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ILLINOIS SUPREME COURT RULES COMMITTEE

PUBLIC HEARING

Report of Proceedings had at the  
public hearing of the Illinois Supreme Court Rules  
Committee via Zoom videoconference on  
February 2, 2022, commencing at 10:40 a.m.

1 COMMITTEE PANEL:

Mr. James A. Hansen, Chair  
2 Mr. Larry R. Rogers, Jr., Vice Chair  
Honorable David R. Navarro  
3 Honorable William H. Hooks  
Mr. Martin Dolan  
4 Mr. Andre Grant  
Mr. Jeffrey Green  
5 Mr. Richard Harden  
Mr. Richard Hodyl, Jr.  
6 Ms. Jennifer B. Johnson  
Mr. Steve H. Kim  
7 Ms. Sommer Luzynczyk  
Mr. Juan Morado, Jr.  
8 Mr. Steven M. Ruffalo  
Mr. John Spesia  
9 Mr. Jonathan M. Thomas  
Ms. Julie A. Webb  
10 Professor Keith H. Beyler  
Ms. Amy Bowne, Committee Secretary

11  
12

SPEAKERS:

13 Mr. Steve Pflaum,  
Illinois Judicial Ethics Committee

14

Ms. Lynn Grayson,  
15 Chicago Bar Association  
16 Ms. Anna Krolikowska,  
Illinois State Bar Association

17

Honorable Barbara Crowder,  
18 Illinois Judges Association  
19 Mr. Walter Brzowski  
20 Ms. LaShanda McKinney  
21 Ms. Anastasia Makarska  
22 Ms. Olga Mazzone  
23 Ms. Tyna Karageorge  
24 Mr. Daniel Stratton

1           CHAIRMAN HANSEN: Good morning,  
2 everybody. Those of us joining from the Committee  
3 and our speakers for today's public hearing, this  
4 is the Illinois Supreme Court Rules Committee.

5           My name is Jim Hansen. I am the Chair  
6 of the Committee. Larry Rogers, Jr., is the Vice  
7 Chair. And today is normally conducted in Chicago,  
8 but by many reasons we are doing this by livestream  
9 and Zoom public hearing.

10           Today the Committee has a proposal,  
11 one proposal, on the table for public hearing.  
12 That is Proposal 21-08 which has been brought to us  
13 and proposes an Illinois Code of Judicial Conduct,  
14 which is a new creation modeled after the ABA Rules  
15 and the ABA Model Code of Conduct.

16           So that being said, a couple  
17 background for the speakers who may or may not be  
18 familiar with this process. I will call the  
19 speakers in order. I will say your name and then  
20 please unmute yourself.

21           And we have a court reporter that is  
22 transcribing everything that is said here today,  
23 so, if you would, please speak clearly, loudly. If  
24 something happens with the video we will interrupt,

1 I will interrupt, and notify you.

2 We would ask then after you are  
3 finished with your comments you may receive  
4 questions from the Committee members. The  
5 Committee members will identify themselves for the  
6 group and the court reporter and we will proceed  
7 accordingly.

8 The comments today are in relation to  
9 the proposal, the one proposal that is on the  
10 table. Each speaker has been allotted ten minutes,  
11 and we will keep you on track as to on point for  
12 the proposal as well as on time with your comments  
13 due to the fact we have ten people lined up here  
14 today and we need to keep this flowing and in line.

15 So that being said, our first speaker,  
16 Steve Pflaum, are you there, Steve? Please go  
17 ahead.

18 MR. PFLAUM: I am. Good morning,  
19 Chairperson Hansen, Committee members, and  
20 interested lawyers, judges, and members of the  
21 public who are watching the livestream of this  
22 meeting.

23 My name is Steven Pflaum. I'm a  
24 partner in the Chicago law firm of Neal, Gerber &

1 Eisenberg, LLP, and I'm the Chair of the Illinois  
2 Judicial Ethics Committee.

3 I'm accompanied today by the Vice  
4 Chair of the IJEC, Raymond McKoski, a retired judge  
5 from the Nineteenth Judicial Circuit in Lake County  
6 who is also an adjunct professor at the University  
7 of Illinois-Chicago and one of our country's  
8 leading scholars on judicial ethics issues.

9 I'm also joined by the IJEC's  
10 reporter, Professor Kevin Hopkins from the  
11 University of Illinois-Chicago School of Law.  
12 Professor Hopkins' scholarship includes a focus on  
13 lawyer ethics and judicial ethics.

14 We appreciate the opportunity to be  
15 here this morning to discuss the IJEC's proposal  
16 for updating the Illinois Code of Judicial Conduct.  
17 For those who may be unfamiliar with the IJEC, I  
18 thought I should start by first giving you some  
19 background about the committee and then I'd like to  
20 provide some insight into the origins and the  
21 objectives of the project that led to the proposal  
22 that's the subject of today's hearing and then,  
23 finally, I'd like to mention some of the more  
24 notable aspects of the proposed Code.

1           The IJEC was conceived by a true  
2 Illinois legal legend, the late Judge Harold  
3 Sullivan. I'm sure that there are members of the  
4 Rules Committee who knew Judge Sullivan. He was a  
5 visionary. He was a long-serving judge and a  
6 founder of the Illinois Judges Association. He  
7 cared deeply about promoting the highest ethical  
8 standards and behavior by Illinois judges.

9           Judge Sullivan recognized that judges  
10 who were confronting an ethical issue and who  
11 wanted to do the right thing didn't really have  
12 anywhere to go for knowledgeable and confidential  
13 advice. Some bar associations, of course, have  
14 committees that will provide ethics advice to  
15 lawyers and the ARDC has an ethics hotline, again  
16 for lawyers, but there was nothing like that for  
17 judges, and so Judge Sullivan wanted to create a  
18 committee to address that need.

19           He recognized that to have credibility  
20 it was important that the committee not be  
21 comprised entirely of judges. So he came up with  
22 the idea of a joint committee of the Illinois  
23 Judges Association and the two largest bar  
24 associations in our state, the Illinois State Bar

1 Association and the Chicago Bar Association.

2 That was in 1992, and over the past 30  
3 years the IJEC has worked to fulfill Judge  
4 Sullivan's vision. We field ethics inquiries from  
5 Illinois judges. Often we simply provide advice to  
6 the judge who submitted the inquiry, but for  
7 inquiries that raise broader questions we issue  
8 formal ethics opinions. They're publicly available  
9 on Westlaw and on Lexis and on the IJA's website.  
10 Over the years we've issued literally hundreds of  
11 formal ethics opinions.

12 The IJEC also regularly gives ethics  
13 programs for judges, and on occasion we've proposed  
14 revisions to the Code of Judicial Conduct and those  
15 proposals have been adopted by the Illinois Supreme  
16 Court.

17 The IJEC's members have included some  
18 of the most respected lawyers and judges in our  
19 state, people like the late Justice Thomas  
20 Fitzgerald and the IJEC's long-time chair, Warren  
21 Lupel, to name just two.

22 Consistent with Judge Sullivan's  
23 vision of the IJEC as an independent committee, we  
24 act independently of our three constituent

1 organizations. We don't seek their approval before  
2 issuing ethics opinions, and we didn't seek their  
3 approval before submitting to the Supreme Court the  
4 proposed update to the Code of Judicial Conduct.  
5 The origins of that proposal, the proposal that is  
6 the subject of today's hearing, dates back to 2007.  
7 That's when the American Bar Association released  
8 the 2007 Model Code of Judicial Conduct. The  
9 members of the IJEC immediately recognized that the  
10 new ABA Model Code merited consideration for  
11 potential adoption in our state.

12 The existing Illinois Code of Judicial  
13 Conduct is really a hodgepodge. There are some  
14 provisions drawn from the 1972 version of the ABA  
15 Model Code of Judicial Conduct, there are other  
16 provisions that are drawn from the 1990 version of  
17 the ABA Model Code of Judicial Conduct, and there  
18 are some unique Illinois provisions. The Code was  
19 then, and it is now, in need of being updated.

20 The members of the IJEC also  
21 recognized that we were in the middle of a similar  
22 ongoing process to update the lawyers' ethics rules  
23 contained in the Illinois Rules of Professional  
24 Conduct. The ABA's Ethics 2000 update to the Rules



1 of Professional Conduct spurred the creation of a  
2 joint ISBA/CBA committee that proposed the adoption  
3 of new Illinois Rules of Professional Conduct based  
4 on the ABA Model Rules. That's the process that  
5 ultimately led to our current lawyer ethics rules  
6 contained in the 2010 Illinois Rules of  
7 Professional Conduct.

