get lost. So [laughs], so I decided "well, ok, fine". I went in and I got a hold of the - as long as I was dealing with the government - I got a hold of the government and I suggested to them that this thing was, that something had to be rotten in Denmark here. So actually, I caused a lot of problems for the developer. In which case, he turned around and paid my client in full. [laughs] So it loosened up some money. So we went on and it was an interesting experience. I just went on and found that.

With a fresh law degree, you're out there on the street, and how do you really solve these problems that you have for these clients? I went to a bonding company that was after him, and they filed a very large lawsuit. So at the time I decided that the very law firm that was representing the bonding company is the same outfit that advised him with respect to this particular project. So I said "Oh gee, I think there might be some big conflict here". I turned around and I did file my very first lawsuit as a lawyer and sued the bonding company, but I also sued the attorneys. And to my surprise, I was invited down to the Rookery building here in Chicago and sat down with these folks. And [embarked] a older lawyer, and he told me what he was going to do to me. He said he was going to possibly get me disbarred and everything else. And at that time I told him "Well, you know"...all of this going on and it of course caused him quite some problems. I didn't realize the problem that it caused this firm.

(53:07) TS: They notice things like that.

MC: So, I told him "Well, I don't really have any assets anyways. I'm just getting started here. You go ahead and do what you've gotta do. And I'll see what I have to do". And I'm there, and I've got a lot of time on my hands, so you know...they took a look at the situation and that problem went away. So there was a series of these sort of things that just presented themselves, and I got a heck of an education at that time.

The next thing, there was a fella building this, these things called The Marina City.

(53:47) BS: Ok.

MC: And he had another project going at this time, and it was a well-known architect and firm, and my client was digging out a sub-sub-basement in a building in which the city wouldn't relent about the number of parking spaces that were required. And he had figured that he had enough, but he did not. So we had a time and material job going there, and there was a dispute – a big dispute – about the amount of money this was costing. So I went over to a bank and liened his accounts. And when I found out...then a fella told me that "well they couldn't get any money out of him". His wife couldn't get any money out of him. [laughs] And Mr. Goldberg was very, very upset. [laughs]...and so...

BS: The designer of Marina City?

MC: I saw that matter resolve itself very quickly. And it was just amazing as we went down the line. The things that happened at that point in time. [laughs] In a relatively short period of time. And there was another thing going at the same time, another

development...fairly large development. Which a lot of people would say "the outfit" was involved, but I don't really know all about that sort of thing. But I do know that the individual...I had liened some property and stopped the flow of money from a outfit called Marshall Savings and Loan, which later had some problems with the federal government. And people involved in it were indicted, but I didn't realize at the time how closely they were aligned with people that you don't want to disturb. And so I was looking for money for my client and I got this project, and a fella called my wife and threatened to split my body in half right from the top of my skull right straight down through my privates. He didn't describe it exactly that way [laughs]. But he left it in no uncertain terms exactly what the hell he was going to do. [laughs]...Fairly frustrated. So my wife by the time I got home, I had to take her, her water had broken.

(56:44) TS: Oh my goodness...

MC: [laughs] And so now I got home and I had a call from another individual that night and said this matter would be resolved if I was to meet him out at, this particular individual, at a remote northwest suburban location. And a, I uh, I don't know, I went out there the next day. My wife's still in the hospital, and I drove out to a big old country place, there was an old barn. They'd done some renovations on the barn, and this is what a developer was using. But I went up to the second floor of this location to see a fellow with a long Italian name and – not that Italians are – yeah, I'd been dealing with these folks all my life, nice and well and friendly people as I recall, growing up in that immigrant area that I did. So I walked into this fellow's "office", and he invites me in,

and there he is sitting behind a big desk. And on the other wall he's got a statue of St. Joseph, and before that, just a little red vigil light, and the light is lit, you know?!

[laughs] Very strange place. And now he's sitting there behind this desk, and he has a little bit more of a sense of humor than the guy that was on the phone. So he turns around and he talks to me, and he says "Well, ok, fine". So he pulls out the checkbook, and gives me the checks for this, and of course he gave me waivers of lien, and that's just about everything, and we settled that. And so that's kind of an experience, [laughs] I enjoyed it. And I thought I probably needed a more secure source of income. So I did.

(59:25) I knew a fella who was leaving the Corporation Counsel office, and he thought that maybe I might be interested. So in those days, of course, the Regular Democratic Organization in the city had some say about who went to the Corporation Counsel's office. And I knew the local Democratic committeeman, so I went over and said "how are the chances of replacing this fellow with me because he's leaving?" And that would give me at least a regular source of income and some hospitalization, because having these youngsters without insurance kind of gets a little heavy on you. And so we worked that out.

TS: Who was your committeeman?

MC: At that time it was a fellow by the name George Wells.

BS: George Wells?

MC: That's right. And he was the committeeman of the 47th Ward on the North Side of Chicago at that time.

BS: 47th Ward, is that Lincoln Park, or Old Town...?

MC: No that's the area around Ravenswood.

BS: Ok.

(1:00:43) MC: So I found that the Corporation Counsel's office had a lot of different areas in which they employed lawyers. And I was interested in finding a spot that I could practice law, and they had no aversion to me actually practicing law, but they wanted me to work for them also. So I worked...I handled their night traffic call. And there used to be a night traffic court in Chicago. So I would...it started I believe at about 6 o'clock at night and it went till they were able to dispose of the last of the cases. And so I found that to be convenient and was lining up other business during the daytime, which worked out fine. That was my assignment and I found that it meshed well with what I was doing. So I was trying to build up a practice in the meantime.

BS: So you tried to build up a practice during the day, and worked at night traffic court?

MC: Yeah, right, right, right. So I did. And then I didn't want to spend too much time at that, I wanted to get some trial experience, you know, so I wanted to get it as quickly as possible. Because just going over to traffic court handling accident cases at night wasn't really giving me much court experience.

(1:02:30) BS: Were most of those settled without going to court?

MC: Well no, the people would show up, and there'd be a little bit of testimony on one side or the other, but it wasn't anything really too heavy. So I decided I'd like to get in the State's Attorney's Office, but I didn't want to be an assistant in traffic court or something like that. I wanted to be an assistant over at 26th Street, where serious matters were being resolved.

BS: Right.

MC: I was fortunate, I went and I talked to a lawyer who had done very well in the private practice law and had been a very capable prosecutor in the years that he was assigned to that office. And he put in a good word in for me. And I went to the State's Attorney's Office, and I became an assistant. So...

TS: Who was that?

MC: It was during Ward's tenure.

TS: Ok, but who was the prominent lawyer?

MC: Oh, it was a fellow no longer with us, Bob Cooney. Bob was with a firm called Cooney and Stint, and he was a very nice man. And he put in a good word for me and it worked very well. I went right from no experience in that office, to what was called Branch 44 in those days, at 26th and California, which was a preliminary hearing court. And I lasted one day in that courtroom. There was another assistant assigned there at the time, and it was a fella who had been in Branch 44 for some time. And I was in there, and in those days, people would have very little idea of exactly what's going on. And coming up you'd have a police officer basically, the assistant would ask the police officer "What happened then?" [laughs] He would relate that so-and-so came in and dropped the revolver on the sergeant's desk and said that "I just did away with my husband, he deserved killing and I just did it." [laughs] Whereupon the judge would say "We'll hold this over to the grand jury" – that was how that would go. So at any rate, I was standing there, taking up some room in the courtroom, and the assistant and I - the other assistant – are just not hitting it off real well. So he pokes me in the ribs about something, and I really don't have the slightest what it was about right now, but I told him, I said "hey, knock it off". So he did it again, and I gave him a good shove. [laughs] The judge says "What are you guys doing?" And this guy came back at me, and that was the end of that, he was back down on the ground. And so I helped him up. So the judge...

(1:06:02) TS: Who was the judge?

MC: Ryan.

TS: Judge Ryan? [laughs]

(1:06:05) MC: So the courtroom there, at the end of that day...and so uh...

BS: So how does a judge deal with it, when the two prosecuting attorneys...

MC: The judge doesn't pay any attention to that.

BS: Oh, ok.

MC: I went back to the State's Attorney's office down there, and I went home for the day. And the next day I came back, and was called into the office. [laughs] And the funny thing is...I figured, well, this is going to be a pretty short term. So at that time John Stamos says to me, he says: "You're being reassigned". He says: "You're going to be working with Joe Gill". Now Joe's a nice fellow, a nice man. And he's a well respected prosecutor, and now I had made a move all the way from - well actually, you see - the Branch 44 was inside the 1st Municipal District, basically what we call that today, and I all of a sudden am in the criminal division, one day on the job. And I uh, I uh, in fact, I'm promoted. I didn't realize this until...so that I see Joe and Joe's a very

nice fellow, and he later became a judge himself. Well at any rate, I had an interesting experience there which then...

TS: What judge were you working for?

MC: At that time I was before Nate Cohen. And Nate was a very nice man, and he...

