

**COOK COUNTY COURT ORAL HISTORY PROJECT**

**INTERVIEWER: Loretta Northcutt- Williams**

**INTERVIEWEE: Sheldon Gardner**

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INTERVIEW ABSTRACT:

In this interview, Loyola University graduate student, Loretta Northcutt- Williams, interviewed Judge Sheldon Gardner. Gardner begins the interview discussing his childhood and early education, as well as neighborhood life. He also discusses such topics as high school, college and law school. Throughout the interview, Gardner makes reference to his Jewish heritage. Significant time is spent discussing his involvement in the Independent movement, the Republican Party, and the Democratic Party. Throughout the interview, the theme of reform and Gardner's influence and work towards reform was echoed in his actions and occupations.

Loretta Northcutt- Williams: This is Loretta Northcutt- Williams interviewing the honorable Judge Sheldon Gardner. Good Afternoon, how are you today?

Judge Sheldon Gardner: Just fine.

LNW: That's good. First I would like to ask you a bit about your background. I understand that your mother was a Russian immigrant and your father a Lithuanian immigrant.

SG: The interesting thing if you come from an eastern European background, they are all eastern European Jews who come from the area Poland, Russia, Ukraine. My mother was born near Kiev, and my father near Riga. They both came over as very young. I think my mother was probably eight or ten and my father was probably fourteen.

LNW: How common was it to have parents from Russia and Lithuania?

SG: Well, if you are from my ethnic group, it was very common. I think from about 1880 to the time that the Russian government fell, about 1920, I think about three million Jews came to America. That's my guess, I am not exactly sure. It was very common, the area I was raised and the group I was with, it was very common. This was probably the predominantly Jewish ethnic group in this country at the time. I was born in Mt. Sinai Hospital on the West Side. May 27, 1928. It was just about the time of the beginning of the Depression.

LNW: Did you also grow up around the area of Mt. Sinai Hospital?

SG: Actually, we moved around a lot. When people are very poor, they move frequently. But I lived through I would say the greater part of my younger days around the area which is referred to as Douglas Park. Which is the area Lawndale. It's also referred to as basically between Roosevelt to 22<sup>nd</sup> Street, Albany was just East of Kedzie over and about Crawford, was the general area.

LNW: About how long were you in that area?

SG: At the age of sixteen I started going to the University of Chicago, and the program they had where you could go after two years of high school. Really till that time I was never much out of the community. We remained there I guess another three, four, five years. My parents had a

little store on the West Side, if things got better they ended up with a store in River Forest and we lived in Oak Park for a period of time.

LNW: What sort of store did they have?

SG: A little grocery store. Coming out of the Depression they had a little store they rented for about twenty-five dollars a week- a month. We lived behind the store, two brothers and my parents and myself. The baker gave you a showcase for nothing, and the dairy gave you a little refrigerator and you started out. Little by little it grew to be more successful and we made a better living.

LNW: Do you consider the Douglas Park neighborhood where you were from when someone asks you where you were from?

SG: You know, as I mentioned earlier the West Side was the place where the Jewish immigrants came to. I really regard Chicago as my place. I lived here all my life. Lived in Oak Park and in Evanston, but never more than a mile from the city. I really think of myself as a Chicagoan. I lived in most parts of the city.

LNW: What sorts of community centers or organizations do you remember from this general area of Douglas Park, Oak Park, River Forest, when you were coming up?

SG: Well, there was a little bit, but not a whole lot. I really wasn't involved all that much in organizations. We had our buddies and we walked around. A fascinating neighborhood, in fact I was talking to a group... The little area we lived in and a block or so were literally United Nations, we had everything there. Except there were no Negroes in the area, we had everything living in the area, Hispanics, people from the boarder states, Mexicans, Jews, Poles, we had a little mix, in a softball game we probably had eight or nine people of six groups. It was interesting, people talked about Latinos, but I didn't know any Latinos, everyone was Mexican and they came up to Chicago to work in the mills. There were Mexicans, Poles, Italians, Jews, we are not supposed to call people hillbillies but they were people we referred to as hillbillies. There were people who came from America and the boarder states. And you didn't know much exactly where they came from, they intermixed. One of the things that was great in our neighborhood there was never any fighting between any groups. I mean people might have a turf war and end up in our area, but there was never any fighting with people in our area, everyone got along. Indeed there are still some people who I remember from our area, that you remember after forty, fifty, sixty years. It was a very nice place; everyone was very much at ease.

LNW: You said that there may have been a turf war although it didn't spill over into your particular block and area. Did that ever affect the people living in your community?

SG: It happened, and you knew it happened, but that was the size of it. There was a very low threshold for violence. And I know when we were in grammar school someone might goof around a little, but there was never anything really mean. It was very nice.

LNW: You mentioned your two brothers, are they older or younger than you?

SG: They are both deceased. In fact my wife and I have no parents or siblings. I am seventy- six. My two brothers were four and a half and five and a half years older than me. My oldest brother was always the one that worked in the store and everything. He hated responsibility. So he never got any meaningful job. My next oldest brother was a professor at Stoneybrook University, Stoneybrook, New York. Interestingly enough, I went through the university and he came there after I got out, and we kind of passed each other. He was a chemist and went into education. I wanted to teach economics. It was very funny, I always liked social sciences, and I do might say regard law as an applied social science. Its people's disputes and how to resolve. It's marvelous because it's how they resolve without killing each other. We have a really very very fine legal system. But I decided I was going to go into economics. In fact I had a course with Milton Freedman who is very famous now.

I went to University of Chicago, I was sixteen years old. There is a story I always tell- stop me if I talk too much. Here I am in an ethnic neighborhood, kids growing up all of us, none of us came from anything except immigrants and poor education. They give me a book and I go over to Douglas Park library, which was fascinating, and probably the busiest library in the country. That is where all the immigrant kids went to get books. And I asked for Antigone (pronounced Anti- gone), and everyone busted out laughing, how was I to know that A-N-T-I-G-O-N-E was spelled Antigone. Ok, because it wasn't even my framework of knowledge. The University of Chicago was really one of the great schools, you go in and get ideas of things of the world and you get a lot of growth at the U of C, which as I said you could start after two years of high school. So I got ten years of college and two years of high school. (Laughs)

LNW: That is interesting. At what school did your education begin?

SG: Well grammar school was Pope School, well, I went a little bit I think by Humboldt but most of it was Pope School the last four years or so. Which was a relatively progressive school, and really quite a wonderful school. I enjoyed it and had a lot of friends there; it was very nice. Then I went onto a school called Farragut, which was famous because every year they scored seven to fourteen points in football a year. We were famous for music and had no sports. It was an interesting school. Where we lived was kind of a coming together of four different immigrant groups. Farragut was a Bohemian school of Czechs. Behind them were Polish people, who were over further east of them. Then there was a Jewish community further south, and behind us was an Italian community. There was always a good cross section of people there. Farragut was a funny school, now this is- I graduated singing 'Lets Remember Pearl Harbor'- that was right after Dec 7. Dec 7, 1942, and the war had just started and there was tremendous isolationism. Chicago Times started and the slogan was "Means for defense but not Two Cents." The Tribune (the Chicago Tribune) was a very isolationist newspaper. The war was very terrible and at the time being Jewish you had a very strong sense of inferiority, because Jews were being murdered. The Americans, it wasn't there battle for most of them, they didn't want to get involved in the war. We had some interesting experience and I didn't have much anti- Semitism in my life. I had a Latin teacher who was really a NAZI. And she would set her exams on the Jewish holidays. The kind of things you had was a kind of sense of relationship. The country had changed in the last fifty, sixty years. There is much more sensitivity towards everybody. I had some wonderful people at Farragut. It wasn't a great school, but there was a little cripple lady named Miss Clark, who took an interest in me and was the one who convinced me to go to

University of Chicago. And I think it is so interesting that some of the people who care. That's why I always try to be good to young people who come to me because we owe that to the next generation. That's what we are here for.

LNW: How did the Jewish students get around the Latin exams to pass the class?

SG: She didn't fail anybody, but she made it more difficult to try and avoid her classes. And she was the only one; I am not going to say it was that widespread. But it was a different country then, very isolationist. There were no ethnic relations in the same way we have today, except for those of us who played together. It was a different country. It is a much better country now.

LNW: When you decided to attend Farragut then, did you have a choice?

SG: We didn't have a choice. I should have- and I will say this even though we are on tape- I should have lied. Where we lived was divided into four parts, Farragut, Harrison, Marshall, Manley. The kids who were smart lied and went to Marshall. Marshall was an outstanding school. Sydney Harris, there were all kinds of great people who came out of there. But I felt it was wrong to lie about where you lived and go to the other place. Harrison was a moderately decent school; it wasn't a good school. Manley was turned over to the Army and closed within a couple years of that time. Manley was a good school; Manley had something delightful. Their graduating class came over in mass at Farragut. They had the most wonderful relationship between Jews and Italians. People were there who were literally blood brothers with each other. It was really very nice to see. Wonderful, wonderful relationships.

LNW: Did you form any such relationships?