8 So back in 2007 the members of the  
9 IJEC recognized that there was no need to create a  
10 joint committee to study the Code of Judicial  
11 Conduct because the IJEC was itself a joint  
12 committee and we recognized that, well, if we  
13 didn't take on the task it didn't appear that  
14 anyone else was likely to do so. And so for well  
15 over a decade we have devoted ourselves to the task  
16 of developing an update to the Illinois Code of  
17 Judicial Conduct based on the 2007 ABA Model Code.

18 Our committee meets each and every  
19 month, generally for three hours, and for more than  
20 a decade we have devoted the majority of our  
21 meetings to going over every word in every canon,  
22 in every rule, and every comment in the Model Code.  
23 Our general approach was to be inclined to  
24 recommend using the language of the Model Code, but

1 we were always attentive to the corresponding  
2 provision in the current Illinois Rules and if, in  
3 our collective judgment, we thought there was an  
4 important policy reason to keep the current  
5 Illinois provision, well, that's what we've  
6 recommended.

7           And when we finally finished going  
8 through the entire Model Code we began to draft a  
9 report explaining what we were proposing. In the  
10 course of preparing our report we, again, went  
11 through every word of every canon, rule, and  
12 comment in the Code, and we made some changes to  
13 what we had originally decided.

14           Throughout this process our overriding  
15 focus was on getting this right and on developing a  
16 well-considered, clear, and modern Code of Judicial  
17 Conduct that will promote the highest standards of  
18 judicial conduct and serve our state well for many  
19 years to come. The end result of this process is  
20 the 144-page report with a 54-page appendix that's  
21 the subject of today's hearing and our proposal to  
22 the Supreme Court.

23           So let me try to point out some of the  
24 more noteworthy aspects of the proposed Code.

1 Given the time constraints, I'm planning on  
2 limiting myself to just three highlights and, as  
3 will be apparent by these highlights, the proposed  
4 Code is not revolutionary, it's evolutionary. It's  
5 most noteworthy for providing clear guidance rather  
6 than for making dramatic substantive changes.

7           The first highlight that I'll note,  
8 and one of the most important provisions or  
9 improvements in the proposed Code, is in the  
10 definitions themselves. We've added not just to  
11 the Illinois Code but to the ABA Model Code we've  
12 added a definition of shall to make it clear that  
13 when a rule says that a judge shall do something  
14 it's mandatory.

15           As we all know, when we interpret  
16 statutes on occasion shall means may. Not so with  
17 respect to the Code of Judicial Conduct, and that's  
18 important because if a judge fails to do something  
19 that a provision in the Code of Judicial Conduct  
20 says that a judge shall do that judge can be  
21 disciplined.

22           A second highlight and another major  
23 improvement in the proposed Code is that it tracks  
24 the formatting and the organization of the ABA

1 Model Code. Thirty-seven states have already  
2 adopted Codes of Judicial Conduct based on the 2007  
3 ABA Model Code and the rest of the states, most of  
4 the rest of the states, are in the process of  
5 studying it.

6 So that's really helpful because what  
7 that means if this Code is adopted is that if a  
8 judge, say, has a disqualification question under  
9 Rule 2.11 of the Code, well, they can readily find  
10 relevant ethics opinions and decisions from other  
11 jurisdictions that will also address Rule 2.11,  
12 probably containing the exact same language.

13 A third highlight that I want to  
14 mention concerns our efforts to update the Code to  
15 address judges' use of social media. In this and  
16 other respects, the members of the IJEC were being  
17 responsive to the kinds of ethics inquiries that  
18 we've been receiving in recent years. We have seen  
19 firsthand that the use of social media creates a  
20 host of ethical issues for judges. So what we  
21 aspired to do in the proposed Code is provide  
22 guidance, and you'll see provisions regarding  
23 social media throughout various parts of the Code.

24 One example is in Comment 4 that we've

1 added to Rule 2.10. That addresses when a judge's  
2 comments on social media might be considered public  
3 for purposes of the provision and Rule 2.10(A) that  
4 restricts public comments by a judge on pending or  
5 impending proceedings.

6 So the key in this respect is  
7 providing guidance and clarity, and that's really  
8 true of the entire proposal that's the subject of  
9 today's hearing.

10 CHAIRMAN HANSEN: Thanks, Steve. I  
11 appreciate it.

12 Let's open it up for questions from  
13 any of the Committee members.

14 Well, I'm not hearing any, Steve. I  
15 want to -- oh, Judge Navarro. Go ahead.

16 JUDGE NAVARRO: I just want to commend  
17 Steve and the members of the committee for the --  
18 for the work, and I understand this was work  
19 conducted, as you said, over a period of really  
20 years, I think, right?

21 MR. PFLAUM: Yes, more than a decade.

22 JUDGE NAVARRO: Right. And just -- it  
23 took me -- it didn't take me years to read it but  
24 it took me awhile to read it, and it really

1 reflects some real effort and I appreciate the  
2 effort of the IJEC in putting this together and  
3 updating the Code.

4 MR. PFLAUM: Thank you, Judge.

5 CHAIRMAN HANSEN: I would echo that and  
6 say that's sticking to a project for sure.

7 Okay. Thank you, Steve.

8 Let's move to our next speaker then.

9 Is Lynn Grayson here and ready to go?

10 MS. GRAYSON: Yes, I am.

11 CHAIRMAN HANSEN: Okay. Go ahead, Lynn.

12 MS. GRAYSON: Okay. Thank you very much.

13 Thank you for the opportunity to speak  
14 to the Rules Committee today. My name is Lynn  
15 Grayson. I'm the president of the Chicago Bar  
16 Association and a partner at Nijman Franzetti in  
17 Chicago.

18 On behalf of the Chicago Bar  
19 Association, I'm here to underscore the importance  
20 of the matter before you today and to further  
21 support the letter already submitted by the Chicago  
22 Bar Association expressing our full and unequivocal  
23 support for the adoption of the proposed Code of  
24 Judicial Conduct recommended by the Illinois

1 Judicial Ethics Committee.

2 As Chair Pflaum just explained, the  
3 CBA is one of three organizations, along with the  
4 Illinois Judges Association and the Illinois State  
5 Bar Association, that have come together since 1992  
6 to form the Illinois Judicial Ethics Committee.  
7 While the CBA representatives on the IJEC,  
8 including Chair Pflaum, Mary Robinson, Trish Rich,  
9 Mia Jiganti, and John Corkery, are active and  
10 involved in the committee, the committee operates  
11 independently of the CBA, the ISBA, and the IJA.

12 For example, the IJEC issues formal  
13 ethics opinions without seeking approval of any of  
14 the boards of the three organizations. The leading  
15 experts in our state in the area of judicial ethics  
16 are members of the IJEC, so it's a good thing that  
17 they can work together without any undue influence  
18 to issue meaningful guidance to the judiciary when  
19 called upon to do so.

20 As you know, the proposed Code is  
21 based on the most recent ABA Model Code of Judicial  
22 Conduct, as Chair Pflaum explained, and the product  
23 of years of careful study and work by the IJEC.  
24 The CBA board of managers, with one member

1 abstaining because he is also a member of this  
2 Rules Committee, voted unanimously to recommend the  
3 adoption of the proposed Code of Judicial Conduct  
4 as recommended by the IJEC.

5 As no doubt all of you appreciate  
6 joining us today, it's extremely difficult and  
7 fairly unusual to get a roomful of lawyers and  
8 judges to agree upon anything, and so we thought  
9 that that was a tremendous task. I believe our  
10 board's strong support really speaks volumes to the  
11 quality of this proposal and the subject of today's  
12 hearing.

13 The CBA believes the Code of Judicial  
14 Conduct will enhance the public's confidence in the  
15 integrity and the independence of our judiciary,  
16 and we urge this Committee to approve the proposal  
17 before you today.

18 You have heard from CBA member and  
19 Chair Pflaum regarding the special work, the hard  
20 work, and the years of work of the IJEC to bring  
21 this Code to you today. I am available and happy  
22 to answer any questions regarding the CBA's support  
23 of this Code, and we urge your support and adoption  
24 of it.



1           CHAIRMAN HANSEN: Thank you, Lynn, and I  
2 will note we did have your letter from the CBA  
3 dated January 21 of 2022 which you referenced.