TS: I was at R.D Hoagy's with him after he...

MC: What?

TS: I was at R.D. Hoagy's with him, after he got off the bench.

MC: Oh, oh, is that right? Well Nate felt that a fellow by the name of Tom Regan, who was a very nice man, who was, he thought was beating him, and Tom was a fellow that I knew from law school, and Tom wasn't beating anybody. But Tom was, in Judge Cohen's view, being fairly disrespectful. And so he had barred him from his courtroom, so to speak. And of course, the State's Attorney Dan Ward indicated that the judge didn't have the power to do that, so they told Tom to go back in there, and then Tom went back as directed. But Nate wanted to hold his line, so it finally was resolved that the State's Attorney had the right to assign individual assistants to these courtrooms. The Supreme Court had given them a license to practice, so therefore this individual, he could do a lot of things to him, he could hold him in contempt...

BS: You couldn't bar him from the...

MC: No...

TS: That used to be fairly common.

(1:09:30) MC: Yeah, it was. So anyways, I was in there with Joe Gill to replace Tom and somebody else. I would say it was the third day, Joe said we had to go to trial with a matter and it was a first-class Chicago type murder case, you know. So here I am on the third day...[laughs]

BS: Third day in court?

TS: On the third day...

MC: I'm trying, well, along with Joe at the time. But, I caught onto the program real quick. And we had an interesting bit there.

BS: Was that a pretty high intensity office?

MC: Sure, sure.

BS: Were you constantly...

TS: Oh yeah...

MC: There was a lot of murder after murder, after rape, after armed robbery, and going this way along. So then I had to leave because the compensation was very poor.

BS: Ok...

MC: So I thought I'd learned enough...

TS: How long?

MC: What?

TS: How long were you there?

(1:10:34) MC: About a year or so...but I was, I was only interested in trying cases. So I did, everyday. And I, you know. So it was a nice situation with Joe. Joe was a old time assistant. He had been one of the original public defenders in Cook County. He had a distinguished record in the Second World War as a marine, and he'd been around. He's a former Chicago police officer. So he was a, he was a pretty good mentor. And he gave me my reign, and he was willing to "Go ahead"...so I was trying these

cases, and I tried anything that was there. I was ready to roll with it, and it was very nice in Judge Cohen's courtroom at that time. Judge Cohen wanted to handle a lot of cases, and he was very organized. So I enjoyed that part of it, we got along very well.

BS: So did you always practice in front of Judge Cohen?

MC: There was another fella that came in there for a while, other judges. But basically it was Judge Cohen that I was before, for the most part. But as I say, I had to leave and get on with my practice.

BS: Right.

MC: So I did. And once I got on the street, so to speak, I found that there was plenty of work; I had originally thought that I would maybe get into the personal injury end of it. There were just too many other things going. I picked up a lot of criminal work.

(1:12:29) TS: Had you done any criminal work before that?

MC: Uh, yeah. Maybe one or two cases. But now I was able to get a lot of misdemeanor criminal stuff. Various branches, which was very productive, which is the thing that kept it moving every day.

BS: Was that in the time that...

MC: And then I would pick up a more serious criminal case, which was even more productive in some ways, but actually when you're starting out in this business, in these criminal cases, you can pick up some serious criminal activity. But....cases...they're not...people don't have the resources to pay them. You can get tied down with a murder case here and there and it just isn't able to be going to get much money out of it. And you put a lot of time in on it, but you have to do it...

BS: Yeah.

MC: So ya do. And there isn't much that you turn down. But it's, you know, you get some batteries, and you know, run-of-the-mill misdemeanors; they were fairly productive because one or two appearances in court, you would get your retainer, and a few dollars on it, and get on to the next case. So you gotta do these in volume, and so you get around it and you get to know a lot of people, and I had made a lot of contacts when I was on the street as an adjuster with police officers, and I had a lot of friends that were police officers. So you know, those individuals are often asked "So, do you know a lawyer?" You know...

(1:14:20) BS: Ok.

MC: Almost, you know, somebody has a problem, they go and talk to their cousin, and he's a police officer or something, and says "Why don't you go see Mike Close?"

BS: Ok.

MC: So I was able to pick up a fair amount of business and inclined to think that I really wanted to get into the P.I. business.

BS: Really? The private investigations?...

MC: But I didn't have the time to be in the P.I. business. Yeah, 'cause I was just out handling these things, and I was going to all parts of Cook County and Lake County and into Will County and Joliet, trying cases all over the place: down to Indiana, up to Wisconsin. [laughs] I was getting so to the point where I could hardly handle all these things in the day, it's like traveling around, you know. And I obviously put a lot of mileage on my car and it was an interesting time.

(1:15:31) BS: Were you working alone in private practice?

MC: I was. At that point, yes I was, because I had talked to a couple of lawyers and said "Look you guys..." - and in fact, some nice guys that are practicing today - and I invited them out to dinner, and I'd say "Well, ok, look, why don't you leave that State's Attorney's office and, we've got something going here..." And then I'd say "well, let's talk about what kind of a deal we could work out...", you know, and these were young fellas, and they had different ideas, and my goodness, you know, I said "well no, I'm not gonna do that..." [laughs] And what I got here right now, I says, "it would take me a

while to build this up. Come on in, and I'll help ya out, and we'll work this out." I didn't have too many takers in that direction, and maybe I was asking the wrong guys, because these guys had all done fairly well when they came out too, and they were running the same kind of routine as I was, except it took them a little while longer, maybe, to get going. But they were, after a while, basically in the same situation that I was. I enjoyed that, it was good.

BS: Now just to put a little bit of, little bit of context in the time period that we're dealing with right now, this is now into the late sixties, right?

MC: Oh, it is.

BS: Early seventies. To what extent did the, from your point of view, to what extent did the other things that were happening in society in the sixties affect your work in the late sixties. I mean, were there, whether we're talking about more drug cases, or whether there was something involving 1968 and the convention...Did that interact with your practice at any time, or influence you at the time? Or was professional life pretty much separate from what was going on politically?

MC: Well my life was obviously affected by what was happening in the City of Chicago. I got some cases...

(1:17:51) TS: Did you pick up any Weathermen?

MC: What?

TS: Did you pick up any Weathermen?

BS: Yeah, any Weathermen cases?

MC: No, not as such. [laughs] I didn't have any of the...well I had individuals that were charged with rioting and other things, I don't know that they were dyed-in-the-wool-hard-line fanatics, I don't think so. But I think there were caught up in the excitement, those sort of things, yes. My brother-in-law was a Chicago police officer, and they had pictures of him using his night-stick and...all kinds of things were going on. You know, and the F.B.I. was investigating these things, and they were out there, interviewing these police officers under circumstances where these police officers felt that they might ultimately be charged with something. You know, so you had a lot of those. I represented a good number of police officers over the years. Fortunately, they make interesting clients, but they tend to want to run the show. And I never lost a case in which I represented a police officer. And I represented a good number of them. Federal court indictments, and you know, and all these different...

TS: I'm going to have to leave. I hate to tear myself away.

MC: Oh, ok.

BS: Let's pause for a second.

(1:19:28) [break]

BS: Ok we're back with Judge Michael Close and...Judge Close, about 1976, you became a judge, and earlier in the interview, you mentioned the Regular Democratic Organization. For the purposes of the interview, for the purposes of the tape, can you just briefly describe what was meant in Chicago at that time by the Regular Democratic Organization, the committeemen, and the way power worked at that time?

MC: Well, as I understood the structure of the Regular Democratic Organization in the City of Chicago in the years around 1976, the organization was fairly powerful. That's an interesting word, maybe, with respect to meaning...what do I mean by powerful? The Democratic party controlled most of the offices in Cook County. With very few exceptions, they controlled basically everything in the city of Chicago. Republicans may have had an alderman here or there, but that was no real consequence. All the power was Regular Democratic Organization, which filled those particular spots. Now, the mayor of Chicago is supposedly a non-partisan individual, he doesn't run as a Democrat or Republican, he runs for mayor. Which doesn't really mean anything. The power is in the Regular Democratic Organization, and structure as it existed at that time.

BS: To some extent, this is what we mean by "The Machine".

MC: Well yeah, the newspapers call it "The Machine".

BS: "The Machine" – the Regular Democratic Organization.

(1:21:43) MC: The newspapers may as well call the Republican Organization in DuPage County "The Machine" too. That organization is a...a lot of inbreeding over there. A lot of individuals who are well connected with the Republican, the Regular Republican Organization of DuPage County. So, what the newspapers call it doesn't really make a whole heck of a lot of difference. I think that's a ...I think I got more wits with some of these newspapers than the fellas that are reporting for it right now. As a practical matter. So, they have a way of latching on to these terms and continuing to use them. Uh, I think they were kind of attempting to denigrate the organization by calling it "The Machine", but the Regular Democratic Party in the City of Chicago was very successful in electing individuals that it sponsored to the various elective offices in Chicago, Cook County, and indeed the State of Illinois – so it's a very powerful organization. Now, if you're going to seek to become a elected public official in Cook County, it's a good idea to seek the endorsement of the Regular Democratic Organization, and that's exactly what I did.

