

# THE ADVOCATE

Newsletter of the Advocates Society, the Association of Polish-American Attorneys



## OFFICERS FOR 2021-22

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## BOARD OF GOVERNORS

*Management of this Society is vested in the Board of Governors, which consists of the Officers, Chairs of Standing Committees, and Past Presidents. The Board of Governors shall advise, guide, direct, and determine the overall policy of the Society.*

## HAPPY SUMMER

Heretofore, the Advocates Society has taken the Summer off, as with meetings and events, save barbecues and summer receptions of the past. Especially with the pandemic, this remains true, though there is some suggestion of a barbecue somewhere in Chicagoland, so stay tuned for that... This new Summer edition of *The Advocate* covers July and August of 2021. The next edition will be our September 2021 edition.

## HAPPY INDEPENDENCE DAY: July 4, 1776-2021

In brainstorming for and researching content for the last edition prior to a likely summer hiatus, the editor of this edition of *The Advocate*, discovered the following photo and story from in the collection of the Library of Congress:





## Upcoming Dates

TBA - Summer

Summer Family BBQ

September 7, 2021

Board Meeting

6:30 p.m. Reception

7:00 p.m. Meeting

September 23, 2021

General Meeting

(Details TBA)

6:30 p.m. Reception

7:00 p.m. Meeting

RSVP by September 22:

[advocatessociety@gmail.com](mailto:advocatessociety@gmail.com)

**The Advocate** is now published on the first day of each month, with a July/August Summer edition. Content, **including news about members**, can be emailed to [TheAdvocate773@gmail.com](mailto:TheAdvocate773@gmail.com) for publication consideration.

*Hon. Michael J. Chmiel has served as Editor for The Advocate and Chair of the Joint Newsletter/Public Relations Committee over this last year. We thank Judge Chmiel for his invaluable and successful efforts in reviving this newsletter for the Society through this issue. Kathy Bojczuk will now seek to fill those big shoes beginning this fall as the newly-appointed Editor and Chair of the Joint Committee, which helps edit this publication and also includes Audrey Cosgrove, Pam Menaker, and Julia Jensen Smolka. Judge Chmiel continues his tremendous support for the Society as Chair of the Constitution and By-Laws Committee.*

According to the Library of Congress, this photo is from 1920 and is kept in the American National Red Cross photograph collection (Library of Congress) - Library of Congress Control Number 2017677675, with the following title: "Poland thanks America. The fourth of July was observed in Poland this year for the first time in the tragic history of the infant republic and was intended as a tribute to the United States which has helped through its Red Cross and other relief agencies in the country's fight against starvation and disease. In a parade, in Warsaw marched 10,000 school children who carried American and Polish colors and sang the anthems of both countries[.]" <https://www.loc.gov/resource/anrc.12042/>

## THE ADVOCATES SOCIETY CONTRACTS WITH CAM

At a Special Meeting on June 8, 2021, the Board of Governors of the Advocates Society voted to contract with Chicago Association Management (CAM), an administrative support group that specializes in assisting professional legal associations, to provide further stability and support for the Society. This action followed work by an *ad hoc* committee chaired by Judge Jonathan Clark Green, who serves as President of the Advocates Society, along with First Vice President Audrey Cosgrove, Treasurer Ann Melichar, and Past President Joan Smuda. The action arrived in the face of lagging active (paid) membership numbers and volunteerism. This investment will tap into a current cash surplus just over \$20,000, and will involve a fee of \$1,000 plus certain expenses for things like new software to manage the organization. "If history is any indication, the Society should expect an improved revenue flow once the new administrative support is in place by the Fall, with the improvements well paying for themselves, providing us with a much brighter future and improved member recruitment and retention," says Judge Green. The leadership of the Society has commenced CAM's integration, which will provide additional enhancements for officers, members and Society activities.

# CONSTITUTION AND BYLAWS COMMITTEE

By Judge Mike Chmiel, Chair

On June 8, 2021, I reported to the Board of Governors of the Advocates Society, on the work of the Constitution and Bylaws Committee in the first half of 2021, which will be further discussed by the Board at its next meeting. Copies of the proposals appear below.

**First**, the operations of *each* committee should be standardized, as with formation, notices, rules of procedure, and ethics. Article X governs the Committees of the Society. The Committee has proposed the following amendments for a new section under Article X:

Section 4. Committee Operations.