4           Any questions for Lynn from the  
5 Committee?

6           MR. BRZOWSKI: Yes, I got a quick  
7 question on this --

8           CHAIRMAN HANSEN: Hold on. Sir, sir,  
9 sir. Mr. Brzowski, I'm sorry --

10          MR. BRZOWSKI: Yes.

11          CHAIRMAN HANSEN: -- but as a registered  
12 speaker you don't -- you're not allowed to ask  
13 questions. The questions can only come from the  
14 Committee itself to the speaker.

15                 So the question period is for any  
16 Committee member do you have a question for  
17 Ms. Grayson?

18          MR. BRZOWSKI: Yes, I do.

19          CHAIRMAN HANSEN: Sir, you're not a  
20 Supreme Court Committee member. That's not why  
21 you're not allowed to ask the questions. You are  
22 registered as a speaker. You will have your ten  
23 minutes here in a little bit to speak to the  
24 Committee. Thank you.

1 MR. MORADO: I have one quick thing,  
2 Chair.

3 CHAIRMAN HANSEN: Yes.

4 MR. MORADO: I just wanted to note the  
5 one member who abstained that Lynn mentioned during  
6 her discussion was me, as I serve as a board of  
7 managers with the Chicago Bar Association.

8 CHAIRMAN HANSEN: Fair enough. Thank  
9 you.

10 And, June, that was Juan Morado, Jr.,  
11 from our Committee who made that comment.

12 Okay. Thank you, Lynn.

13 Next up, is Anna here? Anna  
14 Krolikowska from the ISBA, you are up.

15 MS. KROLIKOWSKA: Yes. Yes, I'm here.  
16 Thank you, Mr. Chair.

17 Good morning, everyone. My name is  
18 Anna Krolikowska, and I am the president of the  
19 Illinois State Bar Association. I'm also a family  
20 law practitioner in Cook County.

21 I would like to thank the Rules  
22 Committee for the opportunity to speak to the  
23 Committee and express the ISBA's support for the  
24 proposed new Illinois Judicial Code being offered

1 by the Illinois Judicial Ethics Committee.

2 As you may know, the IJEC is an  
3 independent joint committee of the ISBA, the  
4 Illinois Judges Association, and the Chicago Bar  
5 Association. Over its many years the IJEC has  
6 earned a reputation for providing extremely helpful  
7 and important guidance to judges and lawyers about  
8 the Judicial Code, whether that's through written  
9 opinions, informal responses to judicial inquiries,  
10 or CLE programing.

11 Its works and expertise are well  
12 respected. Its scholarship, analysis, and judgment  
13 are on full display through its proposal before the  
14 Committee today.

15 The ISBA has great confidence in the  
16 IJEC, knows that the IJEC has spent years on this  
17 proposal, and believes that the proposal represents  
18 the best interests of the Illinois judiciary, the  
19 bar, and the public.

20 It is not my intention to get into  
21 specifics about the proposal but, as others have  
22 commented, some of the broad changes such as  
23 aligning the Code's format to the ABA Model Code  
24 and addressing issues such as social media are

1 important and very positive.

2 I do note that the ISBA's Bench and  
3 Bar Section Council made up of judges and lawyers  
4 from across the state voted unanimously to support  
5 the IJEC proposal.

6 Again, thank you for the opportunity  
7 to present the ISBA's position on the IJEC proposal  
8 today and, again, the ISBA fully supports it and  
9 encourages the Court to adopt it. Thank you.

10 CHAIRMAN HANSEN: Thank you, Anna.  
11 Appreciate that.

12 Any Committee questions for Anna?

13 Okay. Well, I appreciate that, and we  
14 will move on. Barbara Crowder, I know I saw you on  
15 the video, so please proceed.

16 JUDGE CROWDER: Thank you.

17 Rules Committee members and Chair,  
18 thank you so much for allowing us to communicate  
19 our support. I am Barbara Crowder. I am the  
20 president of the Illinois Judges Association, and I  
21 want to say that having spent 20 years as a judge,  
22 the last three years retired and 12 of my 20 years  
23 on the board of Illinois Judges Association, I just  
24 want to point out first that we are so proud that

1 Harold Sullivan and his vision has turned out to be  
2 so helpful to the State of Illinois and the image  
3 of the Illinois judiciary and to instill public  
4 confidence in an independent and fair judiciary.

5           The Illinois Judicial Ethics  
6 Commission, as we've all pointed out, is  
7 independent. In fact, in my 23 years' involvement  
8 in the Illinois judiciary this is the first time  
9 that IJEC has ever asked us to do anything for them  
10 other than occasionally filling spots, so it was  
11 with great joy that we reviewed -- maybe not great  
12 joy when we realized how much that we were  
13 reviewing, the 54-page new proposed Code and the  
14 lengthy and detailed report that went with it.

15           We are so excited to have this  
16 proposal before you and, let me tell you from my  
17 point of view from the Illinois Judges Association,  
18 it's about the judges. We are concerned about  
19 helping the judges remain fair, remain independent,  
20 and instilling public confidence that they are  
21 doing the best they can, so we need a Code that is  
22 easy for the judges to look at, easy for them to  
23 understand, and gives them guidance.

24           I will tell you that on average we get

1 from two to four ethics phone calls a month at the  
2 Illinois Judges Association. As you know, we post  
3 the opinions on our website. We try to help the  
4 judges or the organizations that call. Recently we  
5 had like four calls in three days, we don't know  
6 what caused that, but part of the questions that we  
7 get are simply difficulty with the judges calling  
8 us as to where to find something in the Code, how  
9 do we figure this out, the rules were sort of  
10 spread all over, and an increasing number of  
11 questions about what do we do about social media.

12 Well, I'm so old that I remember when  
13 they first were telling us at judicial conferences  
14 avoid social media, that's the solution. Well,  
15 that's not reality, and that's not what the judges  
16 coming in today do.

17 So it is wonderful to see social media  
18 reflected. It is wonderful to see this all  
19 organized with comments along with the ABA into  
20 four sections that it's easy to find.

21 All I can tell you is that while we  
22 are happy to answer judges' questions, and it's not  
23 just judges, I get organizations calling me, I get  
24 lawyers contacting me personally, they have

1 questions about how something works with -- because  
2 they want to be a judge, they want to run, they're  
3 applying, and the ability to make it simpler for  
4 them to understand the rules, the need for the  
5 rules, and how to conduct themselves in a way that  
6 make us all proud to be part of this legal system,  
7 this proposed rule set is wonderful.

8           The Illinois Judges Association  
9 absolutely supports it, you have a letter from us  
10 doing that, and I just want to say on behalf of all  
11 of the members of the Illinois Judges Association  
12 we so appreciate IJEC and we so appreciate this  
13 Committee and we do urge that you support and pass  
14 these rules. Thank you.

15           CHAIRMAN HANSEN: Sorry. I lost my  
16 screen for a second there.

17           Thank you, Judge. I appreciate that.  
18 The Committee appreciates that.

19           Is there any questions for Judge  
20 Crowder from IJA from the Committee?

21           Wonderful. Appreciate the efforts.  
22 And that brings us to, we're ahead of schedule, but  
23 Mr. Brzowski, are you there? If you are -- there  
24 you are. Okay.

1 MR. BRZOWSKI: Yes, I am. Yes, I am.

2 CHAIRMAN HANSEN: Okay. It is your turn  
3 under the roster. Go ahead.

4 MR. BRZOWSKI: Okay. My name is Walter  
5 Brzowski. I am a pro se'er, and I am -- I have --  
6 possess workable knowledge of the law.

7 I've got seven, repeat seven, cases up  
8 and running in the Cook and Will County courts. I  
9 filed my first motion back on August -- or  
10 April 2nd, 2002, in the Domestic Relations  
11 Division, Cook County, Daley Center.

12 Like I said, I am using the word  
13 victim by crooked and corrupt judges who failed to  
14 honor their sworn under oath judicial duty to  
15 uphold the Constitution of the United States of  
16 America as well as the Illinois Constitution as  
17 proclaimed by 705 ILCS 35/2 and their lawyer  
18 affirmance under 705 ILCS 225/4.

19 Now this Committee is designed, as  
20 probably prior committees is designed, to enforce  
21 Illinois statutes as well as federal statutes  
22 because they are presumed constitutional unless and  
23 until they are challenged under Illinois Supreme  
24 Court Rule 19.