BS: How did you go about that?

MC: Before we get off the subject, I think that the Regular Democratic Organization is often times maligned – unjustifiably so – making judges who are elected here in Cook County seem like some sort of...lesser qualified than those who are sitting on the Federal bench. Let me say this: as I see it, as it's been my experience in life, and my observation in life, that if anything, the federal judiciary is even more political than the state judiciary.

(1:24:16) BS: Ok.

MC: Nobody's gonna tell me that you don't need a political sponsor to become a Supreme Court judge – no question about it, that's what we're talking about at the moment. And there's an awful lot of political sponsorship involved in becoming a federal district court judge, a judge on the Court of Appeals, or on the United States Supreme Court. And those are all very much political appointees. So, whether they talk about this nonsense of merit selection of judges – which the newspapers are always wanting to talk about: “we should have merit selection” - whatever the heck that means - when they say merit selection, that means they fit in with the newspaper crowd in this town. These newspapers, of course, are as political as you can get themselves, and my experience, it always happens, the Hollinger press – the uh - that is, the Chicago Sun Times – it's got enough of its own problems. But listen, those organizations, they oughta be given a good hard look at themselves. But they want to turn around and see a merit selection of judges, and they always refer to the fact that the federal judiciary is not elected. That's the way they would like to see the State [laughs]...that's about to happen.

It's gonna be as political as it is on the federal side. And the federal side is very, very political. Unless you get the ok from the powers that be, and the local Republican Organization, when the Republicans control it, or the sponsorship and the assistance of the Democrats, when the Democrats control the appointment of these federal judges, you're not gonna be sitting in the federal judiciary. They are very political. In fact, they're more political and more, uh...subservient, if you will, to the whims of the Democrat or Republican party.

BS: Let's hold on for a second here; the recorder's telling me we're about out of time for this particular file, so let's pause for a second and see what we're gonna do.

[end of part 1] (1:27:05)

Q: All right, this is November --

CLOSE: 11th.

Q: -- 11th, 2004. It's between -- it's about one thirty.

And, we're going to do part two of our interview with Judge Michael Close. This is Bjorn [Capesson?] and I'm joined by Chris D'Amato, to do part two of the interview. Thank you, again, Judge Close, for coming back to meet with me. The last thing we talked about on Tuesday was how judges are chosen in Chicago, or more importantly, how judges were chosen in Chicago in the 1970s, when you were first slated to run for judge of Cook County. We talked a little bit about the regular Democratic organization. Could you tell us how you decided to run for judge in 1976, how that opportunity came up?

CLOSE: Certainly. Well first with respect to your comment, as distinguishing between (inaudible) presently are chosen, run for office in Cook County, as opposed to how judges were selected by the regular Democratic organization, in 1970. You have to understand, there's been a sea change in operation, and the regular Democratic organization, has been presently (inaudible) I would say call it, (inaudible) it's probably the basis of the fact that these journalists, reporters for these newspapers, are probably not all that well-informed just, but the regular Democratic organization

is. A lot of these individuals that were rich in Chicago, and don't fully understand or appreciate what this organization is, what the regular Republican organization is of Cook County, and the Republican and Democratic organizations were, years ago, in this county. Presently, the regular Democratic organization, of Cook County, a far cry from when the regular Democratic organization was back in the '70s, early '70s, particularly. At that time, the mayor of Chicago was Richard J. Daley, and this man, I believe, was a very decent human being. He was also, besides being mayor, the chairman of the Democratic Central Committee. The Democratic Central Committee consisted of the board and committee of all 50 wards from the city of Chicago, and the ward committeemen of the various townships throughout the county of Cook, outside the city of Chicago. The Democratic Party within the city of Chicago was historically much stronger in the core city, than it was in the suburbs of Cook County. The various Democratic committeemen are all elected, and even today they are elected. They were elected at that time, and the Republican committeemen were elected, and continued being elected. So both on the Republican and Democratic side, you had elected committeemen who were proponents of this structure called the Democratic Central Committee.

Democratic Central Committee had a chairman at that time, who was one that was elected, who was Richard J. Daley, and they, a regular Democratic organization had a thing called a slate making committee. Indeed, it still has a slate making committee. The question is, or the situation is, presently, that the Democratic Central Committee, you don't have the mayor sitting as the chairman of the Democratic Central Committee.

Q: Right.

CLOSE: And why don't you have the mayor the same as the chairman of the Democratic Central Committee? We can take the word possibly, the present mayor of Chicago, Richard M. Daley, who says he's not a boss. Currently, like Renko and others, over the years, referred to his father as boss often, for some reason, that (inaudible) the present mayor, but at any rate, he has been able to disassociate himself to a certain extent from (inaudible) and wields considerable power in the city, there's no question about that. The present chairman of the Democratic Central Committee, if you can believe it, is a committeeman by the name of, on the far north side of Chicago, by the name of Thomas Lange, (inaudible) and Mr. Lange is a very nice man, decent human being, but he has very little of the power that was wielded by the Democratic Central Committee or the

chairman of the Democratic Central Committee at the time that I was elected, and the (inaudible). Today, this organization is in shambles, as a practical matter. We have many powerful elected Republican officials in Chicago who you would think might want to aspire and control apparatus, and regular Democratic organization. In fact, maybe they do to a certain extent control an apparatus, and maybe Mr. Lange is, you know, another functionary within a sort of several organization, and operating extent, a remnant of the Democratic Party in Chicago. The Democratic Party in Chicago just doesn't wield the type of power that it once did. Today, a number of individuals filed petitions to run for judges, county, and many of them are elected without the support of the regular Democratic organization, and they generally file as Democrats, so they are nominally have members of the Democratic Party, and they are elected. So you would say that most of these judges presently elected in Cook County are Democrats. So that they are members of the Democratic Party, at least ostensibly, and so the Democratic Party controls so many judicial positions. I think the newspapers and the media do a disservice to the public in the way that they treat these individuals who are elected, and somehow prescribe some kind of a sinister organization that manipulates the

public, and puts these individuals into these positions. I think that the people of Chicago freely elect these people. The people of Cook County freely elect these judges, and but these individuals are all getting invitations behind the ballot, can be elected. And the time that I ran, of course, the Democratic Party had, would you say, more muscle, and maybe a more disciplined organization, as it was structured, and many (inaudible) like committeemen in Chicago were able to turn out a sizeable boat for all of the candidates, including the judges who would appear at the lower end of the ballot, both on the Republican and Democratic sides, and so we all know that people vote for new offices at the top of the ballot, and if you run in a presidential year, you're going to have the President of the United States running up top, and the available, open spot for senator is next, and so on, and so forth down the line. So all the bingo offices, so to speak, the ones that people would nearly discuss, are at the top of the ballot. The judicial vacancies are the spots that are lower down, at the bottom of the ballot. So there's less talk about those particular individuals, and of course it may be necessarily so because the public is concerned about the races. The last contest between Kerry and Bush, and clearly took up most of the space of radio and television.

Q: Right.

CLOSE: Print media, and also the senatorial race, as a winner got in line. There isn't a lot of attention paid to these spots by the media. The media turns it around, and at the last moment, turns around, and announces that they strongly support this judge, or they strongly feel that this judge ought to be replaced, or this individual's not the best individual for the spot.

Q: This comes down at the last minute before the election?

CLOSE: Sure, and I find it rather interesting that the media has chosen to do this, and if you know how politics happens in this town, or in any part of the United States, you know that the federal judiciary, which the media think these individuals have all been meritoriously selected by God knows who, but we've got to know that the (inaudible) state in which the individual is going to be appointed as a federal district court judge is going to place the name before the President of the United States, who's going to present it to the United States, to the Senate, and they will confirm this individual, or not confirm this individual, depending on politics, or Washington at that time, Democrats, and whether or not this individual was pro-choice, or pro-life, all that other actions. But these spots are much more political, and you turn around, and

allow the media to control this, I think, is absolutely ridiculous. The point of the matter is, that what the papers are telling you, what the radio and television are telling you, is that the people are too stupid to elect the wrong officials. You're telling me, you people are just too damn dumb, of course they're not going to put it in that particular language, but that effect is what they are telling you. OK. They're saying you're too stupid to know, elect him, and let us get (inaudible) like the group here, and you'll have meritorious judges, and then who are these committees? (laughter)

Q: Right.

CLOSE: And tell me, and then they always refer to the, look at our federal bench. Well I say take a good look at the federal bench. OK, I'm going to look at it. It's all political. And it's even more political. And it's even easier to get in a federal bench, if you've got enough political qualifications, than it is to get on even a state judiciary, so much in my mind for marriage selection, or appointive judges, I believe in appointive judges headlong.

Q: OK.