SG: It was very funny, we always kid, that most of the kids we hang with were Jews, we always had one Greek. I grew up where ever I was, even in my law partnership there were many Jews and there was always a Greek there. And a man with the unusual name of (unintelligible). It was very funny it was a Jewish holiday somebody called into the office and said, "I am (unintelligible), and can he come home?" Then we all went to Riverview. Riverview was a big amusement park in those days. So we were with our group.

When I went to Farragut I made some friends who were Bohemian. I made friends with everybody. I was never very devout. I had a Bar Mitzvah, which is what every Jewish boy, we not every, but usually, get at the age of thirteen. You read the five books that make up the Torah. You get presents. There were four of us interesting enough who were pretty successful in grammar school. One man retired, I think he was the vice president of Northwestern Rail Road, one became an accountant and my very closest friend, who just died, became a travel agent. We kept a relationship.

I was always, first of all I was a heavy reader, which I still am. I love to read, I do a lot of books on tape now, I love to read and listen and I think reading opens worlds to you. I worked hard at school; I got in trouble because I always had a super sense of humor, which I have always had. Not in deep trouble. I got chastised by the teacher as being very smart as I did on my aptitude test, but not working hard. I think boys are mature differently than girls. They are a couple years behind. I don't know why, but girls feel like they are going somewhere before boys do. Boys got to goof for a while. It is a generalization; it may not be totally true.

When I went to the University of Chicago it was a different world. In fact I did a talk on my book and I said I didn't realize there were any Jews outside of Eastern European Jews. Now remember this is before the war, and the German Jewish refugees didn't come over until later. And so these were the only people I knew and at the University of Chicago I met other people. I met people who were German Jews whose families came over a century earlier. I met people. Chicago was a funny school, it had people from all the way, I guess that would have been 1944 towards the end of the war, we had people who were forty five years old came back from the army and some people who were fourteen, it was the greatest niche you ever saw. We always used to say that an average C student at the University of Chicago was an A student anywhere else. I don't know if it is true, but you have a certain ego you have. I did pretty well; I had a half scholarship for a period of time. I met my wife there. It was a nice place, we had some unbelievable Maynard Krieger was one of our professors, Donald (unintelligible) we had some wonderful professors and they were always interested. In fact one of my professors referred to me as a Russian peasant because I would be walking against the wind with my ideas facing into the storm of any kind of things. I always did like to learn and believe it or not, as old as I get, I learn new things everyday, and that is the excitement particularly of law. Life has been good to me.

I was in candidacy for my masters degree, did all my work, never finished my thesis, which was supposed to be the early industrial revolution in new England from 1806- I think it is time to turn over now? - From 1806 to 1816, I never finished it; I don't think the world missed anything. I had a combined minor in poly- sci and in history. Interestingly enough, why I don't know, I never had much foreign history; Jewish, Asian, European, I never had much. That wasn't that uncommon, I had a lot of American history and really enjoyed American history. I really liked poly- sci because I was involved in many things in the amateur political world. I was head of Independent Voters of Illinois. I don't know if these mean anything to you, IVI, I was a John Anderson delegate, I was at the 1980 Republican convention, I was state sheriff with John Andersons independent campaign. It was very funny, I did all kinds of political things I was a regular Republican I was a regular Democrat. I had the strong feeling that people don't belong to parties; parties belong to people. So it never bothered me, and indeed, I am Independent, people know I am Independent. It isn't like someone jumping ship from what they have been their whole life. I will say that in this last election I probably have become more Democratic. Bush is hard to take. I didn't mind, for example, I like McCain, in fact the two people I like most are Leiberman and McCain. They are decent, honorable people. And I think so much of what we get is garbage. I think Kerry lost so badly not because he was a bad man, but he chose a poor pitchman. In IVI I did hundreds of interviews with candidates, all types of candidates, I started out... I should get back to being married, shouldn't I?

I was married June 25- I am looking at my ring because it is inscribed there- if you take a look- June 25, 1950. My wife was born and raised in Minnesota. She hated the small town. She went from there to Washington where she worked a little during the war. Then came to Chicago to live with her aunt and go to University of Chicago. We met at some kind of outing. Romance stirred and we went together for about three years and we are now married fifty-four years. She puts up with me; I am not always the easiest person in the world. We have three children... these are all my family pictures (shows family pictures). That's my eldest granddaughter; this is her wedding picture. That is in our backyard.

LNW: That is beautiful.

SG: She worked when I went to school. It was funny; in putting me through law school we had nine part time jobs between the two of us. There was always some kind of check coming in. And, I thought I wanted to teach, but I had such a negative thought against the academic world, they are so competitive, and tight as dealing with each other. One of the reasons why I wrote a novel is so that something which I could have written historical is that there is so much nit-picking in the academic world, you write something and someone else comes out and criticizes you on some picky thing. I just felt that I was glad I wasn't going into the academic world, I was about to, I applied for some jobs, but I decided to go into law. The State of New Mexico near Las Cruces was one of the places where I applied. It is an interesting place, and I don't know, I suppose. I think people in the academic world become cynical and they wrote from that now. I did a certain amount of teaching in law, and did some teaching at Kent and did some teaching at Marshall and I pro- taught at Loyola. I taught a course in mediation because I wanted to give the experience of it. I am ranting on so tell me if you want to get anything more specific.

LNW: I heard you mentioning your political affiliation, or lack thereof, how political minded were you when you were in high school?

SG: I remember always catching the issues that were passed around and having an opinion on it and being interested in it. As a kid you are so busy going to school, it really wasn't until we were living in Evanston where I joined up with the regular Democratic organization when we lived in Evanston, they we bought a little house at 96<sup>th</sup> and Crandon. I ran into some people I knew from college and I joined the IVI, which I stayed in fourteen, fifteen, sixteen years holding every position up to the state chair. Politics, in fact I should mention this, there was a show on BEZ, which is the big show called 'Inside Politics', and I was on that until I became a judge. I like politics. It is kind of like sports in a way for a man. Just like with this horrible election (inaudible) so you get some pleasure in watching it and learning. The candidates you get to aid, you back because you know them better. We did endorse a number of Independent aldermen and indeed we were regarded among the independents as the second largest force in the city, larger than the Republicans who were dormant, now everyone is dormant in local politics.

LNW: How were you regarded as a part of the Independent movement by the others?

SG: People regard me generally as moderate liberal, and that is not true, I am a reformer. For me the system has to be fair. I am not a person who believes strongly in the aspect of government programs. I believe that the system has to be fair and has to be helpful to people. But as opposed to many of my friends, I was never regarded as left in a moderately socialist way. As I say, I was always regarded as moderately liberal, but I worked very hard for many independent Republicans. And until recently thought of myself as being truly an Independent, but a moderate Republican, but the party has gone so far over that the place of John Anderson became where Bill Clinton is. The Democratic Party had become conservative and there is no left in American society.

One of my prides is an award from Project LEAP. Project LEAP was Legal Elections in All Precincts. We as IVI were working with both Republicans and Democrats we became a liaison between independent Democrats who were fearful of vote fraud in the primary when they got counted, and the Republicans were fearful of vote fraud in the fall, but neither were

concerned about the other's problem. We created a structure that brought in a number of independent poll watchers who ended massive vote fraud. On the West Side the black community voted and we had cases that went to federal court and in each one there was either a plea or conviction. List of votes alphabetically with the same handwriting as being written down, and two or three wards that were pretty awful. That broke up, I don't know if people are any better or any worse, but it created something where the black community became a meaningful force because they weren't owned and run. By the way, the same things were done with the other communities, the Hispanic communities, was done the same way so this was not unique. Even on the West Side where the twenty-fourth ward was the heaviest voting white community in history was basically run by the machine with Jewish captains there. It was a different world, much more independent now, all over. There is always something called the Shackman case.

LNW: One moment please Judge Garner.

(End of Tape one Side A)

SG: ...very proud of things we did in the independent movement. One is with the Shackman case ended patronage. It was interesting because later when I went to the State's Attorney's office I was on all three sides, for and against. Michael Shackman, who was my successor in IVI, was the party who brought the suit. I talked to them and gave him some little advice, but I don't take much credit for, it was part of what the independent movement did. In a function we ended patronage. The whole political system changed in Chicago.

LNW: How did you come to know Shackman?

SG: Through the Independent Voters of Illinois.

LNW: Did you know him long before he started the legislation?

SG: He was my successor as the state chair. I probably knew him six, eight, ten years.

LNW: Did you ever work on anything with him that may have foreshadowed the legislation in ending the patronage and voter fraud?

SG: It wasn't legislation. It was court. It was ultimately the Supreme Court, the original case came about here in the local court, but ultimately it went up. Under Burns v. Elrod, Burns was the sheriff, and interestingly enough I was in the State's Attorney's office and effectively was Elrod's attorney when they went up to challenge it, and the supreme court ended up saying that it was unconstitutional.

LNW: How did people respond? Were there any hard feelings about that?

SG: Most people who were working in courts were delighted that they didn't have to work precincts. It didn't change the world; organizations still had their strength. It changed the nature, there are people who believe back to Andrew Jackson, "with the victory goes the spoils." Its called the spoil system, and that ended. It was basically time; all things have a time to end.

LNW: You had mentioned the ethnic groups like the blacks and Hispanics on the West side and their experiences with the voting. I remember reading that they had benefited from the Democratic Machine at one point or another but kind of outgrew the machine. As you mentioned before, they were kind of their own.