1                   Now, like I said, I've been a victim  
2 upon judicial -- huge judicial misconducts,  
3 especially at the Richard J. Daley Center, by  
4 allowing female petitioners to willfully abuse the  
5 Illinois Domestic Violence Act to gain improper and  
6 immoral custody of our children, my children --

7                   CHAIRMAN HANSEN: Mr. Brzowski?

8                   MR. BRZOWSKI: I didn't interrupt nobody.  
9 I am an outsider.

10                  CHAIRMAN HANSEN: Sir, I understand that.  
11 I'm here to tell you that this is a committee that  
12 is hearing comments on the proposal which is --

13                  MR. BRZOWSKI: Yes, I will get to that.  
14 I will get to that because what I'm trying to put  
15 down a preamble or whatever you want to say as to  
16 why this Committee has failed to act by allowing  
17 these rogue judges in -- for the last 30 years  
18 and I --

19                  CHAIRMAN HANSEN: Sir, our committee --  
20 sir, our committee is not an enforcement committee.  
21 We do not --

22                  MR. BRZOWSKI: Then what good are the  
23 rules? Then what good are the laws? You can have  
24 all these rules and laws and everything, but if

1 they're not legally enforced upon those corrupt  
2 judges what good is the laws if they're not being  
3 enforced by this Committee?

4 CHAIRMAN HANSEN: There's other ways for  
5 you to take action, sir --

6 MR. BRZOWSKI: I tried that. I tried  
7 that. I tried numerous complaints against Illinois  
8 judges and the Judicial Inquiry Board all the way  
9 back in 2003, 2004, and they all been  
10 systematically and arbitrarily denied. I have --

11 CHAIRMAN HANSEN: This is not -- this  
12 not -- we are a committee that takes  
13 recommendations on changes in proposed new rules to  
14 then either forward them on to the Supreme Court  
15 for enactment or we reject them. So we do not,  
16 sir, enforce. We do not --

17 MR. BRZOWSKI: Okay. Okay.

18 CHAIRMAN HANSEN: -- make judgments. We  
19 do not -- this is not the body that is where you  
20 may need your outlet.

21 So I'm -- you're signed up and you can  
22 comment on the proposal. Do you have any specific  
23 comments --

24 MR. BRZOWSKI: Yes.

1           CHAIRMAN HANSEN: -- on the proposal?

2           MR. BRZOWSKI: Well, the proposals -- the  
3 proposals -- in fact, the first ones, I was reading  
4 them this morning, the first proposals are  
5 basically parallel to Supreme Court Canons, what,  
6 61, 62, and 63, and I would say, yes, they are  
7 parallel for what I got over here but Illinois  
8 Supreme Court Rule 63 B(3) and that basically  
9 should allow any judge that knowingly or knows of  
10 another judge's misconduct, he should be able to  
11 report him.

12                   Now this rule has been left aside,  
13 been ignored because of the -- the -- how do I --  
14 the good old boys club that has been operating  
15 diligently at the Will County, Cook County, and the  
16 Daley Center courts, and unless there's some kind  
17 of sanctions and the removal of that judicial  
18 immunity this -- these rules are going to be  
19 violated repeatedly again for the last -- like they  
20 have been for the last 30 years and unless this  
21 Committee is strong enough and has the  
22 authoritative power to then present these rules in  
23 such a professional manner on to the Illinois  
24 Supreme Court to say, hey, we got to enforce these

1 rules against these judges, all judges, and that's  
2 what I'm saying.

3 You know, I agree with the rules that  
4 I've read, but what good are the rules, like I said  
5 in my opening statement, that what good are the  
6 rules if they're not going to be rigorously  
7 enforced against judges who are being allowed to  
8 violate their oath of office.

9 I yield back.

10 CHAIRMAN HANSEN: Okay. Thank you, sir.  
11 If the Committee has any questions for you they can  
12 ask you now. So I'll open the floor.

13 Okay. Hearing none, thank you, sir.  
14 We appreciate your appearance here today.

15 Next up we have Ms. LaShanda McKinney.  
16 Are you on the video?

17 MS. MCKINNEY: Yes, I'm here.

18 CHAIRMAN HANSEN: Okay. Thank you.  
19 Please proceed.

20 MS. MCKINNEY: Hi. My name is LaShanda  
21 McKinney and I'm here to speak on a lot of the  
22 public opinion about this, and what it is is that  
23 you guys are coming up -- the Committee is coming  
24 up with new rules. I really don't understand why

1 it took a decade to come up with them considering  
2 that the old ones were broken.

3 All that you judges are committing  
4 crimes against the public, and I just don't see  
5 no -- the rules are okay, like the guy stated  
6 before, but there's nothing being done about the  
7 crimes that are being committed in the courtrooms  
8 against people that come to get help and support  
9 from these judges and attorneys and GALs and  
10 mediators.

11 CHAIRMAN HANSEN: Ma'am, the one thing I  
12 can say is kind of what I said to him, Mr. Brzowski  
13 before, is this Committee is not an enforcement  
14 committee or a committee where complaints are  
15 lodged and investigated, et cetera. There are  
16 different mechanisms throughout the State of  
17 Illinois and other committees and groups that do  
18 that.

19 We take the rules that get proposed to  
20 us, we take the public comment as we put them on  
21 for public hearing, so I would just say that and if  
22 you have any other comments you'd like to make  
23 please proceed. You still are within your time.

24 MS. McKINNEY: Yes, I have other comments --

1           CHAIRMAN HANSEN:   Okay.

2           MS. MCKINNEY:   -- because the rules are  
3 put in place but they are being broken, so -- and  
4 we are doing what we need to do on our end to try  
5 to get it heard by contacting the Judicial Inquiry  
6 but they're not doing absolutely anything about it.

7                       This is an ongoing issue, and being  
8 that you bringing in new rules it's not going to  
9 make a difference unless people are getting held  
10 accountable for their actions and those are the  
11 judges, attorneys, mediators, GALs, and everybody  
12 else they throw in on top of it like DCFS that are  
13 all breaking all the rules and all the laws in  
14 every state all around the world.  This is a  
15 problem.

16                      And it's not going to get any better  
17 until people are held accountable for their  
18 actions, which are the judges.  And I don't think  
19 that they should have that much authority over our  
20 children, over our lives.

21                      And the ones that are coming up with  
22 this -- these rules are mostly judges.  Why  
23 shouldn't the public have an opinion about this?

24                      There's nothing being done.  I have a

1 video where a judge is being misconduct. Is it  
2 possible I could show that to show that --

3 CHAIRMAN HANSEN: No.

4 MS. MCKINNEY: -- this is not going to --  
5 this is not going to get anywhere. These rules are  
6 a joke.

7 CHAIRMAN HANSEN: No, the thing I can  
8 tell you, ma'am, is we're here to take comments on  
9 the proposal. Testimony or issues you have with a  
10 judge regarding a personal whether it's litigation  
11 matter, a different matter, a civil matter, a  
12 criminal matter, or whatever that may be, as I  
13 stated there's various reporting mechanisms for the  
14 public to take that up. We do not.

15 We are not an enforcement body. We  
16 are not a body that takes those type of complaints,  
17 et cetera. We take the rules as they come proposed  
18 to us, we present them to the public for hearing,  
19 we take hearing on the proposal and the -- I guess  
20 for a better term just the written word as you see  
21 it which is out on the website, which is the  
22 proposal that's posted for everybody to review, and  
23 if you have those issues which you are bringing up  
24 there are various other agencies and mechanisms in

1 the process which we are not a part of for you to  
2 contact and go through.

3 So that's basically what we're here  
4 for is to comment on the proposal only, you know,  
5 the wording and the language in that proposal, and  
6 that's it. So --

7 MS. MCKINNEY: Okay. The proposal only  
8 is good if people are held accountable for their  
9 actions, for the rules. That's the only -- if it's  
10 not going to be accountability after this there  
11 isn't -- this is a -- this is a joke.

12 CHAIRMAN HANSEN: And as, you know, I  
13 said earlier, as to that second piece of your  
14 testimony there, that's a different branch or a  
15 different committee than this one, but I'll let you  
16 continue if you have anything else. Otherwise,  
17 I'll open it up to the Committee for any questions  
18 to you that they may have.

19 MS. MCKINNEY: No, I have nothing else to  
20 say.

21 CHAIRMAN HANSEN: Okay. Is there anyone  
22 that -- from the Committee, then, that would have  
23 questions for Ms. McKinney from her testimony  
24 regarding the proposal?