CLOSE: What you're doing is you're disenfranchising the American public in this particular way, and I think that's not good. It doesn't bode well for the American public.

At the time that I was slated, and I mean slated by the regular Democratic organization, they had a slate of candidates, and organizations historically have slated particular individuals, to fill particular spots.

Q: Now how did that work, getting on the slate? How did they go?

CLOSE: Oh how does that work?

Q: Yes.

CLOSE: Well of course it doesn't hurt to know the individuals that are able to get you on a slate, that is local Democratic committeemen, in Chicago, public committeemen in Chicago, and in Cook County, and they have an ability to bring your credentials to the attention of the slate making committee, and there's no question that some individuals are better qualified than others, and oftentimes individuals weren't better qualified, aren't slated. That's happened all the way, the section, the (inaudible) to the present day, and there are individuals that are qualified to run for every office in the land of the United States, going back to the origin of our political parties, and those have political parties, and individual support of slating candidates, of putting their names forward. This is nothing new, and this is nothing unique in the city of Chicago. All you have to do is take a ride out

(inaudible), and early Sunday and all that sort of thing, and down and greet some folks out there, but they have their own agendas, and they've been slating maybe for a long, long time.

Q: Right.

CLOSE: So you know, it's appropriating, and throwing around the name of the machine, you don't have -- you'll find it better functioning machine as a practical matter, if that's what you want to call it, and in the county, in Cook County, there's a more Democratic handling of the situation of slating candidates in the county, in DuPage County.

Q: Right.

CLOSE: And interestingly enough, I think democracy is winning out to DuPage County because we have a situation where, paying, I remember, the Supreme Court did a very, very -- the justices of the Illinois Supreme Court, a fellow by the name of Bob Thomas, because name recognition ran against a regular Republican in a Republican primary, DuPage County, (inaudible), he played football. He played football for the Chicago Bears. He plays (inaudible), Bears, and he was able to run in DuPage County on the Republican ticket, the primary, they slated a Republican candidate, and became a circuit judge. Later ran for Appellate Court, in which DuPage County was part, and became an Appellate Court

judge, and more recently, ran for a seat in the Illinois Supreme Court, and is not an Illinois Supreme Court justice.

Q: OK.

CLOSE: So yeah, these things happened, and people say that machines, and organizations are able to give candidates a chance, but that's an example of an individual, that in my estimation, was a very competent and qualified individual, and chose to run, and be elected. I think the system that we have, the people are able to elect these individuals as preferable to some of the type (inaudible) who decides he'd want to make somebody a federal district court judge here in Chicago, and all of a sudden, it appears.

Q: Yeah.

CLOSE: I did actually guess that if you take a good look at the characters sitting in the federal district court judges here in Chicago, a lot of nice people over there, but really, how do they get to be where they're at? They did it politically, and whether the shaping (inaudible), announcements, they just were sitting there, and not only the district court, but the Seventh Circuit appointees, and (inaudible) was going to be placed, Justice [Winston?].

Q: Right.

CLOSE: Patrick Bentley, the young gentleman from (inaudible), resign or die shortly, instead going to be a big decision in politics, and going to control it. So, when I ran in 1976, I went to the slate making committee, and they found my credentials, and I was slated (inaudible) because I knew certain individuals, and that all had a certain affect on it.

Q: Who were they?

CLOSE: I think that the regular Democratic organization listens to people, and they attempt to put -- support the piece of the slate of the candidates, and individuals that they expect, to go out and compete effectively for the nomination, and I was selling it, that slate. I ran for judge. At that time, I only had to run within the boundaries of the city of Chicago. So I ran in all 50 wards of the city of Chicago, and was elected.

Q: OK. Doesn't sound to me like your motivation for being a judge was real heavily, politically motivated. I mean it sounds just like, you know, look can you tell us what made you decide to leave private practice, and be a judge?

CLOSE: Oh, I think that most lawyers, or a good number of them, aspire to be judges. I've been practicing out in the street here city of Chicago, and I saw, like you said, I was happy with, and a lot of things I wasn't so happy with,

and I don't particularly -- I always aspired to be a decent judge at the bench, that is to fairly try these issues, and express my view of what I believe to be right or wrong based upon the long tradition, and I had seen individuals at the bench who I thought were less than adequate, and I thought I could do a lot better. A number of these are individuals who I took a liking to as people, but I felt they had a vacant seat, and that, to an extent, prompted that. I seen all that, individuals that I thought were not only less than adequate, but abrasive, obnoxious, sitting on the bench, (inaudible). I did not appreciate that. I remember a lot of individuals over the years, and I just have felt that there was room for improvement. I wanted to make a contribution probably because of service. I felt that I had done a good job. I felt that I was up to and adequate of (inaudible).

Q: Who was the individual, or individuals, who were your connections at that --

CLOSE: My connections?

Q: If this is a good idea? (laughter)

CLOSE: Well sure.

Q: Was there anybody --

CLOSE: I don't have any problem with that. Ward committeemen I talked with was Kelly, committeeman of the 47th ward, and

Mr. Kelly was a prominent Democratic committeeman on our side of Chicago. He was at that time superintendent of Chicago Park District. Mr. Kelly himself was not a lawyer. He is an individual that I had known. As a matter of fact, before he was in politics, I believe, seriously, I believe I had probably been a member of 40-something, 40 Democratic organizations. Well I know he was a member of that organization, had been a committeeman. So I'd been involved in Chicago politics for a long time, and I talked to Mr. Kelly, and saw that I'd get slated. Well I attempted to see that I got slated. Of course, the late Mayor Daley at that time, I imagine, probably a good part, had been in public relations, had asked the slate makers not to slate anybody who was not okayed by Chicago Fire Association. And the Chicago Fire Association had a screening of the committee. Chicago Fire Association has changed for the better over the years. I remember that organization was -- well no, hard line, last reporting organization.

Q: OK.

CLOSE: And believe you me, I met him once. But, over the years it's changed, and has more of a cosmopolitan flavor, I think, (inaudible) Protestant, (inaudible) organization.

Q: Political.

CLOSE: Exactly, and political organizations. And, so, the mayor wanted this organization to basically slated to the individual, to fill a spot before the Democratic organization goes ahead and slates you. I think the mayor saw that that organization was starting to not only change, and it wasn't any longer a situation for them against us, sort of thing, and it's common. I placed my credentials before the Chicago Fire Association, except that all of a sudden they found out, from a certain individual, that the screening committee was being stacked against me, being slated. (laughter) Or against me being given a recommendation by the Fire Association.

Q: OK.

CLOSE: So that was kind of an interesting little sidebar here, that we have. So I went to the Fire Association, and ostensibly for all practical purposes, everybody there was cordial, and they asked all the usual questions, and what are you doing and so forth, and you gave long, usual answers. And it wasn't just me, it was anybody else that would appear before them. Now these individuals have a hell of a lot of power. There was another individual at this time, also a member of (inaudible) committee organization, that allowed to be slated judge, and at that time was an associate judge, and felt that he should get

that spot. I didn't say this, but these things are, (inaudible). So he had a lot of friends on the slate making committee, or on the screening committee of Chicago Fire Association.

Q: OK.

CLOSE: So, he had gone to work, and these individuals, these confederates, these friends of his, and believe me, he's very popular with the (inaudible), was able to persuade them that the best way to screen them, to improve the situation for southern fellow who wanted that, was fine, and who wanted Mr. Kelly to endorse him, to the screening committee -- to the slate making committee, of the Democratic organization, would be to put in the black ball on me.

Q: OK.

CLOSE: So I had an extensive experience, and practice a lot.

Q: OK.

CLOSE: I personally know I've tried more cases than this individual, who was (inaudible), and I tried a lot of losses.

Q: OK.

CLOSE: I know I have more extensive court experience than this other fellow, but he had a lot of friends on the screening committee because he had cultivated these

individuals. I hadn't spent a lot of time cultivating anybody, on the Chicago Fire Association.

Q: Right.

CLOSE: I wasn't interested. This is an organization, because I found it to be kind of a stuffed shirt organization, and I wasn't particularly interested in that organization, at that time. They were screening individuals, and didn't necessarily (inaudible) Chicago Fire Association. So, an individual, another adept sitting judge who was a very much on the inside of the Chicago Fire Association, learned of the (inaudible) of individuals to black ball me, and to find me unqualified. And, he got (inaudible) he went to his chambers, and he said, well you're going to be found unqualified by these guys because they want so-and-so to get that spot. That's the way it's going to happen. So he said, where do you think we ought to go? And I said, well I had to take that pretty terribly. (laughter) Not in that organization, but that's how organizations operate, and it's just unfortunate. And I knew a number of those individuals personally, and I found them to be pretty despicable.

Q: Right.

CLOSE: So, we contacted committeemen, and the other individual, this associate judge, they were not elected.

Q: Right.

CLOSE: One of the slating people was contacted by the committee. So, the then sitting judge, myself, and committeemen, and the associate judge, had a meeting later in the afternoon and he wondered what was going on, and we sat down over the 47th ward Democratic organization headquarters.