SG: That is a little simplistic, if I may? In 1928 or so, both Jews and blacks were basically Republican voters. The Republicans and blacks came about as a result of the Civil War. I suppose that some of the biggest racist names are Southern Democrats. What happened was patronage was a source for poor people, like the old clerks; they were all poor people who went through jobs. The genius of Dawson, the congressman, who was regarded in the black communities, he didn't look for any big jobs for people like judges. He traded them for lots of small jobs for the working class people. So it was an escape for people, and when people are poor, they look for any escape. I think what happens in America are people start going to school and get educated, and move up. There is the old story of the black woman who works in people's homes and decides her children never will. It is a normal movement, the only difference is blacks didn't immigrate, they came as slaves, and so it was a different time structure. There was a time and a place where most precinct captains in block areas were whites that changed. So everything had some gradual growth to it. It did gradually grow; you can't do a reform from the outside if there is no desire from the inside. There is a different relationship; Blacks who are in the machine are partners now. John Stroger who I know very well is head of the County Board (Cook). So, people did come up and take more part, but that is the process of America. You became more integrative, more growth. More goals. Where you are middle class there is not a lot the machine can do for you.

LNW: Do you remember about what time this change started occurring with precinct captains started becoming black or whatever the ethnic majority was in the neighborhood?

SG: It began after the end of the Second War. People who came back weren't going to put up with the way the world was. So the generation coming back created the independence. I think as it started getting into the 1960's and 1970's it kept growing.

LNW: These ideas that you espoused at this time being in the IVI... You had mentioned that when you were at Chicago (University of Chicago) it was a little problematic because you had your own ideas. Where these some of the ideas that you had at Chicago?

SG: As you grow, it is hard to say. When you grow, when you think, and you interact with people and you develop. I do think at some degree, I have always been involved in these intellectual communities and you have a certain kind of group. These are referred to as the "people of the book," because they are always reading. They are tremendous readers. Most of my ideas, I would say the only thing was I was slightly less left than most common at the time and I really never had a desire to deal with the radicals, I was regarded as someone who was anti-communist because I have no tolerance of independents which was not that popular in the 1940's and 1950's. They are my ideas and they are specifically mine and changed. In IVI, I generally regarded myself as an Independent Republican, which was fairly the minority; most independents regard themselves as Independent Democrats. The whole issues changed with the

collapse of the machine. One of the reasons that we took our positions was that the machine ran the city but could own us and did own us. We had some very very fine Republicans people like Jim Thompson, Bill Scott, Ogilvie it is very funny when you say "mayor" you always thing Mayor Daley, when you say "Governor" you always think Governor Ogilvie. I don't know there were different kinds of people who were very close to Abner (unintelligible) who ran for Congress as an independent party. There were a bunch of people in Springfield who... we had tri- member districts which we don't have anymore, but we had a lot of people like Robert Mann and (unintelligible) who were very fine independent people. There were all kinds of things.

LNW: Did the collapse of the machine really have that much of an impact? It appears that those who were in power weren't as negatively affected as one might think by its collapse?

SG: It's kind of a change, like the Normans conquering England. There is a whole change to what it is. Like the young Daley talks about the fact that he can't control the world and he is in a much less difficult situation as his father was. It is much more polarized. It is fairly typical. If you can remember, the Daley machine, with the father, is considered to be one of the last strong machines in America.

LNW: What then influenced your decision to attend Chicago Kent rather than going to another law school?

SG: I was in candidacy for my masters. I was married on the day the Korean War started. So all my life has been on the edge of being drafted. I don't know if with my flat feet if they ever would have taken me, but everybody said keep going to school. So I thought I would go to law school and picked Kent, I am not sure why. I just started there and really grew up almost accidentally there. As it turns out I really fit in law and really liked it there. It was hard I got out and I had no connections or anything so I worked for a couple older lawyers doing errands for them and had use of a telephone on a desk. And little by little built a practice and went in with people. It was always in small groups, a certain amount of practicing law. I had been involved in a campaign of a man named Bernard Kerry who was a Republican candidate for state's attorney a very reformed, a very decent man. When we beat Hanorhan, does that name mean anything to you? Have you ever heard about bipedlers?

LNW: Yes.

SG: Well, Hanorhan was the guy who charged into the apartment shooting. It was rather stupid for a state's attorney to do. So the issue in the campaign was Hanorhan's action and when we won I went to Kerry and asked to go in. It was the first job I ever really had. I became head of the civil division, dealing with all civil litigation. It was an exciting job.

LNW: So this was after you earned your degree from Chicago Kent?

SG: Yes.

LNW: What led to your decision to enter the civil division? That particular type of law?

SG: It was an exciting job. Right in the heart of everything. It was very very funny because there were people in county government... I remember a guard comes over and says to me I can never work with you; you were our opponent. Then he apologized afterwards because when I was there, nothing I do is political. Basically I said that I am a reformer, and these people were my best clients, and I gave them the best treatment because they were the most important clients. So we did deal with everybody. Down the hall from me here is Dick Elrod who is in a wheelchair. You know about that I assume.

LNW: No, I don't recall.

SG: He had been sheriff, before he was sheriff he was corporation consult. There was a protest and a riot and he tackled somebody, missed and went down a flight of stairs, crippling himself. I don't know what you remember or not because I am going over half a century, and you are not much more than twenty-four or twenty-five.

LNW: Twenty-nine.

SG: Oh, you are an old one. Ok.

LNW: (Laughing) Just going back for a moment. Where you involved in any organizations in college? Anything like law or politics?

SG: No, I was involved in things. But I was never really heavily involved a periphery involvement. There were all kinds of things happening. I was a commuter. That meant I spent an hour and some minutes each way on the streetcar. I have always been crazy. Here I was an hour and a quarter away and I would always take the eight o'clock classes the morning. I would get on the streetcar with the people going to the factories. The kids living on campus usually started at ten.

LNW: Where there any memorable experiences at Chicago Kent that may have influenced your decision to become judge later in life?

SG: I don't think so. I have always had a high standard of what I believe and what I do. I have never been driven toward anything. Whatever I would do I would try to work hard at. I don't think there was. I worked hard at school, took a number of difficult courses and learned a lot, it was a hard school, the University of Chicago.

LNW: So what sorts of courses did you have? Did you have the common core and then went into your major?

SG: Well in the four years in college we had basically no electives. We had history, social science, literature, a variety of general education. Of all the school I went to we had very few electives, now everything is electives. I think it is wrong because a lot of electives you would say specialized in things more exotic. I know people who have never had a year of American history. And American history, particularly law is based on American history and a bit of English history; it is the tradition it grew out of. Then I went into economics. I didn't like

economics as much. Do you know what econometrics is? It is economics based upon mathematics. I really didn't like it. I have always been more institutionally orientated. Took a number of both history and poly- sci classes, which I enjoyed.

LNW: When you decided not to continue in economics, did any of the professors or anybody try to get you to change your mind?

SG: I had a friend of mine who ended up, Kerry Marx of Pittsburgh. He went on to spend his life in government service, who I felt guilty about leaving. That is about it. People aren't really much involved in somebody else's life. They weren't in mine.

LNW: Did you pass the bar exam the first time you took it? ,

SG: No.

LNW: Does anyone ever pass the bar exam the first time?

SG: Yes, it is very funny, the same with becoming a judge. There are certain things you need to do a couple of times to get it normally. Although, when you fail the bar you talked to somebody, who said I was just a little low on everything, there were no glaring problems. I passed it the second time.

LNW: The first firm you became a member of I understand was Linn, Maragos, Carey & Richter.

SG: No, I went out first by myself, I did some work. There was a man called Paul Pavlov (Knock on door) Come in.

LNW: One moment please.

SG: It was hard. You start out and lawyers are like pack rats. You get together a bunch and you work together. Paul Pavron and I did some work together; he died a young man of cancer. But it really wasn't a firm. The first time Linn, Maragos, Carey & Richter, was which was also a funny firm because it was more like a bunch of people together than a law firm, but it was a law firm. The first real firm I was in was coming out of state's attorney in to Schuman (Foss, Schuman, Drake & Bernard). They had been a firm for many years. Lawyers have a million different sets of relationships.

LNW: I see the second firm was 1973 when you went there, but were you at the first firm, Linn, Maragos, Carey & Richter where you took on that Kerry case?

SG: It wasn't a case, it was a campaign.

LNW: The Kerry campaign, excuse me.

SG: I think so. It was such a funny firm; it was a bunch of people altogether. Sometimes I wasn't sure if it was actually a firm or not. Sam Maragos was a Democratic representative who happened to be a judge later on. He was nervous because I was opposing the mayor so he got upset with me. There were times I didn't know if I was in the firm or not. He worried about it, no one else worried about it.

LNW: Ok, I was going to ask how you over came that, but it was just one person then.

SG: Yes.

LNW: When you were there were there any famous clients or any other notable moments other than the Kerry campaign?