1                   Okay. For the record and for our  
2 court reporter, hearing none, thank you  
3 Ms. McKinney. We appreciate your time here today.

4                   MS. MCKINNEY: Thank you.

5                   CHAIRMAN HANSEN: Next up, I don't want  
6 to misstate this, but I'm trying to say it right.  
7 Anastasia Makarska, did I say that right?

8                   MS. MAKARSKA: Yes, you did.

9                   CHAIRMAN HANSEN: Oh, okay. Go ahead,  
10 ma'am.

11                  MS. MAKARSKA: I would really appreciate  
12 an uninterrupted time, please, my ten minutes, and  
13 as a testimonial, right? So we only can speak  
14 about what we personally witnessed, so I'm going to  
15 start my timer stopwatch so that I stay on the ten  
16 minutes and respect your time.

17                  My name is Anastasia Makarska. I am  
18 an immigrant from Ukraine. Thank you for allowing  
19 me to testify. I represent a group of parents who  
20 are victims of judicial misconduct resulting in  
21 emotional, legal, and financial abuse by the  
22 domestics relations court.

23                  I often find myself providing  
24 emotional support for mothers broken from the

1 inhumane pain of having no contact with their  
2 children they carried in their bellies, breast-fed,  
3 reared, loved, spent sleepless nights caring for  
4 their children just to witness a judge, often in a  
5 couple of minutes, based on the false allegation  
6 with no proof whatsoever take children away from a  
7 loving mother for good, permanently, without ever  
8 conducting a hearing, without looking at any  
9 evidence.

10           The group I represent is called  
11 Chicago United Parents and, although we invite  
12 fathers to be members, as of right now 100 percent  
13 of its members are mothers. Domestic relations  
14 cases, especially child custody cases, are being  
15 dragged on for years, sometimes over a decade.  
16 That enriches GALs, child reps, custody evaluators,  
17 and the State while children are suffering with  
18 their lives likely damaged for a lifetime.

19           Public proceedings are not allowed to  
20 be recorded. Therefore, information and orders  
21 often get lost making orders unenforceable and  
22 judicial misconduct go unchecked. I'm talking  
23 about a range of misconduct from mundane laziness  
24 which shall be deemed as unethical for a public

1 servant to plain corruption.

2           When a judge receives money for his or  
3 her election campaign, receives awards from legal  
4 firms, get paid by legal firms for continuing  
5 education seminars, socialize and drink together  
6 with lawyers who have cases before those judges, it  
7 is all highly unethical and the proposed Code of  
8 Conduct shall specify those behaviors punishable  
9 with public reprimand and removal from the bench.

10           I have personally seen judges who hug  
11 and kiss lawyers at social events and then have  
12 those same lawyers appear in front -- in front of  
13 those same judges in the court the next morning.  
14 Judges who are close to retirement get, quote  
15 unquote, job interviews with legal firms that hire  
16 them as mediators at ridiculously high hourly rates  
17 upon their retirement from the bench. This can  
18 cause some judges to be incentivized to win cases  
19 for those lawyers. This is a direct conflict of  
20 interest. This manifests in various ways of  
21 judicial misconduct, denial of due process, heavy  
22 bias against pro se's, discrimination based on  
23 national origin and religion, to name a few.

24           Judges throw parents to jail for

1 simply loving their children and wanting to see or  
2 talk to them. That's criminal punishment without  
3 due process. I can work with children --

4 CHAIRMAN HANSEN: Ma'am, I'm going to  
5 have to interrupt you and ask you, I understand the  
6 situation you're presenting, but as it pertains to  
7 the written proposal and what we're --

8 MS. MAKARSKA: Yes, it is --

9 CHAIRMAN HANSEN: Hold on.

10 -- and Proposal 21-08, do you have any  
11 comment as specific to the proposed Illinois Code  
12 of Judicial Conduct in its written format?

13 MS. MAKARSKA: I would like to take  
14 another seven minutes I still have to speak,  
15 please.

16 CHAIRMAN HANSEN: Well, ma'am, we are  
17 limited to the proposal. That's what we're taking  
18 comments on. So do you have --

19 MS. MAKARSKA: Yes, it is about the  
20 proposal.

21 CHAIRMAN HANSEN: Okay. Go ahead then.

22 MS. MAKARSKA: I can only testify about  
23 what I went through. I can work with children at  
24 the hospital, yet I was threatened with jail for

1 sitting in the stands at my daughter's sports game.

2 The court system completely severed my  
3 warm and loving relationship with my precious  
4 daughter with no hearing, with no trial, and no  
5 evidence presented. It's been nearly four years  
6 since I heard my daughter's voice.

7 Congress was talking about giving  
8 400,000 in punitive damages for fourth months of  
9 separation of children and parents of illegal  
10 immigrants at the border. Unethical judicial  
11 conduct in Illinois, however, somehow makes it okay  
12 to violate a citizen's constitutional rights and  
13 separate children and parents for years on end.

14 Following the punitive damages for  
15 illegal immigrants example, I should be awarded  
16 4,500,000 for pain and suffering. It is that level  
17 of pain and suffering.

18 I was silenced. My constitutional  
19 rights and those of other parents and basic human  
20 rights were grossly violated with the vague excuse  
21 of the highly subjective best interests of the  
22 child doctrine allowing unethical judicial  
23 behaviors to pass without check. Parents who  
24 exercise their freedom of speech right, for

1 example, were thrown in jail.

2 I have a court reporter's transcript  
3 in hand in which a judge denied a trial to me  
4 saying that his decision would be the same whether  
5 he heard the evidence or not. In the two and a  
6 half years that judge presided over my case not  
7 even one of my pro se motions or petitions were  
8 heard. I want you to hear me. None. I was  
9 criminally punished without due process and without  
10 a trial.

11 Forty percent of parents --

12 CHAIRMAN HANSEN: So, ma'am, how --  
13 again, ma'am, I need you to focus on -- please  
14 comment on the proposal. What -- what are your --  
15 is your testimony about the proposal? What you are  
16 telling us about your personal story and issues you  
17 feel on punitive damages, et cetera, is not for  
18 this Committee. We need to --

19 MS. MAKARSKA: I represent a group of  
20 public.

21 CHAIRMAN HANSEN: -- focus on the  
22 proposal.

23 MS. MAKARSKA: I represent a group of  
24 public. Forty of -- 40 percent of those victims of

1 such judicial conducts are suicidal from such  
2 unfair and denial of justice. Eighty percent of  
3 children of lengthy litigation contemplate suicidal  
4 ideations. That's why we are compelled to taken  
5 enforcement of the judicial misconduct seriously,  
6 and this Committee does have a jurisdiction to add  
7 that in their proposed conduct with much more  
8 drastic consequences for the judges breaking those  
9 rules than in the proposed Code right now.

10 My testimonial today, although you may  
11 dismiss it, is also to keep alive the names of  
12 parents who took their lives like the one who wrote  
13 this:

14 Dear parents, I've lost my will to  
15 fight for my child. It's been two long difficult  
16 years. I give up. I'm defeated. I'm tired.  
17 Attorneys and family courts don't care. Perhaps if  
18 I'm not here my spirit can reside with my child  
19 forever. I dedicate my life to each and every one  
20 of you. Keep my name alive. Signed, Raksha.

21 I, like so many mothers and fathers  
22 like Raksha who are victims of judicial misconduct,  
23 feel the same. Raksha has been in court for two  
24 years. I have been in seven, for seven years.

1 Other mothers in our Illinois group haven't seen  
2 their children for more than a decade, and those  
3 are good, loving mothers, law-abiding citizens  
4 without any legal issues. Many are victims of  
5 previous domestic violence by their former domestic  
6 partners who have full custody of their children.

7 My testimonial is for you brilliant  
8 attorneys and judges here to know how members of  
9 the group I represent feel about the system with  
10 the currently unenforceable Rules of Judicial  
11 Conduct. Children are our future and they suffer  
12 from this judicial misconduct driven by biases,  
13 political, financial incentives, and complete  
14 disregard for the evidence of domestic violence  
15 mothers suffer -- suffered from prior to separation  
16 and divorce and divorce of those mothers and  
17 children today.

18 Do you think it is ethical to ignore  
19 evidence in a child custody case that a woman was a  
20 registered victim of domestic violence prior to the  
21 separation and divorce? Our state is failing these  
22 children.