Q: OK. Committeeman was Kelly, right?

CLOSE: Yeah.

Q: Right.

CLOSE: So, Ed Kelly, myself, and the sitting judge, and an associate judge, were together. Actually, the last one who entered the room was the associate judge, and he walked in, first thing he said, he said, Mike, I'm terribly sorry, he's going tell me.

Q: Really.

CLOSE: And it was a confession, right out in the open, that he had aspired to, and aspired so bad, and he wanted it so strongly, that he had just gone over the top, over the edge. He asked me to forgive him for being that, as a human being.

Q: That's ridiculous.

CLOSE: Yeah, yeah. So I said, well, what are we going to do about it? You've wired this name, so to speak, and the

committeemen turned around, they said, well they said what's the right thing to do here? He said, look, you've done this, and obviously as a committeeman that indicated that I was going to slate or try to slate him for the committee, and now as well you know, that if he gets the affirmation of the Chicago Fire Association, then there's no question that he'll be slated by the Democratic Central Committee, and that's a given fact of the strength of the committeemen.

Q: Yeah.

CLOSE: So that would happen. So the associate judge had asked (inaudible) and colleagues here, because he had been caught red-handed in this matter, and the fact that he knew that there was no question he wanted a real confrontation to where we could establish this, ought to be the case.

Q: OK.

CLOSE: That being it, he asked that the committee, told the committeemen well I'm just sorry about the whole thing. The committeemen turned to him, I think rightfully turned around, and told him, you know you've got a lot of friends over there, at the screening committee, and you've turned in and you've worn this against the thing. He says, now you're going to have to wear it forward, that is they're going to find like qualified and so forth. And if you

don't go, and if Mike is not following Chicago Fire Association, then you have no chance in the future. You can get out of this organization, and stay away from this organization. You can do whatever you want to do, and I'll never under any circumstance sponsor you, with the Central Committee, and not only that, I will never under any circumstances do anything to support you. And I will in a letter to the committeemen, and see that you're (inaudible), as far as I'm concerned.

Q: Right.

CLOSE: Now that's quite a statement.

Q: It is, and it's from the guy who can make that happen.

CLOSE: Yeah, well not only that, but see this particular associate judge had known the committeemen for a long time, as had I.

Q: OK.

CLOSE: Probably not as long as I had, but pretty near it, and he was a very, very well-liked individual, both within their organization. He had a lot of common friends, so at that point in time, the committeemen expressed his intentions in this area, and I will note that he could go to these individuals, and change their mind. So that shows you how client associations can get ahead, and it also tells you something about the strength of Democratic

committeemen, it's got politics. I'm perfectly comfortable having to be slated by the regular Democratic organization of those days. I think it's a decent organization. I think that they had good processes. I believe that (inaudible) might have been in cases by the media, but more or less, I was slated to run. I entered, I well know running in this city of Chicago, I have the most important regular Democratic organization, and received the subordinates.

Q: Did you even have to play the Irish -- the ethnicity, the Irish, or the, I went to Paul, you know, any of those kind of things that would, you know, look --

CLOSE: I am aware of all the ethnic politics in the city of Chicago. I've seen it, and I'm no stranger to it, but at the time that I ran, having now been slated by the regular Democratic organization, knowing that I would run only in the 50 wards inside the city of Chicago, that the apparatus in place at that time for the Democratic organization was stronger than it is today, I believe, and much more organized, much more discipline, would be able to elect or get out, get the vote out on my behalf, the public, the people that got elected. So, I was comfortable with that. I went out basically to conclude, my understanding of the Democratic organization at that time, that there was no

need for me to spend my evenings running around one regular Democratic organization to another, within the city of Chicago, all 50 wards, talking to various precinct captains under the duration of the meeting, called by the local Democratic committeemen, urging them to go out and vote for me. I thought that was not necessary, and on the basis of my observations, the task, I concluded that there would be no need for me to make those rounds, and I appeared before none of the other 40 some organizations in Chicago, with the exception of one, and that happened to be the 49th ward organization, which is right here in this area.

Q: Yeah.

CLOSE: And at that time, it was run by a committeeman by the name of Neil Harding, later become lieutenant governor, and attorney general of the state of Illinois, who did not have a long tenure as a Democratic committeeman, but at that particular point in time, he was then the committeeman of the 49th ward, and I just happen to be talking with Mr. Kelly, the committeeman of the 47th ward, his office, and the 4th ward once had the morning before the election, and Neil Harding had come in, and was talking with Kelly and myself, and told me that he was going back over this organization, wanted to take his wife, with him, and his car, and I could talk to his precinct captains to dissuade

him. But yeah, he said, no, no, come on over, and talk to the folks over there, and I had no problem because he knew a lot of people, a lot of his captains, his captains were better needed.

Q: OK.

CLOSE: So I went over, and I said, guys we exchanged pleasantries, and made oh, there he was, went over, and left in about 45 minutes of talking, and all of a sudden, we're at home. Now what (inaudible) thought the extent of my political campaign.

Q: So about an hour worth of campaigning.

CLOSE: Well inside of the 47th ward, of course, they had regular meetings. In fact, during the course of the campaign there were other candidates. You know what's good to me. As I was running a candidate for president, and so forth, so not president appeared, but a lot of other candidates for various offices. They all appeared in the same, so I was not going to talk to, (inaudible) anybody see the time, I knew all of the precinct captains, and a need to turn around and get up and waste anybody's time on speeches. These folks are there, going to go to polls, going to encourage people to vote for me, and they did that. On the other hand, I looked at the possibility of a short campaign and I did it outside of the regular

Democratic organization, and believe that as long as I'm running, I would talk to most people who may be of some assistance, in this particular pattern. I'm Irish, I'm first generation Irish-American, and I'm an Irish citizen, and an American citizen. I'm an Irish citizen, (inaudible) folks, we have folks with six children in this country. They were illegals in the United States, and these children were expected to be Irish.

Q: Right.

CLOSE: Because they were not American citizens, (inaudible) illegals here, (inaudible) warrant for his arrest, might be very skeptical of the time he entered the United States, and he entered legally, through Canada, and previously been in the United States legally, and taken my mother out of the country illegally, caused her to be in a (inaudible). They, at that time, the average court was so large, there was no problem coming in. My father was in love with an Irish (inaudible), just didn't let it coming in to New York City, and was arrested and shipped back to (inaudible) so wasn't particularly interested in doing that. So, I have no real problem. I go out talking to Irish ethnic groups, and currently the ethnic groups can be ultimately (inaudible), Irish programs, various programs. I was

endorsed by various organizations, and I didn't see any reason to go beyond that, at that particular time.

Q: Given that Chicago is the Irish here, and so Irish Catholic, your father's situation, probably looked more favorable for you.

CLOSE: Well, see I don't have an ethnic identifier.

Q: Right.

CLOSE: They see all they see.

Q: Right.

CLOSE: You know, most people, and even today, lots of people call themselves Irish, but here in Chicago, we've got names like [Michael?] and Camille, like [Weyer?] and O'Malley and God knows what else, but those individuals that are, you know, born here, and God knows how many generations between them and now, but --

Q: But they (inaudible).

CLOSE: They haven't flinched in (inaudible), Irish ethnicity is, as far as I'm concerned, Irish is right down.

Q: (laughter) But they wear the green, I'd say.

CLOSE: Oh yeah they all do. You know they all do. They have certain announcements, but I'm proud of my heritage, and as I say, I'm an Irish citizen, and I don't have any preference (inaudible) people running around and complaining. There's a guy, the hyphenated American, Irish

this, and Irish-American. I don't have any problems with that. Those are labels under people. You know, I am what I am. I don't have any problem. I wouldn't deny my own blood, I wouldn't deny my own parentage, that's what I am. I have no problem with that. I've done by very well with that. Outside, though, there's a lot of people who went around that say, well OK, that definitely sounds like us, and as a matter of fact I probably got a very good (inaudible) because people were not aware of this, including all those individuals that are oftentimes referred to as mixed, those mixed don't know where it is either, you know, they see it on a chalkboard, or on a ballot or something, you know, and maybe that's good because people going there, and a lot of big ones to vote, and for whatever reason, I like the idea that you're able to put for your people considered an adventure. It's a lot better than a bunch of politicians, like maybe the late governor, or former governor Thompson, other individuals, and I'm not going to (inaudible) anything like that, but he's got a lot to say about individuals presently sitting on the bench, and they're going to get (inaudible) just one, you know, that old thing. I don't know anybody who didn't send you.

Q: (laughter)

CLOSE: You got to be accepted by somebody.

Q: Right.

CLOSE: Well all those people are sent by somebody, that's the reason that those individuals, get those individuals in those particular spots. It just doesn't happen, actually. But the thing is that the name is a good ballot piece because it's not readily identifiable with anything.

Q: Yes, yes.