SG: There was a case we had which broke the system of elections because the machine knocked people off, we joined together with others. I have it on my vitae. I am trying to remember the name of the case (pages rusting) It was a big case because they would count you out... Buchanan v Holzman and it became Telcser v Holzman. If the machine approached somebody they would count them out and there was no system of review. Ultimately it developed a different system that became review. Little by little the corrupt system that the machine had of forcing its enemies off ended. I was really proud of that. Later on when I practiced I represented a group of people who called denturists. They were people who made dentures. Under our law you can't make dentures directly for people, it has to go through a dentist. This is not the case in half a dozen states and all of Canada. Denturists were people who made appliances and dentists never made appliances. You got a mold and the technicians did it. The dentists weren't particularly good at it. We worked a lot with them. I think what happened is the methodology of dentistry changed and people did not get their teeth extracted. It used to be believe it or not in places like Montreal, Quebec, where girls for a wedding present they would extract your teeth and get a denture for her because people would loose their teeth. That all disappeared.

LNW: How common was it for lawyers at this time to take on the machine as you did in these cases?

SG: In the forefront of every reform in every society is generally led by lawyers. Lawyers are like anybody else, some of they just want to make money, some want to do saving. We had a number of lawyers. There was a number who tired and did things, many of them are now gone. Most of the reformers in Chicago politically were led by lawyers.

LNW: I was wondering if there was any real opposition trying to stop lawyers such as yourself from coming against the machine and those in the reform movement? Were there any real problems you faced with people really opposing you?

SG: Sure there were. The mentality of Chicago was not what it is now. I am talking about ten, twenty, thirty years ago people were looking for lawyers with influence. None of the people that were reformers had any influence. I could not contemplate becoming a judge at the time Mayor Daley was there, it was incomprehensible. I should say it was very funny (inaudible), I was involved with a community organization, in fact that is where I got involved.

LNW: What time was this that you were involved with the community organization?

SG: When we moved to, mid 1950's, we moved to the south, in fact, the area you live now in was part of it. The group was called SEACO. It was made of five subordinate groups; the one I was in was called Manor. We did a lot of exciting things. I had a picture I really can't seem to find. It shows a bunch of us meeting the mayor. (Inaudible)

LNW: Oh.

SG: I think (inaudible) I don't think he had any love for me but I get a kick out of the picture. Community groups were very good; they attempted to keep the stability. They were very important.

LNW: This was when you moved to the South Side. Previous to that you were in Evanston?

SG: No, Oak Park.

LNW: Ok, Oak Park previous to that.

SG: We moved to Evanston when we left the South Side.

LNW: Going back to when you were in Oak Park, how political were you?

SG: I just joined the regular democrats and did some work, not much. I remember I wasn't old enough to vote, vote was at twenty-one. I was eighteen, nineteen, and twenty through there. I worked in a couple of campaigns.

LNW: Do you remember what sorts of campaigns?

SG: Yes. John Boyle was state's attorney and he got himself into a mess, an investigator misled him and the investigator was wrong and he was essentially dumped and he ran and lost. There was a touch of futility. It was a suburban organization, which was looser than the city organizations.

LNW: Where they a kin to the city organizations? Did anyone from the city and the suburban ones work together?

SG: They were related yes. The mayor of the city of Chicago was really that of the county, so they pretty much did work together. You had more Republicans out in the suburbs. The suburbs were moderately to heavy Republican as opposed to now; Cook County suburbs are fairly even.

LNW: When you moved to the South side and you were a member of SEACO, what other sorts of other neighborhood organizations existed?

SG: There was a synagogue, there was KAM. That is where... what's Jesse Jackson's organization?

LNW: Operation Push?

SG: Yes, Operation Push, a building there. We were involved in the synagogue.

LNW: So you went all the way from 90<sup>th</sup>, that's about 40 something, 50th Street to go...

SG: Hyde Park.

LNW: You went to Hyde Park to go to synagogue?

SG: Yes. Well we started... we went to the local one, and another local one, but we like KAM better.

LNW: What's KAM? Does it have a full name?

SG: The full Hebrew name (unintelligible). It was one of the first synagogues in Chicago called the Congregation of the American West. Somewhere there is a plaque, I believe it is in the federal building because it started downtown. Probably at this stage it is one hundred and fifty years old. It is a reform. Jews have orthodox, conservative, and reform. It is a reform. There is a rabbi who is always very outstanding. It is a very liberal institution.

LNW: You mentioned to me that you weren't always very active, but you did have a bar mitzvah. What that as a part of the reform congregation as well?

SG: No. We were living in Lawndale. First of all in the Russian immigrant groups almost everybody was orthodox. If you were an atheist you had an orthodox background. The reform came more with the German Jews and the more Americanization. So what we did is you went to a rabbi and the rabbi would teach you your stuff and then you would have your bar mitzvah. I did not have a lot of religious education, maybe six months earlier. Which is interesting because since we had our kids I think I probably have been tied to one congregation or another for fifteen years. I am still not a good "churchgoer."

LNW: Your time on the South Side, was this the 1960's?

SG: I think it was the mid 1950's. I should remember, when we had our second child we were living on Jackson and Austin. Our standard joke would be that we left the kids out there was only a boulevard out there. I think it was the mid 1950's. I have three children. Two were born before, the third one was born when we were living on the South Side.

LNW: At this time in the mid 50's what was your political affiliation?

SG: Well, after I left Oak Park, I came in very quickly with some friends into the IVI and became very Independent. IVI is a moderately liberal organization. It isn't a really left organization. People like Studs Terkel and (inaudible).

LNW: So you were familiar with Studs Terkel there?

SG: Everyone is familiar with Studs Terkel.

LNW: Were you more of a friend to Studs Terkel?

SG: There was a lot of emotion there that I never bought. They were further over than we were. I would regard them as much more left; we were independent liberal I think they were much more left.

LNW: Was he a member of the IVI as well?

SG: No. There were a number of people who worked together on campaigns, but they were really to the left of us. I don't know if Studs Terkel ever really worked.

LNW: Just a moment please Judge Gardner.

(End of Tape One Side B)

SG: I should say starting in here... Is it on the black? No, is it running?

LNW: Yes it is running.

SG: The black is the part.... I should say there are very very few Independents that are judges. Most judges. The first time is basically, you need political backing. In some degree in becoming a judge I had backing from Republicans who were very nice to me even though they knew I was independent.

LNW: Why do you think they were nice to you?

SG: Because I try to be honest with people. I have big mouth and when I say something I am there. When I come with someone to the dance, I stay with them at the dance. I have a certain sense of loyalty. Liberals have a reputation of being very flighty and deciding everything on their whims. I am not that way. I can switch around. You have to have loyalty and relationships. These are very important.

LNW: We were on the mid 1950's and your involvement with the Independent movement. Do you recall how you first heard about that movement?

SG: Yes, there were kids I knew from the University of Chicago. They weren't kids, they were young people with families. They invited me, and I went. Like the guy in the Salvation Army, somebody gave me a Tuba and I played. Somebody gave me a tuba and here I am.

LNW: What influenced your family to leave the area of the Manor?

SG: Racial change. Everybody lived in terms of the area. Every neighborhood I have ever lived in almost has undergone a change. When the area is integrated. Remember this, blacks were coming out of the housing projects and had tremendous housing needs. So now you have areas like Oak Park, Evanston, you have stable communities. Indeed there is almost no community that isn't integrated today. But at the time, housing pressure was so great the change was totally. Where you live, the Garden, the Manor was a very nice middle class, it changed relatively quickly. I don't think they were the worst people. I think there was inevitability. I think there were a lot of fears. I don't think those fears exist so much now. We live in a very integrated world now for twenty, thirty years, a totally different world. We moved to Evanston, which was a diversion, and we felt.. we wanted to be in an area that had some Jewish population but was mixed because there is an advantage of having all kinds of people.

LNW: I had heard that sometimes the real estate companies would knock on doors. Was that your experience?

SG: No. Actually, the real estate agencies, both white and black, hustled to make as many sales and purchases as they could. I don't think you can look at their motivation as being racist, it was more greed. People tired to stay, but the racial change was so complete and so quick. I don't believe that the areas that have recently integrated have had that pattern. In Evanston, blacks moved in, whites moved in, there was moving in and out, it wasn't that way. The area from south shore all the way up to the end of the manor, changed very fast and the number of white families that remained for any long period of time was very minute.

LNW: Evanston was about the decade of the 1950's, 1960's, 1970's?

SG: I have to think. I lived for fifteen years in the manor just about. So I would think late 1960s, 1970's would be Evanston. Which by the way I served on the Zoning Board for nine years. I don't know if you are familiar with Evanston, but the saying I always have in most communities there are two points of view on every issue. Evanston has three points of view. It is a very contentious community with more lawyers than human beings. A very vital intellectual community there. It was a very interesting community. There were good people there. There are good people all over. There were people who were intellectual that you enjoy being with that are alive and alert. My practice was building, I worked on some campaigns. I got involved with a Republican organization there. It is very interesting by the way that many people I was there with. With this term of Mr. Bush and everything have dropped out of politics. There are groups of very moderate Republicans who are Republicans based on Economics who are good people. That seems to have disappeared.

LNW: How was your involvement with the IVI effected by your move?

SG: By that time I was very much out of the IVI.

LNW: What sorts of organizations did you become involved in?

SG: Well, we were active with the synagogue. It was called Beth Evet. A very old and really quite well to do, well known synagogue. I was involved with the Board of Appeals. The Republican organization. I guess that is about all. Practicing law for a living, you don't have a lot of free time.