23 The proposed 2007 ABA update are not  
24 meant to be revolutionary but clarifications to the



1 existing Code. The question is how do we enforce  
2 the judges will follow the existing rules? Let's  
3 take an effort to focus the proposed Code of  
4 Conduct on detailed specification of the misconduct  
5 and its enforcement.

6 For example, the financial disclosures  
7 the judges must file each year with the Clerk of  
8 the Supreme -- of the Illinois Supreme Court should  
9 be, shall, as you say, be much more detailed than  
10 it is right now. I suggest that such disclosures  
11 shall contain detailed information like names,  
12 state, including out-of-state address and names of  
13 owners of any business entities, including limited  
14 partners, LLCs, and trusts in which a judge or a  
15 judge's family members have any financial interest.

16 There are judges whose immediate  
17 family members have an LLC together with a lawyer  
18 before that judge, yet the public doesn't know  
19 about it. That's such a blatant conflict of  
20 interest. Imagine being a pro se litigant on the  
21 other side of such a lawyer before that judge.

22 That disclosure shall also contain all  
23 donors to the judge's election campaigns and other  
24 compensations with immediate discharge from the

1 bench for failure to disclose. Court proceedings  
2 shall be transparent and freely public as they're  
3 meant to be for all taxpayers who fund it with  
4 automatic recordings of all proceedings and with  
5 those recordings be available for clarifications  
6 for judges' misconduct. Drastic penalties shall be  
7 in place for judges who blatantly deny due process  
8 to pro se's.

9                   And last, but not least, there shall  
10 be a time limit, like 60 days, during which any  
11 child custody evaluation must be completed, not  
12 years of expensive nightmare.

13                   I thank you for listening and putting  
14 our children and families first.

15                   CHAIRMAN HANSEN: Thank you, ma'am.

16                   Do we have -- I'm probably not going  
17 to say it right, I apologize, any questions for  
18 Ms. Makarska?

19                   Okay. Thank you, ma'am.

20                   Next up, Olga Mazzone, did I say that  
21 right, Mazzone? Olga? Okay.

22                   MS. BOWNE: I see she is here, but she's  
23 muted.

24                   MS. MAZZONE: I am here.

1           CHAIRMAN HANSEN: Oh. Okay. There you  
2 are.

3           MS. MAZZONE: Hi.

4           CHAIRMAN HANSEN: Please, you're up, so  
5 you can -- you can go ahead, ma'am.

6           MS. MAZZONE: Yes, hi. I'm sorry. I  
7 have COVID, so my voice is a bit not good.

8                        So I would like to talk to regarding  
9 this -- the rules that's proposed, and it's very  
10 similar to what Anastasia said that it's a big deal  
11 on enforcing these rules.

12                       Let me ask you the question why those  
13 rules are being changed right now if the old rules  
14 were never followed at all? Will you be able to  
15 respond in that?

16           CHAIRMAN HANSEN: Well, first of all,  
17 ma'am, I will tell you you sound a little bit like  
18 you're in a tunnel so I have a hard time hearing  
19 you and we have a court reporter, but I think I  
20 heard your question. And we simply take testimony.  
21 We don't follow up with, you know, you answering --  
22 or asking us questions and anything on an  
23 enforcement, et cetera. We take the rules as they  
24 are proposed to us, the rule changes or the new

1 rules, and we open them up for your comment before  
2 we then go and deliberate them.

3 So you're welcome for your ten minutes  
4 to continue on with what you want to raise to the  
5 Committee, much like the people before you, and we  
6 will take that when we meet as a group, but please  
7 go ahead.

8 MS. MAZZONE: Okay. So basically what I  
9 have to say is that if it's a rule of judicial  
10 conduct, so my belief the judges, and not only my  
11 belief, also I represent a group of a lot of  
12 people, and the judges should be -- it's a ethical  
13 committee, right? So is it ethical for judges to  
14 lie and take one side without proof? It is not.

15 So it should be -- judges should be  
16 punished for accepting lie testimonies without  
17 proof and not listening, especially to pro se  
18 litigants, and -- because this is unethical. They  
19 have to report attorneys and other people who are  
20 lying, and this is in this proposed bill that you  
21 have. This is very big thing.

22 So what's happened because of judges  
23 and other people lying to the judges without proof  
24 results in wrong decision by the judges. Even if,

1 let's say, somebody bring the proof to the judge,  
2 they don't even look at that later because they  
3 come without a lawyer, for example, and they don't  
4 check or attempt to check the real situation.

5 Let's say in several cases that I know  
6 it resulted in parents again losing their kids for  
7 criminal perjury from the other side, and those  
8 other side specifically this was attorneys, child  
9 reps, GALs, and this is -- that's what judge need  
10 to report. They need to report the situation.  
11 It's unethical and it is in these rules, and it  
12 cannot stand. It has to be -- it has to be  
13 changed.

14 Also, do you have anything there that  
15 it says that it needs to be enforced. That needs  
16 to be put in there. It is a big, big deal.

17 Let's say in all these other cases,  
18 and including my own case, it resulted in me losing  
19 my kids for eight years. I haven't seen my kids  
20 for eight years, talked to them, and before that,  
21 remember, first of all, I'm from another country.  
22 I'm from Soviet Union, okay, prior Soviet Union, so  
23 because of that the judge told me, oh, you don't  
24 know what you're talking about. It's like

1 discrimination, number one. They said that, Olga,  
2 I'm from another country, I don't know the rules,  
3 that I'm stupid because I'm from another country,  
4 number one.

5           Number two, they said that I am not a  
6 normal mother. This is unethical, big time  
7 unethical. He is not a psychiatrist. He cannot  
8 say that. There is nothing that he had in his hand  
9 where it says that I'm not normal. So because of  
10 that I lost my kids and not because of that,  
11 because they basically lied. They lied and said  
12 that I did something and I haven't. I was actually  
13 out of country when child rep said to the -- the  
14 judge that -- that I tried to go in garage of the  
15 child rep and I was out of country and I was --  
16 sorry, out of town and I received tickets driving  
17 out of town.

18           CHAIRMAN HANSEN: Okay, ma'am. Ma'am, I  
19 just -- I got to focus you back on the proposal. I  
20 don't want, you know, your situation with the  
21 courts and all that.

22           So as the proposal stands, please  
23 provide your comments as to that proposal on 21-08  
24 and as it's written. That's what we're here to

1 hear about. So, please, if you could, direct your  
2 comments to whether -- what you think about the  
3 proposal and if there's specific issues with the  
4 proposal. That's what we're here for.

5 MS. MAZZONE: Well, that is specific  
6 issues. Tell me what is not specific? I would  
7 like to know what I'm saying that is not specific  
8 to the issue. Please tell me.

9 CHAIRMAN HANSEN: Well, ma'am, the  
10 evidence -- or what evidence did or did not come  
11 out in your personal case about what somebody said  
12 to somebody else, that doesn't go to the proposal  
13 that we are going to be ruling and voting on as a  
14 group later, which is the Illinois Code of Judicial  
15 Conduct. That's what we're voting on and the words  
16 and the sections that have been presented to us, so  
17 that's what we'd like to hear your testimony about.

18 MS. MAZZONE: Well, I think what I'm  
19 talking about is clearly, clearly on the proposal,  
20 and you know that. You know that. Open those  
21 proposals and read and tell me what I'm telling you  
22 right now that is not right. Tell me that, that  
23 what I'm saying is wrong and it's not in the  
24 proposal. It is.

1                   It's nothing about only my specific  
2 case. I'm giving you an example of my specific  
3 case, but there is millions of cases like that and  
4 I do know those cases. I personally could vouch  
5 those cases.

6                   So it is in the proposal, so please --  
7 please let me tell you that because that is  
8 something very important and it needs to be  
9 changed. And just being there and listening to it  
10 and say, oh, this is nothing, you just need to  
11 write it down and just get away with this. No,  
12 please don't do that.

13                   So what I'm saying, the judges and  
14 attorneys, they're unethical, and they telling that  
15 to the judge and judge needs to be ethical to  
16 basically sanction them. This is a new proposal,  
17 and they do need to sanction those people that are  
18 lying and they don't do it. Also they have to be  
19 given time to sanction them and such sanctions  
20 needed to be very, very, very strict for those  
21 lawyers and other people cannot have interest of  
22 then lying because they're going to lose their job.

23                   So a lot of people ended up in jail  
24 and -- and getting sick and a lot of other problems



1 that specifically jailed just for the testimony  
2 from people who are lying to judges. A judge is  
3 ethical people, like you were trying to propose  
4 ethical things, and you say it's not an ethical  
5 committee. Please read it to me, I would listen to  
6 that, but you don't. So it is in there.