CLOSE: So a lot of people vote against names when they see, you know, a lot of people in human nature have been influenced, and it's not a good trait I don't think in anybody to be against an individual just because of what his name is. So he goes up there, and sees a name that's readily identifiable, as George Bjorn. Let me say, he says oh, Bjorn, I don't like Swedes, without even realizing he's an Icelander, or you know, he says different Danes, or anybody else, are the same. Like (inaudible) Finns are actually Slavic, but it doesn't grasp this idea of thinking of something, he just lumps everything together, and he says I'm against the people for whatever. I think, well, those people are much WASPs, and I don't like WASPs so they're out, and that's certainly a strange name. There it is, obviously Asian, I won't vote for anybody. Well these are choices that people make, and are we going to say, well

they can't make those choices on those bases? Well I don't think so. I don't think that it's good to turn around and say, these people can't identify them particularly in a way that we can't make choices. Other people turn around and see a name, that's obviously like O'Malley, and we know it's an Irish name. OK, now we know that all the Irish will vote for O'Malley, I would say precinct. Not saying every Irishman is going to vote for him. In fact a lot of people that will vote for O'Malley, may have about 10% Irish --

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CLOSE: -- because we're (inaudible). So, now guy goes in, and he says, yeah, when you see a name like O'Malley, most of the Irish people are going to vote for O'Malley. That's a matter of fact. I think you can establish this.

Q: Right.

CLOSE: OK. Well the next day, there's some guy by the name of [Polano?]. All right, and I'd say is identifiable as (inaudible), so OK, a lot of people were saying, I don't (inaudible) and say all kinds of other curse words, and say whop, and all kinds of other things, say like mick, you know, and the next one is a readily identifiable German name, I'm going to say hey Kraut, and so forth. So they

don't vote for that guy, but what happens is, most of the Irish vote for the Irish, most of the Italians vote for the Italian name, most of the Germans vote for that guy, and the Jewish names are very popular in large German areas, and a lot of kind of Jews would vote for Jews, and Jews would base it solely on their ethnicity, and the Jewish names don't get most of the Jewish vote.

Q: They tell it from the name.

CLOSE: Right, they tell it from the name. You don't know, they can vote for this guy, but they know that at least he's one of their own, supposedly. Now, a lot of these aren't because the guy, if you go down in line, there's some guy by the name of Reilly, O'Reilly what the hell, it's an Irish name. Can't get the Irish voting for this black fellow, has an Irish name. And, I've even noticed guys, and I know a particular individual changed his name to Flanagan, and his name just slips me right now, but there's a German, and he changed his name to Flanagan, occurred on his ballot, so to be elected that way, he got a lot of votes, but to get the contest with a lot of other individuals, including a couple other Irish names, and so on, the vote gets diluted.

Q: Yeah.

CLOSE: So if you watch what's happened, and he didn't get elected, but he made every effort to do that. So, in some ways you don't know exactly what you're quoting, but at that end, so I don't think I really was going to get a lot of ethnic Irish voting for me just because my name was Close because they don't know that, but then see a lot don't understand that. You know, they understood, don't sound Irish, are very much Irish, especially names like, well you take a name like Mullholland. Everybody knows that Mullholland, Mulvane are Irish names, but don't understand the fact that those names have been Irish for a time, but those people moved through the Dutch area, and the Mull is a prefix that basically, and Holland tells you exactly where they came from, you know?

Q: Yeah.

CLOSE: And Mulvane, and V-A-N, van, is also a Dutch prefix, and you take a name like Mac O'Donney. D-O-N, and that's right out of the Spanish, Don Juan, El Don.

Q: Right.

CLOSE: And that's where that comes from, in the Irish (inaudible), so those are really basically Irish names. And so we know that, all the Fitzgeralds, and that's the French prefix that fits, and you know, John Fitzgerald Kennedy, so those names, you've got to know and understand

those things, that you find names like Deveroux, like Duchene, like [Legrice?], like Dirah. Like all kinds -- these are common Irish names. Most are not Irish, and certainly (inaudible) Irish in Chicago, and around, with Irish names. So, it helps to have something that looks like it is attractive to the larger number of people, and that's why with the a lot of people running for office here in Cook County, and the regular Democratic organization, as strong as it was, so they're not able to control a lot of the ballot as they were before, and I did distinguish between the top and the bottom of the ballot, because a lot of people would finish it. And, down there, these offices only stress these points. So, all kinds of strange things happening down there. We find that people are, as I say, both for and against the things we're not going to prescribe. We know now, and we've known for a long time, if you've got an Irish name like Murphy, and you're running for office, you'll get most of the Irish vote. You'll also get the Italian vote. Italians always have a group in the city of Chicago, because they have their own particular cultural animosity, and you'll also get a lot of the Jewish vote because if you're not running against a guy by the name of Einstein, or something like that, with which identifiable with Jewish, if you're out one-on-one with the

Jewish vote, for Einstein, (inaudible) but if there's no Einstein on the ballot, or anything that looks like that, you're going to get that, no matter where the (inaudible) is, you're going to get the Jewish vote. So you get the Irish vote, you get the Italian vote, you get the Jewish vote. So that's very handy. There are ethnic animosities that exist between these other ethnic groups that don't exist -- not an awful lot, to an extent against the Irish. That's why a lot of these individuals are running (inaudible). It's just a phenomenon that you see out there, but that's basically why it happens, and today, I would say that my chances in the Democratic primary, if I had to endorse for the regular Democratic organization, probably would be pretty good with a name like Close, because as I say, there aren't a lot of people that are going to vote against me because they dislike me on ethnic grounds, and I am, and if they see the name up there, and they see it Close, and I'm running against a guy by the name of Alano, and they don't like Italians, they're going to vote for me. If they are Italian, they're going to vote for Alano, and if they're not an Italian, or, they don't know, or anti-Italian, then I got a 50-50 shot anyway.

Q: Victory by default.

CLOSE: So it's not a bad ethnic name today, and then I would have the precinct captains of the regular Democratic organization for what they might be worth today, and it's certainly not as strong as they were in a time that I ran. They'd be out working for me, so --

Q: Yeah.

CLOSE: So, you know, the regular Democratic organization would be very helpful, and I have no reluctance to having been endorsed by that organization, or slapped their endorsement. Say that that's politics, and that's how it happens in this city, and I'm been the beneficiary of it, and God bless the late mayor, Richard J. Daley, and all the regular Democratic organization the way it then existed.

Q: Yeah, let's take a -- OK we're back talking with Judge Michael Close. This is Bjorn [Cappesson?], Chris D'Amato. Let's move on to when you were elected to the bench, and you worked in the criminal division starting in 1976. And, what was it like -- can you briefly describe what it was like in the criminal division, in the '70s, what did you encounter when you first got onto the bench, in criminal division?

CLOSE: Well when I was first in criminal division at the end of 1976, early 1977. The presenting judge of the criminal division, Judge Richard Fitzgerald, decided to employ a

fast track set of courtrooms consistent with four courtrooms of which individuals charged with violent felonies would be fast tracked, that is, the decision was made to set up four courtrooms within the criminal division, that would hear only cases which individuals charged with serious, violent felonies would be tried expeditiously with respect to those offenses, and that they would have to qualify to be on that call by having had previous violent criminal histories, and that they would have had to been sentenced at least twice before to incarceration in the Elmira, or other similar departments of corrections within the United States, to qualify them to be on that particular call. So as a result of that, what had been holding back some of the dispositions within the criminal division, was that many judges would have these individuals, on their call within the criminal division, and they were starting to clog up their calls because these individual cases, the defendants were not willing to negotiate pleas, and move the call along possibly, but would hold out for protracted trials, and in that way, the presiding judge felt that by assigning him to these four courtrooms, that those judges would day in and day out be trying. It was only a criminal trials, and --

Q: And this is the recidivist call?

CLOSE: Because the defendants weren't inclined to plead guilty.

Q: This is what you called the recidivist call?

CLOSE: This was the recidivist call, and I had very, very, very few pleas of guilty. Most of the individuals on this call were found guilty by juries. It was the only way to move the call. It was understood what was going on here, by quote the court, the prosecution, and the defense, that the defendant's attorney, obviously, was trying to prep the (inaudible) the client's cause, but the situation was such that if he were attempted to negotiate a plea, the court would come back with a recommendation for some considerable period of incarceration, but in time the particular defendant was willing to plea. Now, the defendants could possibly be offered 20 to 30 years, and appropriately so, to the particular charge, and maybe even considerably more time than that, and most criminal defendants who have been on the system for any period of time, they have an understanding of exactly what is facing them, that's going to happen once they go into the Department of Corrections prison, and they are going to do everything they possibly can to not get there. One thing being, going to a jury trial, and walking out with a jury finding not guilty, which is oftentimes pretty remote, and in many of these

cases, many of these defendants are not the brightest individuals in the world. They've confederates, and all kinds of people blabbing, and telling stories on them, and they are deep, deep, deep into the mire of the whole thing. There's a lot of evidence stacked up against them, but they're hoping against hope that maybe a jury will cut things lose. But it doesn't happen very often. So, with that being the case, they still want to go to trial. So we went to trial, and there was a combination of these individuals, and we had a very, very busy trial calendar. I was trying at that time case, after case, after case, and oftentimes, I was trying two cases at the same time, maybe three cases at the same time, if recessing one, continue with the other, and having more than one or two juries, and possibly three juries, going in at one time, was -- it was a very, very heavy schedule. I started early in the morning, and then I went late into the afternoon or the evening, and the jury's out. You know, in the early morning, late at night, the juries were considering verdicts while other cases were being tried, the jury room was being occupied, and sometimes have two jury rooms for deliberations, and at the same time, I was trying another case --

Q: Was the jury in the room while you had a trial going?