LNW: What did you do...?

SG: By the way when we did get to Evanston I was still involved with IVI. I forgot about that.

LNW: What did you do with the Board of Appeals?

SG: Certain zoning cases were not heard by the City Council, they came to us, when people wanted to rezone something. It was fairly technical and complicated; it was really quite interesting. (Unintelligible) I still make reference to what I did.

LNW: Just a moment please. Ok.

SG: There was something that came up- I am trying to remember the exact year- I think it was in 1970 when we got a new constitution in the State of Illinois. The constitutional delegates were elected on a non- partisan basis. We became very active in IVI with that. Interestingly enough, the League of Women Voters, which we always peripherally are related to in many ways, was involved there. There were a half a dozen issues, for example, political election of judges versus merits of appointment, which came before the people were involved in which were quite interesting.

LNW: I have heard that is when the new system came into being and there had been an old court system. I do realize that you were not a judge at the time, but did you have a sense of the changes that were being brought in?

SG: The first change was the integration of the court system. Municipal, probate all the courts were separate; they were integrated and made into functional unity, with some things carried on. With all the change, old things still remain in some ways. The Constitution really was massive change and while the old change changed a lot of our forms and structure of the unified court, the new Constitution really made many substantive changes.

LNW: Such as? Can you think of a couple?

SG: There were "JP's," Justice of the Peace. We used to refer to them as "Justice for the Plaintiff." They were people who were nominally elected in places and the level of justice was terrible. You would have collection case with a particular JP and you would almost automatically win. I never did, because I didn't do collection law. They were eliminated. Municipal court, which was independent, was integrated into the system. It was a better operational structure. It was less chaotic, much more rational.

LNW: At this time, what sort of law did you concentrate on? I see that at the beginning it was basic house closings, divorces, simple corporate law...

SG: When you start out and get the business and are a general practitioner that is what you do. Wills, small corporations, house closings. Then, little by little I did a lot of political law. When I went to the State's Attorney, which was 1973, I made a complete transition to litigation, which I like more. Litigators, lawyers, and I am overstating this, lawyers, be they male, female, young or old are like little twelve year olds with paper hats and wooden swords chasing each other around the table. There is a lot of fun in the exercise of litigation, which litigators enjoy. You always skew at the people in the office drawing agreements. All judges, almost all judges, come from litigators.

LNW: When you decided to go into litigation, did you at that time have aspirations of becoming a judge?

SG: No. In fact leading the Civil Division may have been an opportune job. I felt in the firm I was with there were beginning to be some dead ends. I had a partner, George Pontiff, one of the brightest people I have ever met, was stubborn in his own way. We worked very closely together and I felt somehow that I was kind of in a dead end. And that is when I went to Judge Cumberford who I had known when I was in the State's Attorney and he encouraged me. I went for what was called an associate, which are appointed judges elected by the sitting judges. I went to the Republicans and asked for their backing and they were very decent about it.

LNW: How does that work? Is there an office and you fill out some paperwork to get backing?

SG: There was a meeting for what they call a central committee. I went in there and I talked to them. It was very interesting that I was John Anderson they were Reagan. They seemed to have a lot of respect for me, and I did not have a lot of problems. I said I would do some things to help some candidates. These were things, which I did. I so called paid by dues. I did not make any payment. A lot of people in places where I would not do that. I helped people in different ways. I worked on some campaigns, some litigation. In fact there was a guy that got into Congress, a funny story. Whether you win or loose in the State House of Representatives, your case comes up before the State House of Representatives and the vote happens to go the way the party is. Well we knew this guy had won by about three votes and they really had juggled it around in the counting and you knew he would loose. We got him so much publicity that his marginal seat became a safe seat, and he is in Congress. We did the job. There are ways in politics that you can win without winning, which is very interesting. Great fun in some ways. I did things like that serving the Republican party, and they backed me. They were good to their word and I made it, the second time. The first time it is very hard for an associate.

LNW: How so?

SG: It is getting to be known that you are going around seeing two or three other judges. Getting them to know you, getting them for you, and it takes a while to do it. Like anything else. There are some wonderful people I know and I am wanting to run again because they did well, but they did not do well enough. It's hard.

LNW: At this time we are still talking when you are living in Evanston?

SG: No, I moved down here when I became a judge.

LNW: You did move?

SG: I was there for about fifteen years. I have lived where I am for about twenty. That would be 1965- 1980, and down here about 1980 on.

LNW: In the 1970's you were chief of the Civil Division in the Cook County State's Attorney's office? And that is where you formed Project LEAP?

SG: No. It is interesting, Bernard Kerry is a lawyer, but he wanted to be sheriff. He was always involved in law enforcement. He ran against Elrod and in a very raw fashion, the election was stole. Although they never will admit this, the cost of the recount was unbelievable. They had to put up twenty five thousand dollars, not refundable. Project LEAP was formed after we lost by Republicans and Democrats for the purpose of protecting the election. Then he ran and he won. When he won I came in and served for three and a half years.

LNW: It says that was the first election fraud division in the county?

SG: In the country.

LNW: In the country as well?

SG: As far as I know. They still hate me because all the guys have to go out on election day and they don't like doing it. I don't care. I get teased by all the attorney general's in the State's Attorney's office that on Election Day they are supposed to watch the precincts.

LNW: You said launch the precinct. What does that mean?

SG: Watch.

LNW: Watch, sorry.

SG: They move around. Presence is important because vote theft can only take place in secrecy. There is some fraud, there will always be some fraud and corruption, but there is nothing massive anymore.

LNW: When you moved how active were you still in Project LEAP, when you came back here to the city?

SG: Pretty much. Pretty active.

LNW: What other sorts of things other than watching the precincts took place in Project LEAP? Anything notable?

SG: There were, but I really can't think. We were always there trying to change the laws. I can't remember anymore. We were trying to help the Board of Election commissioners do a better job. They have gotten better. Holzman, who was a guy there, and Kusper later, they moved out and the other people were much better.

LNW: You said laws. What sorts of laws?

SG: I can't remember.

LNW: You can't remember, ok. Moving on, you said to me between maybe 1965 and 1980 is when you were in Evanston. Then we are going up to the campaign, 1980. It says that you were state campaign manager for Anderson.

SG: In 1980 the campaign was on, I was elected in Evanston. I think it must have been about 1982, or we moved in 1984. I was elected once as a Republican for a John Anderson delegate and once as a Democrat for John.

LNW: How did that work? Was there opposition?

SG: Where I lived on the Near North Side, if you ran as a Republican and had a million dollars you would lose. The area was Democratic. You might have some influence if someone at the top like Thompson was running. Down at the bottom where I was running, it didn't make any difference. It didn't bother me so I ran as a Democrat.

LNW: One moment please. Was there any real opposition coming towards you at that time by you changing parties?

SG: I have had people still today tell me I am a Republican. I tell them- most people don't care; they know I am an Independent. I did when I was getting ready to run for judge change my registration for Republican to Democrat. You don't change your registration, you vote in the primary. I voted in the Republican primary. Most people primary's vote where the action is. In other words, if there is action on the Democratic side, they will vote in the Democratic primary. It doesn't make much sense to be involved in a primary where there are no contests.

LNW: At about that time you had your experience as an attorney and you decided to go after your goal of becoming a judge. How common is it for someone that much experience as you had to go ahead and become a judge?

SG: I was a little older. I had thirty-four years of experience. Some people become a judge very young. I think it is foolish. You not only need the knowledge, you need the experience. But most people get to be a judge in their fifties or forty five. I was close to sixty. It is not that strange, but not that common either.

LNW: Was this at the time you had joined the new law firm? Foss, Schuman, Drake & Bernard

SG: I joined them about 1976 and was still there until I became a judge.

LNW: When you joined them were you transferring from the previous law firm where you felt stuck?

SG: I was transferring from the State's Attorney.

LNW: That's right.

SG: I came in and I was in charge of the litigation.

LNW: I just didn't understand if you were still always a member of a firm until you changed new firms.

SG: No.

LNW: I was just not sure how law works.

SG: The State's Attorney was in between.

LNW: I understand. When you were at Foss, Schuman, Drake & Bernard were there any big cases like the Kerry case from before that you remember, was there anything notable there?

SG: Yes. I don't quite remember, let me take a look at my resume.

LNW: Sure.

SG: We did have some, the denturists and struck out there.

LNW: Oh, that was at that law firm?

SG: Yes.

LNW: You said you struck out, so it wasn't successful?

SG: Stuker v Illinois State Dental Society was there.

LNW: What did come out of that? I remember you saying they were furniture makers and then dentists.

SG: No they were not furniture makers. They were dental technicians.

LNW: Wait a minute, not furniture, you were telling me appliance makers. I am sorry. I was thinking appliance and then furniture and just using the wrong word.

SG: Dentures.

LNW: I was wondering what was the outcome?

SG: We lost the case in federal court and we really lost out. Although there are some states in the United States where it has become legal, and in most Canada it has become legal. But we lost the federal case.

LNW: It was after all that work that it became legal?

SG: Not in this state.

LNW: Still not legal in this state?

SG: It will never become legal because the technology has changed and we are not extracting teeth wholesale like we used to.

LNW: After that you were in Justice, Illinois?