7 So basically judges need to tell them  
8 that they're going to be sanctioned and they do  
9 have to sanction them, and if you don't have that  
10 please include it in there.

11 So I think that this -- all this stuff  
12 that's happening with judges results in half the  
13 country losing their kids, losing their jobs,  
14 losing their lives, killing themselves, and this is  
15 a big deal. And please, just like I said, I'm not  
16 saying that judges do nothing, but I don't want you  
17 to tell me that it's nothing, oh, we're just  
18 concentrating on our whatever, we need to take the  
19 rule and just put the check mark, give them the  
20 rule back, and go back with your life. Please  
21 don't do that.

22 It's United States. Even in Russia  
23 it's not done like that. It's not. All over  
24 Europe it's not done like that. It's like -- in

1 Russia it would be totally different. Here is  
2 bigger corruption than in Russia where I used to be  
3 there. That is horrible.

4 Please don't just put check mark and  
5 leave and go home and sleep. I'm sure if you have  
6 kids and you love them you wouldn't be talking to  
7 me like that right now.

8 CHAIRMAN HANSEN: Thank you, ma'am. We  
9 will open it up for any comments from the Committee  
10 to you that they may have.

11 MS. MAZZONE: Yes, please. So I have to  
12 stay and I have to watch the rest, they going to be  
13 having comments back?

14 CHAIRMAN HANSEN: No, you don't have to  
15 stick around. You can drop off if you want.

16 MS. MAZZONE: No, no. I want to hear  
17 comments. I want to listen to the comments.

18 CHAIRMAN HANSEN: Okay. Well, then you  
19 need to -- you can stay on and you just need to  
20 mute your line and the next speaker is up.

21 MS. MAZZONE: I will.

22 CHAIRMAN HANSEN: Okay. Thank you very  
23 much.

24 MS. MAZZONE: You're welcome.

1           CHAIRMAN HANSEN: So our next speaker,  
2 Ms. Karageorge, I see your name there.

3           MS. KARAGEORGE: Yes, I'm here.

4           CHAIRMAN HANSEN: Okay.

5           MS. KARAGEORGE: Something just happened  
6 with my video. I apologize for that.

7           CHAIRMAN HANSEN: That's fine. You can  
8 proceed. Go ahead. We can hear you clearly.

9           MS. KARAGEORGE: Okay. Great.

10                   First of all, thank you all so much  
11 for allowing the public to have a voice regarding  
12 Proposal 21-08.

13                   Unlike the Illinois State Bar  
14 Association, Illinois Judge Association, the  
15 Chicago Bar, I oppose this proposal. I am not a  
16 lawyer, a judge, or a special interest group. I  
17 come before each and every one of you to request  
18 that Illinois Judicial Code of Ethics be the  
19 strictest in the United States. I request that our  
20 court's Judicial Code of Conduct be modeled after  
21 the United States Judicial Code of Conduct.

22                   The importance of a fair, transparent,  
23 impartial, unbiased judiciary is the core of  
24 justice. Whether I am a judge, attorney, a

1 construction worker, a teacher, poor or wealthy, et  
2 cetera, we all should be treated equally. Our  
3 judges should be held in the highest, strictest  
4 standards.

5 In the 1980s the FBI started an  
6 investigation into criminal Cook County judges,  
7 attorneys, clerks, and many others who were  
8 case-fix judges accepting briberies -- bribes for  
9 favorable outcome in cases they were presiding. In  
10 2017 within hours of my husband's suicide judges  
11 and attorneys conspired and had ex parte  
12 communications.

13 As we all know, the Fed's  
14 investigations are long but the conviction rate is  
15 great. As many of us wait for breaking news, many  
16 that have spoken prior to me, each and every one of  
17 you today can do what's best for the people of  
18 Illinois.

19 In your proposal Rule 2.9, 3.8, 3.14,  
20 4.2, and maybe a few others the document states  
21 reserved, and my question for this Committee is  
22 reserved for what? Is it to be able to add a  
23 conduct at a later date? But I don't think the  
24 public deserves to have such an open reservation as

1 well.

2 Rule 2.11(C) should be shall. You're  
3 using terminology may. That is giving -- and,  
4 first of all, I want to make sure each and every  
5 one of you don't think that I'm biased or against  
6 judges. I have had experience with great ethical  
7 judges that didn't even rule in my favor, so I know  
8 there are good judges that sit on the bench. So I  
9 don't want you to think that I'm anti-judge or  
10 authority or anything like that. So -- excuse me.

11 Judges should not be allowed ex parte  
12 communication, Rule 2.11. Just imagine being a pro  
13 se litigant and you have the top law firm as your  
14 opposition. That's happened.

15 When you leave a judge, an unethical,  
16 possible criminal judge, and you're giving them  
17 such allowance to say except, an exception for them  
18 to contact each other, the other opposing without  
19 the other party's knowledge, that's wrong. It  
20 should be absolutely no -- I know of certain  
21 circumstances as far as order of protections and so  
22 forth, but that -- I request and I pray that each  
23 and every one of you just take a second just to  
24 think about the people you serve, the everyday

1 people, and I just -- I come here not to disregard  
2 your -- any of your intelligence or your ethics. I  
3 come here to ask you to think about each and  
4 everyone else that aren't lawyers, that aren't  
5 judges, that don't have money, that just come and  
6 expect for a judge to be unbiased and do the right  
7 thing.

8 I want to just thank you again for  
9 giving us all this opportunity to speak, and I pray  
10 that you all when you go back you really think  
11 about what you've heard today. Thank you.

12 CHAIRMAN HANSEN: Thank you, ma'am.  
13 Appreciate that. Thank you for your comments.  
14 And -- excuse me -- I will ask the other Committee  
15 members if they have any questions regarding your  
16 testimony.

17 Okay. We do have one other speaker,  
18 and where is my list, Daniel Stratton.  
19 Mr. Stratton?

20 MR. STRATTON: Yes, sir.

21 CHAIRMAN HANSEN: Okay.

22 MR. STRATTON: Hi. How are you?

23 CHAIRMAN HANSEN: Good. Go ahead.

24 MR. STRATTON: Thank you to the Committee

1 for allowing me to speak today.

2 First I want to comment about some of  
3 my fellow commentators. I think what you're  
4 hearing there is a general frustration not  
5 necessarily even about specific cases but the lack  
6 of accountability and the lack of enforceability  
7 regarding these rules.

8 I have here the rules governing the  
9 legal profession and judiciary in Illinois from  
10 July 2013. It's 209 pages. I mean, this proposed  
11 rule I think is 54 pages. The problem is not  
12 necessarily that we don't have ethical rules, and  
13 so I -- like I support the adoption of the 2007 ABA  
14 Model Code of Conduct. The problem is that it does  
15 not go far enough and that it doesn't -- it should  
16 be extended to comport more with stated objections --  
17 or stated objectives of the Committee's overriding  
18 goals towards judicial conduct and the appearance  
19 of the judiciary, particularly as it pertains to  
20 the public.

21 Towards that end, it does not go  
22 nearly far enough and should be extended to include  
23 mandatory recording in courtrooms, particularly in  
24 the Domestic Relations Division.

1 I'm a pro se litigant. I've never had  
2 an allegation of abuse against me except by an  
3 attorney serving as a guardian ad litem, yet I have  
4 not had any contact with my child since 2019.

5 There are various -- this is in Cook County. In  
6 some of the collar counties they have mandatory  
7 recording but -- and livestreams, but they'll go in  
8 breakout rooms on Zoom to avoid being observed.

9 There are judges, including one on the  
10 Supreme Court's Ethics Committee, who are banning  
11 people from having bystanders or observers. As a  
12 pro se litigant you can't file an appeal unless  
13 there are -- there's a bystander recorder or court  
14 reporter, and court reporters are expensive.

15 If as the Committee says and as the  
16 rule, the proposed rule, says regarding the  
17 integrity of the courts and why -- and some collar  
18 counties do mandatory recording and other divisions  
19 even within Cook County do mandatory -- or do  
20 recording, why is it that the Domestic Relations  
21 Division in Cook County does not and forbids it and  
22 forbids it from being recorded period?

23 Integrity is on page 3 of the proposed  
24 rule. I feel like that definition needs to be



1 extended to include something that is not on there,  
2 which is that judges and members of the judiciary  
3 conduct themselves with integrity, and integrity  
4 means even when no one is watching.