CLOSE: Right. I had to borrow another judge's jury room in order to have juries deliberating in other jury rooms. At the time, I was trying a case to another jury room. This went on at all hours, oftentimes, those juries would deliberate seven, or eight, nine o'clock at night, before you were sent to a hotel to be sequestered, and I returned the next morning, at nine o'clock, and the jury room continued deliberating. At times, the jury was out at a hotel, maybe at five o'clock, six o'clock in the evening, have them fed, and allowed to deliberate until ten thirty, or eleven o'clock at night, then retire in the evening, and then to return to the jury room after they were at breakfast in the hotel, and commence -- recommence deliberations at nine, nine thirty in the morning in the jury room. I preferred these juries continue to deliberate without interruption, day after day, including Saturday and Sunday if necessary, and over the holidays. Like as I see in this Peterson case, where now the judge allowed the sequestered jurors not to deliberate for two days over the weekend last weekend, and now he's allowing them not to deliberate because of Veteran's Day. So these things didn't happen. I'd have juries come back maybe at nine thirty, ten o'clock at night, and go down from my home, to the courthouse, and take (inaudible) maybe eleven thirty at

night, just the jury, and continue on the next day with another jury trial. So, it was a very heavy schedule, and was accomplishing the desired effect of the presiding judge, Judge Richard Fitzgerald, who initiated this system after having taken a look at similar programs in Boston, Massachusetts, where likewise, been successful, and it did help in reducing many cases that were clogging up calendars in the criminal court, thereby freeing up a lot of other judges to continue to dispose of cases by bench trials, and pleas of guilty. I had very few bench trials in the state, bench trials, and cases the defendant surrenders his right to a trial by jury, and waves that. Says I'd rather have the court hear the case. I feel that my case would be better postured before a judge sitting without a jury, and people often do that because they feel, and lawyers often feel that the legal questions that are resolved would better be decided by a judge, than any of the emotional factors involved in the case, presented to a jury, possibly cause that jury to find a client guilty, whereas a judge looking at the facts in a case would probably be in a position, a better position, to find this client not guilty, and that's why they do that.

Q: OK.

CLOSE: SO there's a distinction between a jury trial, bench trial, and that's what it is. So it had the desired effect. It did significantly free up those other courtrooms, and reduced the number of cases. In the criminal division, that as I say, we're slowing it down. About 1983, I had been this recidivist call, incidentally, it was being held at 1340 South Michigan Avenue, in a building that had been acquired by the county, and outfitted with courtrooms, and four of the courtrooms inside of that building were appropriated by the criminal division, for specifically a recidivist call, and I shared that recidivist call at that location. And about 1983, the recidivist call, having accomplished what the presiding judge had intended to, and the remodeling at 26th Street, having been accomplished so as to enlarge the number of courtrooms at that facility. The recidivist call has been existed, expanded, and I was given a regular call within the criminal division.

Q: OK.

CLOSE: There weren't enough courtrooms at that time, in 2060 California, to move all of the courtrooms that were then in 2060 California, or 13th of Michigan, 226, to California, and the presenting judge asked me if I would mind a hearing, a criminal division case, at another location,

that being Skokie, Illinois, a courthouse which had recently been completed, and there were four courtrooms in that building, which were used by the criminal division, to hear criminal cases. The cases assigned to him, he had Skokie, we're all Chicago criminal cases, Chicago (inaudible) cases, and the general variety of ordinary cases, on the ordinary call, much the same as any call in 2060 California. I sat at that location for a number of years, and there were, of course, assignments that was in the criminal division, various judges for any number of reasons, felt that they would like to move from one location or another of the courtroom from 2060 California, to another courtroom, and these accommodations were very -- was a judge at 2060 California who wanted to move to a Skokie location because it was closer to his home. So, he asked me if I had any problem with the changed courtroom, in that locality. Skokie to 2060 California, and I had to (inaudible), so I then went back to, or went over to 2060 California, and that court house for some time too.

Q: What year did he move back to 2060 --

CLOSE: I can't give you an exact figure, I'd have to -- but late '80s, or so. And I said 2060 California, about 1992, and I left there about two years basically, and either in the first division. I tell you, call it the domestic

relationship, and a first district criminal division, which is a (inaudible) was ailing at the time. I just didn't want to be all the way down to 2060 California, (inaudible), daily.

Q: Right.

CLOSE: So that's basically my where my assignments had gone.

Q: Well there were a few cases that came up during the course of your career that we wanted to talk about, not -- mostly because of how you could reflect on particular issues of the law, and your career through them. One of them was one involving a young man named Billy Graves, and we talked about it before, and we don't have a lot of the details on it, but it was a case where somebody who was a judge by a psychiatrist, be recommended as an inpatient patient ended up in the justice system, and I was wondering if you could expand on any of your feelings, or any of your opinions on how people with mental illness have been treated by justices as you've seen it in Cook County, and any other specific instances you might think of, that do come to mind, that illustrate your opinions on that?

CLOSE: I have at this point more specific recollection, the defendant.

Q: Graves.

CLOSE: Graves. Is that Billy Graves, his name?

Q: Billy Graves, yeah.

CLOSE: I'm unable to recollect specifically that case at this time, but I count this as a case as thousands upon thousands of cases, and a large number of them, dispositions, I dispositioned a criminal division are available for your perusal, and the records of the criminal division of the Second Court of Cook County. When I left the recidivist call -- when I was at a recidivist call, the number of dispositions I had annually, I believe, were very large given the fact that almost every case went to the jury as well. I was constantly in trial. Many cases I disposed were pleas of guilty, in most cases, pleas of (inaudible) greater number of cases. So when I looked at that, that section, or recidivist call within the division, and I had a regular call in the criminal division. I believe I had probably if not the highest, the next highest number of dispositions in the criminal division, and that was my effect that I had many, many trials, and a good number of pleas were guilty. I would listen to the actual situation, I used to be the prosecution told me (inaudible), case. And that's how most of those cases were resolved. Now, with that going on, I have no particular recollection of many, many of these cases, unless for some reason I could see the material and

reflect on it, and I'm sure that my recollections would come back in many of these cases, but specifically with respect to Billy Graves, I don't -- however, I've seen many individuals when they come into the justice system in Cook County, and I see this as judge him as a lawyer, and as a prosecutor, and as a defense lawyer. Many of these individuals are poor souls in every sense of the word. There's a lot of questions in my mind as to whether or not many of them really belong in the criminal justice system, and being dealt with as they are, should appropriately be dealt with in institutions, and other programs, outside of Department of Corrections, or possibly even outside of institutionalization within the Department of Mental Health. The Department of Mental Health is a budget (inaudible) and so they examine sometimes, it's strength, Medicaid, they like to say in the state, they are set the Department of Mental Health, and they need mental treatment, but there are certain parameters in which they can be institutionalized within the Department of Mental Health, against their wealth. The United States Supreme Court is (inaudible) to others, and you can't really hold them. So, I can walk you in, medically, and say well, this individual is being medicated, I believe, right now he isn't in contact with reality, and then I turned around and

said, well OK doc, I believe for that, you can't restrain him, you can't keep him in there. So this is -- I'm fine about how individuals that are in need of (inaudible).

Q: Yeah.

CLOSE: The psychiatrists say, well if the individual's acting appropriately, and have come to see that acting appropriately in society means I'm not hitting you over the head, bouncing a bat against your skull. Otherwise, I'm not bothering anybody. Again, I picked the program thing, but I meant be (inaudible).

Q: right.

CLOSE: And I act appropriately, and I'm not being aggressive or offensive. We say that so that individuals are often involuntarily admitted to the corrections to speak, take them to something like the (inaudible) center for a few hours, and pushing by a doctor, and entered by a judge, and the judge with the basics of the psychiatrists' recommendations, says this is OK, acting appropriately, so to speak, he's not a threat to himself, or others, but at the moment, so long as he takes his medication. And so they get the medications, as three. Now there's all kinds of mental illnesses. Some fellow thinks he's the King of Siam, you know, he's very happy being the King of Siam. He's not so happy walking around on the street, with a full

bag, dealing with the reality that he's unemployed, that people are picking on him, that he hasn't got much money, that his prospects for getting a job aren't very good. He doesn't like working over there at that restaurant where he's washing dishes, cleaning up after people. This is not his idea of what he wants to do in life. He's got a halfway decent education, and he's not happy.