Each committee of the Society shall include one or more Members and/or others (unless specifically and more specifically limited), who are appointed by the President, and who shall serve as an *ex officio* member of each committee. The chair and/or members of each committee shall serve for the fiscal year in which they are appointed, and until they resign, or are replaced by the President at the first meeting of the Board of Governors each fiscal year, or are removed for cause by the Board of Governors. Meetings may be “in-person” and/or through a readily accessible platform, like Zoom or FreeConferenceCall.com. Notice, including an agenda, for each meeting shall be given by the chair or the chair’s designee, at least seven (7) days in advance of any meeting, by email and/or text. The latest version of Robert’s Rules of Order shall govern the proceedings of each committee, unless the members of the committee agree to deviate from the same. No member of a committee may knowingly participate in a meeting of a committee if the member has a conflict of interest in the subject matter of the meeting, without fully disclosing the same.

**Second**, with specific regard to the Steering Committee, we have struggled with how to best adapt the Steering Committee operations to the Associate Judge campaigns in Cook County, even though *similar* campaigns occur in each Judicial Circuit. As well, opportunities for other positions arise from time to time. The “endorsement” or “recommendation” of the Society is often desired and pursued, as it carries some value. Hence, we should be careful with this.

In addition to the items suggested above, the Committee discussed ***whether the Advocates should get involved in an AJ campaign***. The consensus was “yes,” for the reasons noted above. As well, through endorsements and recommendations, the Society adds value for its Members, and perhaps others. (No amendment is needed.)

The Committee also discussed ***whether the Advocates should get involved in non-judicial campaigns***. The consensus was “maybe,” in that the Society should have the ability to do so when warranted, especially with a Member involved. (No amendment is needed.)

Next, the Committee discussed the current verbiage, and ***whether the Advocates the Constitution and Bylaws should be amended to limit the Society to get behind just one candidate***. The consensus was “no,” it that each campaign seems to change, and the

Steering Committee (and Board of Governors) should be afforded flexibility to address situations as they arise, as with suggestions from the process (as with requests from a Chief Judge) and the candidates involved (especially where each has been very involved in the work of the Society.) (No amendment is needed.)

Also, the Committee discussed ***whether different types of approval should be encouraged, as with, perhaps, “endorsements” and “recommendations” or other nomenclature.*** The consensus was “probably,” especially when various Members are involved. (An amendment is probably needed.)

As such, following are amendments to consider, with the collective proposed amendments from January and June underlined, and the newer amendments from June also shaded:

(h) **Steering**, whose duty It shall be to consider all matters pertaining to civic or political endorsements for elective or appointive office and to make recommendations relating thereto, in accordance with the following provisions:

(1) The members of this Committee shall consist of all past Presidents in good standing of the Society. The Chair of the Committee shall be the immediate past President of the Society; in her/his absence at a duly called Committee meeting, the next most immediate past President shall preside over the meeting. Meetings may called on forty-eight-hours personal (actual) or electronic (i.e., email or text) notice by the Chair or the current President. Meetings may be held in person and/or remotely through appropriate means readily available to all proposed participants (i.e., telephone, Zoom, or the like).

(2) In arriving at any endorsement and/or recommendation, the following criteria shall be considered:

(A) Qualifications of the candidate.

(B) Membership in good standing in this Society.

(C) The length of any Society membership.

(D) Offices held in this Society.

(E) Participation in this Society, including attendance at meetings and events, volunteerism in projects and at events, and work on committees.

(F) Participation in endeavors which promote or otherwise support Polonia.

(G) Other factors articulated by the Committee.

(3) The report of the Committee shall be submitted to the Board of Governors for its information and any action it deems appropriate.

(4) Following such Board of Governors Meeting, the report of the Governors, if any, shall be made to the General Membership and the matter reported upon shall

be submitted to the vote of the membership at a Special or the next Regular Monthly General Membership Meeting.

***Third***, in addition to the foregoing, I note a few, miscellaneous amendments are needed:

In Article VII / section (a), in 2019, I inadvertently missed the space in “andrequired”.

In Article IX / Section 1(h), we should probably replace “Robert’s Rules of Order (Revised)” with “The latest version of Robert’s Rules of Order” in that my Google search shows we are *now on* a “Newly Revised” (vs. “Revised:”) edition.

In Article X / Section 1(b), in 2019, I inadvertently missed an extra space at the end of the sentence.

## **AMICUS POLONIAE LEGAL CLINIC**

Volunteers are needed for the next *Amicus Poloniae* Legal Clinic Session on Saturday, July 17, 2021, from 9:00 a.m. to 1:00 p.m., in-person at the Polish National Alliance (6100 N. Cicero Ave., Chicago), via Zoom, or even by being "on call" for that time period if someone from your specific legal field is needed. Those interested in volunteering should contact us at [advocatesociety@gmail.com](mailto:advocatesociety@gmail.com), and we will make sure you receive a CVLS volunteer registration form to fill out prior to the next session so you are all set for this session and those for the rest of the year. CVLS provides legal liability coverage for registered volunteers.