SG: I helped a man run for mayor and I became the village attorney. My client got in trouble and was indicted and sent to jail for taking a bribe and that disappeared. It was a funny suburb. It was the only place I have ever been in that had no middle class people at all. No community was relatively outrageous. It was an interesting experience. It was a working class suburb; it was very contentious.

LNW: Was this one of the things that you did to pay your dues before becoming a judge?

SG: No, I wanted the experience. It is something that I really thought I would really enjoy and it really never worked out that much. I knew people who were municipal attorneys and I was quite good at government work. That really did not turn out to be that good. (Knock) Come in.

LNW: One moment please. What other sorts of things?

(Background talking)

LNW: What other sorts of things were you involved in as village attorney before you decide to leave that?

SG: I don't know how to answer that. I did a lot of governmental work; I did a lot of election work, governmental, local government issues. I had cases, county cases, I did some cases in Lake County for the State's Attorney. I had a case from Minnesota. I did a lot of construction litigation, which I enjoyed. Some of it was quite intriguing. They started to build a bowling alley and the owner disappeared and the mortgage holder ended up finishing it and selling it. It was unusual. Usually when you get construction work everything goes to hell and disappears. I did a variety of stuff but nothing really all that exciting.

LNW: How does that work with cases coming from another state? From Minnesota to Illinois?

SG: They were wanting me to follow after. They are usually following after a judgment.

LNW: Earlier you mentioned that you went up to New York where your brother was. At what point, to Stoneybrook, did you go there?

SG: I just visited, it was nothing that exciting.

LNW: I thought you meant you attended, that is why I asked.

SG: No.

LNW: We are right at when you decided to seek appointment for the associate judge position and you said that you went to the Republicans and you felt you had a good chance of doing that.

SG: I had no relationship with the Democratic organization at all. I couldn't run if I was running in a primary. I knew the Republicans, they had be involved opposing us and I went as a Republican delegate in 1980. I was a delegate for John Anderson. They treated me very nicely.

LNW: Did you feel that maybe the Democrats may have put up some opposition because of your reform work previous?

SG: No, because for the associates, which is appointed, everyone puts some people out. I am sure there might be some people who didn't like me. I have never made lots of enemies. So, I don't think I have specific problems there.

LNW: I would like to know how... When you were seeking appointment, not how unanimous it was, but from that committee that you went to, where they pretty much on accord of accepting you?

SG: The Republicans were. They treated me very nicely and they agreed to back me. I in turn agreed that I would do certain legal work for them and help certain candidates. I figured I had to deserve and earn it.

LNW: So then as you were appointed what sorts of things...

SG: The appointment is that you get your name there, you get on a list, you put in a resume and if there are nineteen openings there is a committee of judges that picks two for every opening. Then you run. The first time I didn't make it, the second time I did.

LNW: What amount of time was between the first and second time?

SG: About six months.

LNW: When you were appointed what sorts of law were you practicing at the time?

SG: Doing the same thing for Foss, Schuman, Drake & Bernard. I was getting less happy where I was and that was the motivation for leaving.

LNW: At the first law firm you felt stuck and at this you felt dissatisfied.

SG: I had this great amount of litigation with the denturists and it died when we lost the federal case. One of my major sources of business disappeared. There were other things. I had to practice and if I did not become a judge I would have continued to practice. I felt it was time for a change.

LNW: How is being an associate judge different from being a circuit judge?

SG: There are two kinds of judge. They are both circuit court judges. The "AJ", or associate judge, is the lesser one. The full judge is always there by election. I became an associate judge, then I ran for retention as an associate judge. Retention is a passage of whether or not you should remain, this is done by the judges. I had no problem there. Then I decided that the better spots were for full judges, at most times, not totally, but most of the time. I decided to run and I lived in what was called the sub- circuit. The county was divided into fifteen sub- circuits based on some federal cases coming down that decided there would be a better diversity between blacks and Latinos in sub- circuits. I had the sub- circuit starting with Chinatown going up to Peterson or Devon and coming into about Clark depending on where you were.

LNW: Is that the eighth sub- circuit?

SG: Yes.

LNW: Then as an associate judge were there any notable cases there? I supposed when you first became a judge you took certain cases and helped certain candidates.

SG: For the first six months I was in traffic court. Which is very good, it helps you think like a judge, judicially as opposed to adversarial. Then I went into building court, which I kind of liked because I was fairly successful at resolving problems. I remember there was a guy, some kind of professional man, and I kept him coming back. His lawyer said as long as I made it so expensive for him to come in he wouldn't keep the property, and he sold it. I thought I did some good things there. . I had some, I am not going to comment who was my superior, I am compulsive in a sense. I think, a case ought to move. I think it effects badly on the property if you have a case under litigation all the time. I would tell the people and let them go out and straighten out and fix it...

(End of Tape Two Side A)  
(End of Interview)

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COOK COUNTY COURT ORAL HISTORY PROJECT  
DOCUMENT OF INFORMED CONSENT  
Cook County Court Oral History Project  
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You, the interviewee, Judge Sheldon Gardner, are being invited to participate in the Cook County Court Oral History Project under the direction of Dr. Christopher Manning. This interview may be used for scholarly research unless you indicate otherwise in the Donor Consent Form (attached).

This interview poses minimal risk to you. However, by communicating your life experiences, particularly those experiences relevant to your work in the judicial system, you will give historical perspective to jurisprudence in late twentieth and early twenty-first century greater Chicago area. The body of interviews collected also will put a human face on the court, thus enabling the civilian population to better understand the workings of the court and perhaps inspiring young people to similarly dedicate their lives to public law.

Your participation in the interview is voluntary and you will not be compensated. The interview will last approximately 2 hours, however you have the right to withdraw from the interview at any point and for any reason. Unless you indicate otherwise in the Donor Consent Form (attached), your name may be disclosed.

This interview will be conducted by Loretta Northcutt-Williams the interviewer, a graduate student Loyola University's Fall 2004 Oral History class or project volunteer trained by Christopher Manning in the practice of oral history. The interview will be recorded and transcribed and Loyola University will own all materials related to the interview. Loyola reserves the right to grant access to or publish excerpts of the interview within the parameters you indicate on the Donor Consent Form (attached).

If you have any further questions regarding the study you can call Christopher Manning at 773-508-3081. For more information regarding your rights as a research subject call Loyola's Compliance Manager at 773-508-2689.

INTERVIEWEE	<u>Judge Sheldon Gardner</u> (print)	<u>Sheldon Gardner</u> (signed)
INTERVIEWER	<u>Loretta D. Northcutt</u> (print)	<u>Loretta D. Northcutt-Williams</u> (signed)
DATE	<u>12-7-04</u>	

Interview with Judge Sheldon Gardner

BEGINNING OF FILE ONE

Q: This is Loretta Northcutt-Williams interviewing the Honorable Judge Sheldon Gardner for the [Cook] County Oral History Project. How are you doing this afternoon?

A: Great.

Q: That's good. Last time we didn't talk a lot about your time on the WBEZ show Inside Politics and I was wondering when you started that program.

A: [Bruce DuMont?] is a dear old friend of mine, and when he started the program, I was on from the beginning, people like Tom [Moser?], a whole group of people, Louie, Congressman, [Terrance?], the whole group of people on there. And of course when I became a judge you really stay out of it, in fact I visited once and be very candid on things. But as a judge you really don't have opinions.

F: Sorry, stack of orders I need to get signed.

Q: One moment please, OK proceed, you were saying you were with Congressman Gutierrez.

A: Gutierrez was on the program, Tom Moser writes column, Bruce DuMont show. And it was the largest show in terms of audience in BEZ. Then he went I believe to WLS and I think

he's doing something else (inaudible). It was really good. I was in unfortunate position because I'm somewhat of a centrist and people on radio shows love you to be on the extreme. They love their hero to be with a knight in armor, they don't really like (inaudible). But it was a fun show.

Q: And what years were you on the show?

A: Well, I became a judge 16 years ago. So I think approximately 20 years ago for the next five, six, eight years. So '80, '85 and through there.

Q: OK. And what sorts of things did you discuss in politics?

A: It was open to questions and stuff, we really talked about current events and current politics. And I think to be honest with you, I used to be in the position isn't there anymore, basically slightly right of center. That position disappeared when John Anderson left. It was fairly (inaudible) people who are moderates in the Democratic party, because there are no more moderates in the Republican party.

Q: And last time you told me that you have been involved with the Jewish Judges Association of Illinois, and what can you tell me about your involvement with the organization?

A: I guess about three, three to four years old. And [Decalogue?] is a Jewish lawyer's society, and most Jews

belong to Decalogue, but the judges work together. We (inaudible) society, (inaudible) was its first president and [Jerry?] (inaudible) and for maybe a year, year-and-a-half, I'd been program chair, which is quite fun. And I bring all kinds of people talk all kinds of things. For example, I'll give you this, Mayor of (inaudible), [Dan Scanlon?] I'm sure is not a Jew, talks about -- [he's mayor of Morton Grove] -- opening up the concentration camps. And that's, I talked to other people like (inaudible) who were with American troops opening concentration camps. Tremendous experience to see the living skeletons walk out. And then you've got for example [Uriah?] (inaudible) a very famous man. He was in the Navy and he was responsible for the (inaudible) his family also bought the Jefferson Estate, saved it, the tragedy of the people who were in Jefferson (inaudible) but it was going to waste. And then Judge Gordon who's expert on (inaudible) [sports?] we have a variety of things we spoke about, (inaudible) spoke about some of these fascinating man. So it's a good thing, mostly judges but not all judges, and not all Jews, other people come. We spoke about capital punishment (inaudible) proceedings, prosecutor, criminal, so it's a nice program. Really enjoyable.