Q: Yeah.

CLOSE: So you know, he just falls back in, and he's not taking his medication after all that, and now he's sitting over the corner, and he's quite content living in this whole new world. He's not being medicated, so he becomes a victim of many kinds of people that prey on him. Part of mental health is, it's the social workers, they say OK we're going to get you an apartment here on Kenmore and Winthrop. As a matter of fact, this is the (inaudible).

Q: Yeah.

CLOSE: And they take Suzie and Johnny and so on, and so forth over there, because Suzie's sister Tillie lives in Park Ridge. Tillie's a very nice woman, but she's had Suzie over there, with her, on many occasions in the past, but her husband George says that Tillie is -- or Suzie isn't coming back in this house again or I'm leaving. So now, Suzie hasn't got anybody that's going to take her in. As a

practical matter, that's something you got to deal with, particularly in the city of Chicago. So Suzie is housed over here in Kenmore, Winthrop, between the Lawrences, and [Depot?]. The area's getting smaller and smaller. Geographically, it used to go all the way down to Irving Park, but now rehab at the end of that, and all kinds of (inaudible) that come in, and knock buildings down, and we're having three (inaudible) that used to be used at that end to house these people, and have it towards them --

Q: Much more concentrated.

CLOSE: And they're much more concentrated, so she's up there. Suzie is now in an apartment. State is paying some of the money, and she's getting on, and she's getting by, and she gets her money, and her next door neighbors, the Department of Corrections, is wants the social services Department of Corrections --

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CLOSE: -- to go get assistance, and this guy's been a misfit for a long time, and he hasn't been able to fit in since he was in the sandbox, you know. As a youngster, he was taking advantage of other individuals before he got to Kindergarten. He is a social misfit. So, he just had a Department of Corrections, and they don't want him anymore

over at the projects. So they got moved to the projects now. They don't want those types in the projects, so he can't even live in Cabrini-Green with his --

Q: Right.

CLOSE: -- with other folks that he grew up with, because just say we've got a high level of violence around here. Of course, he's reformed, and he's to everybody, including a safer foundation, and a social worker, that yep, I just need a leg up, and so he's on the rolls of public assistance, and he's living over there on Kenmore, because he can't find anything else in Chicago, where they can dump these people, and that's what happens.

Q: Right.

CLOSE: And they've got individuals from all kinds of halfway houses, struck out, or is notably in the area around [Folsom?] and [Lawson?] Avenue, just loves to have all these characters, if they all vote for her, but she doesn't want any of the hard working individuals that get up early in the morning, and work all day, and make a regular income, because those people basically don't want her as their alderman. Or the more affluent individuals, they're buying into the area, that just are anxious to get rid of her, but she still hangs on, and these poor unfortunates are the ones that (inaudible). What happens to Suzie is

that this character that recently, the Department of Corrections, he still hasn't been able to behave as a safe (inaudible) since the sandbox, and he turns around, and he hugs Suzie, and takes her money, rapes her, because she's easy. She's not very aggressive, and she is (inaudible), and when the police come around, and get a report of this thing, (inaudible), Department of Corrections a number of times. They haven't -- the state's attorney for Cook County, so well the (inaudible), and they have the new section seeing some business cases, going to end up with a criminal, and these aren't going to be able to make much of a case out of it, so they don't get a charge. So nobody's (inaudible). So, this thing continues on. This is unfortunate.

Q: I think that --

CLOSE: But that's the beginning of it, the criminal justice system.

Q: And in your disposition, this Billy Graves case that you've had so many, you can't even recall specifically --

CLOSE: Well, well what I'm saying is that this is outside of the actual structure of the courts. This is how it's being dealt with by the criminal justice system and the Chicago Police Department. First of all, the Chicago Police Department is not interested in having any more murders

than has occurred, or you know any more crimes, because they all want to keep crime down. The worst part about that part of the system is that you've the fox being asked to keep stats on what's happening at the hen house, you know, because hey this is absolutely absurd, but that's how it happens in Chicago. They turn around. They ask the police department how many murders are here in Chicago? Well we expect this police department to turn around, and say ah. They're certainly not going to overstate, right?

Q: Yeah.

CLOSE: Number one. Number two, why call it a murder unless it really is a murder. Now you've got everybody in the system looking at the stats. First of all you've got a neighborhood district commander who's in charge of law and order in the neighborhood, and oh listen, he doesn't -- the lower crime is, the better he looks. So, a lot of things aren't passed off as a criminal act, and well don't make it something there it isn't. If some guy's mugged over here at Devana and Polena, and he's 87 years old, and he looks like he may have fell down and hit his head when they took him up to St. Francis Hospital, and he died, and OK, well he could've been mugged. Looked like he was mugged, his pockets were turned out, and he didn't have any identification on him because his wallet was gone. So his

relatives say, well he left with a wallet. Could've lost that in the alley. He could've dropped it. He's an old 87 year old guy you know. He had some bruises around the head. Well what happened? What happened in the city of Chicago, I'm anxious to see how he handled this thing, because it happened over at Devana Avenue, a short distance from where we're at right now, and it happened yesterday. Well, as a practical matter, that probably in my estimation won't go down as a murder unless somebody walks into the police station, and says, hey, I want to confess.

Q: I murdered this guy.

CLOSE: I just whacked this guy. Hit him a little too hard when I took his wallet. That don't happen. So in the real world, what happens? Well we know it might have been the mugging, but no let's not call it a mugging unless we can clearly establish it to be that. So because a man did die, and it was a forceful felony, so there was a thing called a phony murder.

Q: OK.

CLOSE: So if an individual is killed in the course of a commission of a felony, it's a murder.

Q: OK.

CLOSE: Sometimes, murder one. So, fellow's dead, we know that, we know he had some terrible bruises, but let's not

speculate on what happened over here. OK, these things just happen. Believe me in this system, the worst thing in the world is to have the police department make these assessments as to how many people are being murdered and killed in the city of Chicago, or a lot of other crimes, a lot of crimes where you actually get an armed robbery, and plain down to plain simple robberies. And then a lot of criminal felony assaults and batteries on the street, which aren't felonies, are categorized as misdemeanors, and called complained assaults and battery. And so criminal activities kept down in that particular way, and it's cut down by the people that can benefit most by it, in a bureaucracy which we live, and that's the police department. I'm not anti-police, this is just my observation, and I think if you take a good, hard look at it, you'd come to the same conclusion.

Q: Summarizing, back in '85, you said in your disposition, you said I regret that I have to send this to this person, because the mentally ill fall through the cracks, and here's the cracks, and you're speaking of, they fall through before they even get to your courtroom.

CLOSE: Yeah well let's just take a case where an individual was charged with criminal conduct, and the individual is in fact a criminal type, so to speak. He'd gone out there,

and he went pretty hard armed robbery. He's charged with armed robbery. OK, fine. What does the criminal justice system do to somebody who is in fact mentally ill? Well, being mentally ill in the medical side, and being medically ill or criminally responsible or medically ill is always a different thing on the criminal side. On the criminal side, we only recognize a situation which an individual is criminally responsible for his conduct. We go back to a thing called (inaudible), it's an old English case, and we say that an individual is criminally responsible for his conduct unless certain conditions exist, and it's called criminal insanity, basically. Unless he's criminally insane, an individual may be in a medical -- medical doesn't use the word insanity. They like (inaudible) the term mentally ill, and there's various types of mental illness, and people are psychotic, or not psychotic. They have mental problems, and they, on the criminal side, on the legal side, we say that the individual is accountable for his conduct unless we can see he was criminally insane, and you know we would've recognized those people who were previously found to be criminally insane, under the old thing called the (inaudible), which is a carry over from the old English common law, and that is the individual has

no understanding of right or wrong. He just appreciates the distinction.

Q: Right.

CLOSE: And there are people on the streets right now, who don't understand the distinction, of basic right and wrong. Pull the trigger, hit you over the head. I shouldn't do these things. That I shouldn't steal your property. That I shouldn't do this, before that. They just can't determine the distinguishing point right or wrong. Well, let's see, will that be a relatively small proportion of the population. Indeed that's true, it is relatively small. Then, there came years later, as common law developed, and as courts made these decisions, we adopted the common law from England until it became an independent country, and then our common law continued along the statutory wire. We also developed here in America another, and I don't remember the date, likewise, (inaudible), controlling. Here in the United States, it's been variously described as the Durham rule, D-U-R-H-A-M, also known as the irresistible impulse, also known as many other names put on it, but basically it is an addition to being able to distinguish between right and wrong, but we find that an individual is capable of distinguishing between right and wrong, he still may be criminally insane, if --

although he can distinguish between right and wrong, he is
unable to conform his conduct through requirement of law --

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