## **PAPA UPDATE**

The Polish American Police Association (PAPA) has also slipped into summer, with its last round of meetings last month. At its north side meeting on June 8, 2021, PAPA announced its intention to attend Polish Heritage Night at Guaranteed Rate Field on June 30, 2021. (About 200 members of PAPA and friends, saw the White Sox trounce the Twins, 13-3, with many home runs, fireworks, and even an ejection for a fan who through a visiting home run back!) On August 8, 2021, PAPA will host its Annual Picnic in its usual spot - Schiller Woods - Grove No. 2 - from just before lunch into the afternoon. On September 9, 2021, PAPA will host its Third Annual Golf Outing at Carriage Green Country Club in Darien, with Polish food included, \$525 for a foursome, \$100 for a hole sponsorship, and \$50 for dinner. The next south side meeting was announced for August 30, 2021, at the Oak Lawn VFW, and the next north side meeting was announced for September 14, 2021, at the Jolly Inn; these meetings will start at 6:30 p.m. following dinner which will be available at 5:30 p.m. For more information, please visit [www.polampolice.org](http://www.polampolice.org).

## ADVOCATE OF THE MONTH: Audrey Cosgrove



In an effort to better-acquaint readers with Members of the Advocate Society, we offer “Advocate of the Month.” This month, we feature a Question and Answer with Audrey Cosgrove, who is in private practice and who serves as First Vice President for the Society.

### **Why are you a member of the Advocates Society?**

Because when Michele Hendrickson was President, she invited me to come to a meeting. But seriously, I liked the camaraderie, everyone made an effort to talk to me and welcome me, and it was the best food and drinks I ever had at a CLE. My husband would literally wait up for me to see what leftovers I brought home from the meetings! I continued to come because there were also activities my whole family could enjoy like the parade and Christmas party, so I didn’t feel like I was neglecting my family when I participated with the Advocates. I have served on many different boards, but the Advocates are special to me because we share a common bond growing up in Polish homes. It’s not just a lawyer’s group, I have made good friends here who support me and I support them.

### **Can you please give us an example of how being a member of the Advocates Society empowered you as an attorney?**

Being very active in a prominent lawyers group gives you a great deal of credibility in the legal community. It demonstrates that you seek to improve the profession. This elevates you above other lawyers who are just out there working and earning their living. As a member I routinely interact with prominent judges and lawyers and that has helped my career plan, to become a judge, tremendously.

### **What are you most looking forward to most in the coming year, personally/ professionally?**

As a working parent it is easy to get absorbed in work, and work-related activities so personally, I am focused on getting my youngest child, who is a high school senior, graduated and off to college. This time in his life is so special and passes fast and I want to be truly present for every minute of it. Professionally, I am excited for two things: First, I am currently seeking appointment or election to Cook County Judge, and also the Advocates Society is set to BLOOM after our pandemic closure. It looks like we will have an in-person Judges Night. As First Vice President it is my job to make it a success.

### **Can you please tell us something interesting about you?**

I love the outdoors and solo hiked the John Muir Trail. If there is such a thing as a spirit home, the High Sierra is it for me. I go there every year to explore. This September I am going to backpack to Cloud’s Rest in Yosemite National Park.

*Audrey can be reached at [avcosgrove@gmail.com](mailto:avcosgrove@gmail.com) or by call or text to 773-968-8026.*

# THE POLICE STATION REPRESENTATION UNIT OF THE COOK COUNTY PD

**By Trina Smith, Division Chief of the Police Station Representation Unit**

*{Editor's Note: Last month, the Advocates Society lost its beloved Michele Hendrickson, who worked in the Police Station Representation Unit of the Cook County Public Defender. This article was commissioned, to better acquaint the Society with the important work with which Michele engaged.}*



Who are you going to call when you find yourself in an unexpected predicament at a Chicago Police Station District or Cook County Suburban locality? Not the Ghostbusters, but the Police Station Representation Unit (the “PSRU”) of the Law Office of the Cook County Public Defender (the “PD”). The mission of the PD is to “protect the fundamental rights, liberties, and dignity of each person whose case has been entrusted to the Office to provide legal representation.” Furthermore, Illinois law holds at 725 ILCS 5/103-3:

Right to Communicate with attorney and family; transfers.