Q: And you said it's open to everyone?

A: Yeah. We send notices out, judges, and then I have a group of people who come to me (inaudible) but it's an open --

Q: And is it pretty well attended?

A: [No?], mine was one of the bigger ones. We've had as high as 40, 45. Normal attendance of a group like that might be 15, 18.

Q: OK. Also with the Alliance of Latinos and Jews, is that something which you're still currently --

A: I just got involved really about five, six. There's a wonderful woman Patricia Mendoza who ran for judge as an associate I got to meet her, very charming. And she's very active, co-chair. And she claims that I suggested some things, I think she's just being nice to me. They had, my group of Jews come from eastern Europe, they're from Ashkenazi, and the groups of [Sephardic?] or southern Jews came from Spain so they had a Greek man from a town called [Saliniki?] which is part of Turkey. And they had a Passover with different customs. And we went to Jewish restaurants because they want to know what Kosher was. But it was Israelis, foods were what you'd eat in Arab countries or Israeli country. Very nice, very enjoyable. I don't do a lot of things because I don't feel the stamina for it. I go to did I mention a writing club once a month, gone to that for four or five years. And that's been fun.

Usually go home and rest. I get home because I get down quarter after seven and I usually leave here about 3:30. Today I've gotta go for my bar interviews you might be interested in. So I usually get home and watch the news and read, I love to read (inaudible). You know, you can't when you go to school, get out of school there's a lot of stuff you can read that's really quite fascinating.

(inaudible) there's a process by the Bar Association, most important one to me, best one, Chicago Bar. [And least in the Arizona?] State Bar became more active, and then there are partisan bars, anything you want to go, Black Bar, Gay Bar, Jewish Bar, separate, they're together in a group called the Alliance. So three groups of people interview you and you fill a horrible form out, horrible because it's about yay, two or three inches thick. Tell about all the things you've done. And then you go over to an interview, like I'm going today at 5:30. And lawyers will ask you, I say to them, I'm always simplistic. I say if you want to know about a judge, ask the lawyers who appear before him. Is that the best measure, well they're out interviewing and stuff. I don't expect I'll have a problem. Before then I was also an interviewer, an investigator we call it, I was on the Board an interviewer and I was there two, four, five

times. So I've never had problems, (inaudible) should be, should come to something (inaudible).

Q: How often does one have to go through --

A: Only when you're running. When you're up for retention, retention is associate by the judge or you're up for reappointment which is where you're running on your name, yes or no, and running a recall. Two (inaudible) rather funny (inaudible) want to see make sure you're not losing. I thought it was very funny. Sometimes when you (laughing, inaudible) but I don't think I am. But there's a time when I [seen three judges?], get to be time to go. I don't have the stamina for practicing law, because most lawyers work 60 hours a week. I don't have a problem (laughs).

Q: And do you see yourself retiring at any time feeling that it's your time to go?

A: I thought about it, because there were some questions whether or not there was finances to [recall?] judges, which is really rather silly because our pension is 85%, so we really don't cost them anything. If you take the fact that tax-exempt state income tax, which is 3%. Pull 11% of our income in, so when you're not in, you're retired, you're about the same place, it's a wonderful pension. But I didn't know what I would do, I was gonna do mediation or arbitration. I just wouldn't feel comfortable going back

to practicing law. Friend of mine, she was a (inaudible) and then she ran for a while, (inaudible) going to court, (inaudible) OK, because you get into a habit. It would be hard to put myself in the position of being a lawyer, you can't, it's much better for younger people. At the age of 76 I don't want to start being a lawyer again.

Q: And about how long are the interviews for the Alliance?

A: Interviews for the most place don't exceed an hour. In fact, because they normally [matter?] (inaudible) half hour. If there's a lot of questions that are raised, they may take longer time. Basically list of case, lawyers that have been before you. And everybody has one or two lawyers, nobody's liked by everybody. (inaudible) somebody may have lost a case, if the lawyers speak highly of you, you shouldn't have any problem. I hope I don't, I don't need problems.

Q: OK. And the other organization you mentioned to me was the Chicago Jewish Historical Society.

A: I've been a member for a number of years, and I just (inaudible) meetings I don't have the stamina for it. So I still am a member but I was on the Board for years, it's very good. Walter [Rock?] (inaudible) people, and they really do real history, yeah. There's a lot of history of everybody in this town.

Q: OK. And were you involved in any sort of projects like the Oral History Project there?

A: Not really. I was busy (inaudible) which is fiction and it's not in the same category. I just find that after a while, (inaudible) academic people (long inaudible) I don't have to worry about anybody.

Q: OK, was there anything, any other remarkable things that you did with the Historical Society?

A: The remarkable things I did was when we were in volunteer politics. We ended up together by checking much more than (inaudible) decision, checking decision which protected people in government from [being forced?] to work in politics. We ended up with project (inaudible) vote fraud in Chicago. And I think probably the fact that even though the system may not be better, it's a more open system. I'm not sure when people vote they always use lots of brains. They do all kinds of interesting things. But it's their choice. Those were the things I did that I felt were things I was proud of.

Q: And what sorts of interesting things do you mean when you say people that vote do some interesting things?

A: There's a whole difference between reality and perception. Everybody can come out and watch somebody who's a total idiot but he pitches well. For example, I loved the

Governor until he became Governor. 12 years ago, I ran for office, judge, he ran for Congress. He was wonderful, he's the best, greatest hustling campaigner I've ever met. And then he gets to be Governor and he says dumb things, accuses judges of being greedy. He insulted Mike [Mannagan?] and you don't do those things. So I'm saying (clears throat) people do different things in different places. I think in the long run people use good sense. But with the situation in Iraq, I don't know how anybody could've reelected Bush, and they did. Some [silly people?] get taken by things, it's a free country. Got a right to their opinions and I to mine. But you don't feel that everybody acts logically. And it goes in a wave. Senator Durbin, when he first started I didn't have a great opinion. The more I've seen him, the more respect I have. Obama, what a fabulous man, what personality. I hope they let him alone because they shouldn't push him, they should let him become Senator. So I'm saying when you get hustled by somebody and you get to feel after a while what an idiot. Because you have to, the world doesn't allow you to know everybody you deal with, so you have to deal with perception.

Q: And my partner Kelly and I had a difference of data when I spoke with you and you told me you got slated for judge you told me it was with the Republican Party right?

A: I wanted to run for (inaudible) gotta separate two things, when I ran for Associate Judge, I went to the Republicans and asked for their support. I got it. When I ran for elected judge, I could have a million dollars and run as a Republican and be a joke because I was in a district going from Chinatown to Peterson along the lake front. And except for say somebody who's outstanding like Vernon Carey or an Ogleby, it's an independent district. But when you're down (inaudible) so I did run there as a Democrat, and I did go to be interviewed. I was not the slated candidate but I would tell you everybody was nice to me. George Dunn allowed me to [speak?] before his group, allowing you to speak really means it's up to the individual [cabinet?]. Lee Preston without my asking endorsed me. So I was very complimented. One person who I won't [rename?] promised me and then went back on his word, one thing I never believe you should do. You give your word, you stick with it. But people are very nice to me. I [carried?] almost every single precinct that was either gentrified, younger people, or along the lake, the high-rises. And the pattern of voting with the Jews and the

young independent people is almost exactly the same, as opposed to Jewish communities like Skokie which would be more conservative. Jewish communities, liberal, fairly independent.

Q: Is that what you mean when you say they vote alike is that they're liberal and they're --

A: Well, it's a moderate to liberal. I think if you go [off the wall?] they may not go there, but I think most people are centrists. The Democrats are centered for the moderately to the left of center. There are more older people going further Republican, but even people that I know are moderate Republicans don't agree with Bushes because he's too far over. They don't, well you have the same thing in the churches. The Black church may not like gay marriage, but [they ain't?] about to go far right wing. I think that's why the Democrats lost, they lost people, sliced off on their rights by gay marriage and some other things. I don't understand stem cells because I think that's utter stupidity. You don't have to have abortions or terrible things in order to get stem cells. Every time a woman has a natural abortion, miscarriage is a natural abortion, and the eggs that are saved are all (inaudible) so I don't know what the churches are so worried about. And when I see these people like Christopher Reeves and

others who have these terrible diseases, (inaudible) I mean if you stood the rest of your life shaking, how can you not help these people. And then I don't care, people have a right to take the position they are, and I write many Republicans who are moderately centrist like [Gluber?], like what's his name, guy from Pennsylvania who's done the judicial thing. There's a number of good Republicans who are moderates. I don't like people who are over on either extreme.