5 Now there's no shortage of websites  
6 that you can go on should I have -- if you ask the  
7 question in Google should I have a court reporter  
8 at my court date, and of lawyers' websites that  
9 comment that of course you should because the  
10 judge's behavior will be different whether a court  
11 reporter is present or not.

12 You know, that tells you -- what does  
13 that say about the judiciary? That if they're not  
14 being watched that they act differently. That's a  
15 lack of integrity.

16 So if the commission -- or the  
17 Committee is really concerned about integrity, it  
18 should itself be pushing for mandatory recording.  
19 And I don't feel the rules go far enough with that.

20 There's also another -- there are also  
21 another issue regarding impartiality. You know,  
22 the ABA Code is great, but the ABA also recommends  
23 that we remove the guardian ad litem -- office of  
24 the guardian ad litem but Illinois will not. And

1 that -- attorneys holding that position, I'm not  
2 saying all, of course, but there are some that are  
3 doing what are called cash for kids where parents  
4 are being deprived of rights, being deprived of  
5 their children, their parental bonds are being  
6 destroyed by attorneys who have two different  
7 schemes that they run, both pre-decree and  
8 post-decree.

9           Now I don't see how this is, you know,  
10 209 pages for the existing or that's going to be  
11 replaced, you know, that's replete with examples of  
12 ethical violations that the cash for kids schemes  
13 are violating and yet in no way do any of these  
14 rules apply. And I think this is what you're  
15 hearing from other parents who are pro se litigants  
16 is that no matter what these rules and the proposed  
17 rules from the ABA 2007 Model Code of Conduct,  
18 they're just words on paper if they're not  
19 enforceable, if there's no accountability, and that  
20 is the primary problem that we have where -- you  
21 know, and, again, most Code -- the Code of Conduct  
22 relies on the presumption that judges are acting  
23 with integrity, including the new Model Code, but  
24 the problem is that there are instances where

1 judges are not. And the Judicial Inquiry Board is  
2 a black hole, a well-known black hole that you  
3 cannot hold anyone accountable, you know, and a  
4 judge no matter what they do you can't -- you know,  
5 they already see you as known to only act against  
6 or take action against members of the judiciary  
7 where it's publicly embarrassing to the judiciary,  
8 the conduct of -- the conduct of those attorneys  
9 such as Pasulka with the -- guardian ad litem in  
10 Cook County with proposing, you know, sex for -- in  
11 exchange for custody.

12 So it's not that the -- the rules are  
13 not -- that are proposed that they're not good and  
14 they will not be useful, but they're not useful  
15 really if there's no actual enforcement and there's  
16 no way to hold anybody accountable.

17 I can only speak from my personal  
18 experience. In my case I had an -- which started  
19 in 2015, an attorney rose up out of the ground  
20 seven years after he died and started filing into  
21 my case. You know, that's clearly an ethical  
22 violation. It violates all sorts of the proposed  
23 and -- the existing and the proposed Codes of  
24 Conduct, and yet I could get nothing done about

1 that.

2 Falsified court orders, I speak to  
3 numerous parents that have had this happen to them,  
4 pro se litigants, and you can't do anything.  
5 There's nothing that can be done about it.

6 And the biggest -- one of the biggest  
7 drivers is guardian ad litem, which, again, the  
8 ABA recommends be eliminated, instead of being  
9 appointed to a case, producing a report containing  
10 the results of their investigation and their  
11 recommendations of custody, they're stuck -- they  
12 are allowed to stay on a case until it's decreed or  
13 until -- in domestic relations until decree or the  
14 final postjudgment action, and that is financially  
15 incentivizing them to cause litigation to award the  
16 custody basically to the non-abusive parent and  
17 severing the healthy relationship with the other  
18 parent.

19 And, again, there's no accountability  
20 because the appellate court ruled that even if a  
21 guardian ad litem, for example, commits a crime  
22 while appointed to a case as a guardian ad litem  
23 you can't sue them.

24 The Illinois Supreme Court in 2020

1 ruled that they are to be given the same immunity  
2 as a judge, so there's literally no way to hold  
3 them accountable. When they are the -- this  
4 doesn't go far enough, nearly far enough, to avoid  
5 the -- while it's still a good basis to start with,  
6 it doesn't go far enough, for example, for  
7 preventing attorneys appearing before judges and  
8 being appointed to guardian ad litem, for example,  
9 from donating to their campaigns.

10           You know, I'm a pro se litigant. A  
11 judge is going to be a lot -- when the guardian ad  
12 litem is the number three campaign contributor to  
13 put her on the bench to begin with, the judge on  
14 the bench, you know, that's hard to compete with  
15 when you're a pro se litigant. I don't understand  
16 why that's not banned period, donations are banned  
17 period -- are not banned period, but they are not.

18           You know, there's no impartiality when  
19 a guardian ad litem is -- you know, there's a  
20 relationship between the attorneys and the judges,  
21 they have a personal relationship, personal  
22 knowledge of each other, and there's a pro se  
23 litigant, you're at a unique disadvantage. So I  
24 would say that the 2007 Model Code needs to be

1 extended to include the elimination of that  
2 position of guardian ad litem because it is so  
3 corrupting and there literally is no  
4 accountability. There's no way to hold them  
5 accountable.

6 CHAIRMAN HANSEN: I just -- not to  
7 interrupt, but you got another minute or so, sir.  
8 Just want to give you the heads up.

9 MR. STRATTON: That's okay.

10 You know, and just really quick then  
11 to roll through the second scheme that they --  
12 that -- as part of pre-decree corruption by the  
13 guardian ad litem, they file reports they're not  
14 even allowed to file within days of a trial date  
15 and judges are allowing them to do that.

16 Now, they're not actually filing those  
17 reports. Ethically the judges should be reporting  
18 them for misconduct for not -- for submitting,  
19 quote unquote, documents in the case that are  
20 required -- the Supreme Court Rule 9 requires all  
21 documents to be filed electronically, and yet  
22 circuit court judges are allowing them not to.

23 And who do you go to, the Judicial  
24 Inquiry Board? That's a black hole. You know, and

1 because they're not being filed as they're supposed  
2 to be, the circuit court judges are allowing them  
3 to circumvent Supreme Court Rule, then they're not  
4 included on the common law record sent to the  
5 appellate court.

6 So, I mean, that would be my  
7 commentary is that it doesn't go nearly far enough  
8 to combat the corruption that's going on in -- at  
9 least in the Cook County Domestic Relations  
10 Division. I can't speak, you know, necessarily to  
11 others, and I know it's not nearly as lawless as it  
12 is in the other four divisions of the Cook County  
13 courts, but, you know, again, this is I think what  
14 you're hearing from people here is a frustration in  
15 general that there is no actual accountability for  
16 any violations of this.

17 CHAIRMAN HANSEN: Okay.

18 MR. STRATTON: We could have all the  
19 rules we want, but they don't mean anything if  
20 they're not enforced.

21 Sorry, and I apologize for going over  
22 my time.

23 CHAIRMAN HANSEN: That's okay. I  
24 appreciate your comments.

1                   Any questions for Mr. Stratton?

2                   Excuse me. Okay. Well, I would like  
3 to thank all of our speakers today. Mr. Stratton  
4 was the last of the group. Appreciate your time  
5 and being with us here this morning on a snowy day  
6 for sure and would just say thank you. And then  
7 the Committee, we will have our follow-up meeting,  
8 and we will now end the public hearing.

9                   (Whereupon the proceedings were  
10                   adjourned at 11:59 a.m.)

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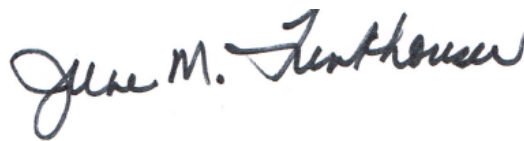


1 STATE OF ILLINOIS )  
 ) SS.  
2 COUNTY OF K A N E )  
3

4 JUNE M. FUNKHOUSER, being first duly  
5 sworn, deposes and says that she is a Certified  
6 Shorthand Reporter in Kane County, Illinois, and  
7 reporting proceedings in the Courts in said County;

8 That she reported in shorthand and  
9 thereafter transcribed the foregoing proceedings;

10 That the within and foregoing transcript  
11 is true, accurate and complete and contains all the  
12 proceedings had at the Illinois Supreme Court Rules  
13 Committee public hearing.

14  
15   
16

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