- (a) Persons who are arrested shall have the right to communicate with an attorney of their choice and a member of their family by making a reasonable number of telephone calls or in any other reasonable manner. Such communication shall be permitted within a reasonable time after arrival at the first place of custody.
- (b) In the event the accused is transferred to a new place of custody his right to communicate with an attorney and a member of his family is renewed.

Originally, the PD was restricted to the appointment of representing indigent individuals at the bond court hearing stage. Defendants who appear in bond court are *alleged* to have committed a misdemeanor or a felony offense, and bond must be set to ensure their presence in court. Recently, Illinois abolished cash bail, under the Illinois Pre-trial Fairness Act, which had been introduced as House Bill 3653. The plan will be in full effect in 2023.

On March 14, 2017, the Cook County Chief Judge Timothy Evans issued and entered General Administrative Order No. 2017-01, which states that “when an arrestee or other person not represented by counsel is held in police custody and requests court-appointed legal representation, and representation is available from the Law Office of the Cook County Public Defender or its designee (“Public Defender”), the Public Defender shall be deemed appointed by the court as defense counsel, pending appearance before the court.”

This mandate is relevant because individuals that are detained, may not be know their Constitutional Rights. The Fifth Amendment states, “[N]o person shall be compelled in any

criminal case to be a witness against himself.” This legal principle is commonly interpreted as the right to remain silent. Even if an individual is aware of the Fifth Amendment Right, the individual may not understand the importance of exercising that right in a timely manner. Remaining silent can be a game-changer in the defense of a case. *The purpose and focus of the PSRU* is to help an individual assert the right to remain silent during *any* law enforcement interrogation.

The PD has staffed the Division with nine attorneys that work around the clock for twenty-four hours per day, 365 days each year. Eight-hour shifts for those in the Division start at 7 a.m., 3 p.m., and 11 p.m., each day.

“The police must inform the arrestee that their attorney is present at the station.” *People v. McCauley*, 163 Ill.2d 414 (1994). The Chicago Police Department agreed to display the PD’s toll-free hotline phone number, 1-844-817-4448. Calls to the hotline may be received from the client directly, or family members and friends who witnessed an arrest. Attorneys expediently go to the station when a call is received, as time is of the essence, to ensure the client’s right is protected. Thereafter, the attorney will have a Notice of Representation and Declaration of Rights executed.

In the event an arrestee is under the age of fifteen, it has been mandated and required that the PD be notified to be present during any interrogation related to a homicide or sexual offense.

Who are you going to call?

## Scenes of Summer: Last Summer BBQ in 2019



# ADVOCATES NOTES

## NEW COORDINATOR FOR AMICUS POLONIAE LEGAL CLINIC ANNOUNCED

The Polish National Alliance, in cooperation with the Advocates Society and Clinic Co-Chair Robert Groszek, has named Magdalena "Maggie" Biedrona as the new coordinator for the Amicus Poloniae Legal Clinic. The Advocates society welcomes Maggie, and wishes her well in her new duties at the PNA. Maggie is a new law student at the UIC Law School, and has been working at the PNA in various capacities before her appointment. Please join us at the next Clinics during this summer, on July 17th and August 21st, to welcome and congratulate Maggie, and to continue to contribute to the great work of the Clinic. Maggie can be reached at magdalena.biedron@pna-znp.org, or at the Clinic phone number at (773) 286-2325.



Judge Green with Ms. Biedrona at the Clinic on June 19th.



Clinic participants join Monica Lebensztejn, May 3rd Polish Parade's First Lady of the Court

## ADVOCATES SOCIETY WINS ADVOCATE AWARD FROM ALLIANCE OF ILLINOIS JUDGES

The Advocates Society was awarded the "Advocate Award" by the Alliance of Illinois Judges (AIJ) for the Society's virtual float submission at their Annual Installation on June 23rd. The AIJ, the judiciary's LGBT+ judges association, featured a virtual Pride Parade at the event where numerous bar associations contributed video clips as virtual floats in recognition of Pride month. The Society referenced their support of LGBT+ rights for all in the legal profession, including those presently struggling for such rights in Poland.



## ISBA PRESIDENT AND ADVOCATES MEMBER FEATURED

JOIN US in congratulating long-time Advocates Member Anna Krolikowska for her feature cover story in the July 2021 Illinois Bar Journal. Anna is a former recipient of the Distinguished Service Award for her volunteer work with Amicus Poloniae Legal Clinic, a former Advocates' newsletter editor, a past president of the North Suburban Bar Association (NSBA), and the current President of the Illinois State Bar Association (ISBA). Anna, you make us all proud!