Q: OK. And I read that you were recently involved in a program where young ladies were brought here to kind of get a feel for the circuit court system, Women First. Do you remember --

A: I don't separate it out. Every three months or so there's a group of people that come, I get it more in the other courtroom than here, they want to see the trials. There are lots of people who come in, and I have lots of people come in and ask. For example I have something I did yesterday, whenever those parents [with child?] I always called them up because children (inaudible) courts, and I'd say this your mommy and daddy, and I'd say I'm the judge. (inaudible) two grand nephews, niece and nephew, OK now you give them candy and if they don't give you candy you come back to me. And I like to josh them a little because they

should feel it's a comfortable place. And I think the people who come and visit, I don't remember particularly, (inaudible) frequently, and it's good because people should come to know their system. They [shouldn't be afraid?] of it.

Q: So when they visit, do they visit in your courtroom while you're doing --

A: Yeah, most always there. There's [nothing exciting?] when I'm wearing a robe out there, much more formal.

Q: OK. And we didn't talk a lot about your wife, children, and grandchildren.

A: Oh yeah, I'm married 54 years. I married a woman, met her at University of Chicago. Lived together for two or three years before we married. And we get along, both fairly independent-minded. The only real disagreement we ever had, she didn't want me to run for judge, because she really is nervous about people running in public life. And I knew that I wouldn't move from an associate unless I ran. Normally, we talk things over, we try to respect each other's position. And she feels, she's almost 80, 78, and she used to make all the affairs, Thanksgiving, and everything, while this year she turned it over to the kids. And my son (inaudible) she said, was best one we ever had. It was good to pass the, I felt bad, (inaudible) about the

man, (inaudible) and she's sweating, husband really  
(inaudible) what was so hard about it. So being the  
(inaudible) I sat back and watched. But it was nice  
because we went down for Thanksgiving to my daughter in  
Indianapolis. And it's nice tradition to start moving  
down. We have two homes. We have a home near (inaudible)  
860 Lakeshore Drive. We have a home in [Mundalay?]  
(inaudible) there's no institution like marriage. We had a  
big nice house in Evanston (inaudible) and the kids were  
all gone and she was had this empty nest feeling. So we  
sold it and we moved down. And then she was starting a  
little baby, my daughter or my son. So finally we got a  
little house which goes out on weekends with her [cat?] and  
gardens and I usually go out. She may spend more time than  
me. Three kids. My son has done magnificently in  
(inaudible) he's an MBA from Northwestern. And he's done  
very well. I got two girls, both of them are gonna teach.  
(inaudible) kindergarten teacher and the older one, what do  
they call it, [disturbed?] children. The older one [burn  
out?] (inaudible) everybody after four, five, six years.  
She became a clown and then she taught the younger one to  
be a clown too. And they did birthday parties basically.  
Now she's last several years she's been developing as a  
physical trainer, personal trainer which she likes. My

grandchildren range from 20 down to, almost 21, they keep getting older, down to about a year-and-a-half through seven, four girls and three boys. And they're fun, growing bigger. They're nice. That's your tie to [immortality?] are your children and your grandchildren. I'll show you, (long inaudible) I made a dedication and I said, to my wife, my three children, and my seven grandchildren. You're my ties to immortality. It's nice to feel your life moves on. None of us are gonna be here forever.

Q: And I heard you say that your wife really didn't want you to run for judge. Now how hard was it for her to finally come to terms with --

A: She was (inaudible) one of the things that neither of us, some things happen we don't bitch about it. We come back to the real world. And it was interesting because I raised a considerable sum of money which you're apt to raise. If you're running, you gotta get it out there. I (inaudible) this is my basic which I distributed over 100,000 people were laughing, because I was standing in front of (inaudible) platform 7:00 every morning. And my friend [Jerry Auerbach?] said to me, it's gonna blow their mind you being a judge and starting out there. If you notice I had some very interesting [waves?] that are fairly unusual, John Anderson. I said to everybody, (inaudible) tell you

about what they want to do, I'm gonna tell you about what I did. It was great because you know if (inaudible) now if you're very young obviously you haven't done it. But I did a lot of things. I was endorsed and treated very well by the Bar associations, a lot of wonderful individuals. And I had the idea, and this happens by accident, you work hard, wonderful things I (inaudible) on the bench was an accident. I ended up with Co-chairman, honorary Co-Chairman, [Seymour Simon] and Maryanne Smith, white Jewish male and a Catholic female. (inaudible) and then G.A. Finch was a black man was my Chair. Now I couldn't have done that deliberately if I tried. Just looked at some, G.A. Finch is a wonderful man. And he said to me if you ever run, I'll help you. So I (inaudible) manage it.

Q: And what is his position?

A: G.A. Finch is a lawyer. He's one of the head lawyers in [Querrey and Harrow?] and he's a really outstanding human being, took about three years and worked as a lawyer for public housing, dedicated man. And (inaudible) Seymour Simon came off the State Supreme Court. He was Head of the County Board. He was an Alderman. He had a lot of jobs. Very, very wonderful man.

Q: Are the Gardners here related, any relations?

A: Which ones?

Q: Oh, Honorable Joseph Gardner --

A: Joseph Gardner is a black man, unless I haven't looked recently. Joe Gardner, Gardners are all kinds of people, Michael is probably, Michael is my son. But Joe Gardner is a wonderful man. He's been in politics, and he's a good friend of mine. And I could have some black relatives, may not have found out yet.

Q: Because we are studying the 1830s to the 1850s now, that's what I've read and what you've told me as well.

A: The ironic part of it is, the Southern perception was strange because they talked about the abolitionists who were well hated in the North as well as the South. I just went to Civil War roundtable where the guy talked about the [United States?] and was very careful the anti-slavery but not pro-Negro. Because nobody at the time, not nobody, but probably weren't more than 10-to-20%, starting only with the emancipation proclamation did the attitude toward blacks change. But they start talking about abolitionists wanted integration, well the greatest integration happened in the south between the household help and the master (laughs) OK. So, but it's a very interesting thing, because I've been trying to figure out why it is that southern whites at the time of the confederacy created a philosophy of God being on their side. They went to the

point of having separate acts of creations for blacks, whites, and Orientals. And they're very interesting, because I think (inaudible) period because only under Hitler did you have anti-Semitism or racism [raised on philosophical and religiosity?]. So I tried to see how it comes about, because the founding fathers like Jefferson and Washington, they may have been racially bad in the sense they were slaveholders, but they were almost apologetic. They were all gonna free their slaves, but they never ended anything but in debt so they never did.

Q: On that note, have you considered, we did discuss it, writing something that is not fiction.

A: You know what bothers me, in the world today sometimes there's greater truth in fiction than there is in non-fiction. I think part of the academic world, one of the reasons that I didn't go into teaching, I was an economics (inaudible) Chicago, is that in order to be somebody today, you gotta criticize somebody else. And they're all so busy nitpicking, somebody said to me, there's so much infighting among academics. And then they responded, because there's so little to fight about. I could write about for example politics in Chicago or things about Jewish life. I really don't have that kind of desire because I like to learn more and more and when you're writing you learn less and less

and write more and more. In my [book?] everything except something I use for a device I created, managed, but everything else is historically sound. And it's very funny because all of my friends stopped me, read the book, (inaudible) my grandfather did, (inaudible) that's her family, our family's come up out of nowhere and move up. It's the American dream. So I don't know, I'm not saying never, but I'm working on a couple of things of all fiction. And if I ever left being a lawyer I might write about the law, being a judge, it's so hard to feel you're writing other people are gonna accuse you of writing about their case. (inaudible) some interesting cases out there.

Q: Without giving anything away, what other sorts of histories are you working on for your fiction?

A: Well, there's a place called Powell which is the largest (inaudible) I believe in America, you've heard of it?

Q: Yeah.

A: I got them on the America online, and I asked for books between 1800 and 1865, ended up with 137 pages of books, five, six, and out of there I picked out about 70 books and I started to read them. Interesting books, I bought one because it was too long to read, called the History of the American Whig Party. So there's all kinds of things. And all the things you think you know, you really don't go and

you get in close to something, you find there are many more qualifications. General knowledge is not bad, and you have to be careful because as you get too far into history, some of the actual facts as written may not really be representative or true. People go and seek out whatever they want to. History for example, [Louie?] has become the great hero. He's no more the great hero because the world has changed. Every war, Herman [Wolf?] wrote two books about the Second World War, as a mythical German general commenting, the war, this was written by the victors. Not in the Civil War, because in about 1876 reconstruction ended, the South rewrote the war. So a lot of the stories on the Civil War are filled with ludicrous bias in my opinion because the South never had the chance to win. If you remember Gone With the Wind, Clark Gable says how are you gonna fight, you haven't got a factory, you haven't got the population. And it was true. So because of Lee's defensive genius they held off losing. But they had almost no chance of winning unless they would force the North, they couldn't conquer the North. The thought was maybe force the North to let them go. I like history, but you gotta read history and you can't when you're in school because you got professors that give you everything as being from God. But when you read history you've gotta

read it with a little grain of salt. Same thing with the all the professors that come from a point of view.

Q: Yes.

A: And you got a better chance for an A if you (inaudible) what they say don't you.

Q: OK, and back to your time here at the Circuit Court of Cook County. So far, has it been a good or a bad experience?

A: It varies from place to place. I spent eight years in domestic relations. At the end I couldn't wait down, wears you out. I did a lot of good because I helped, I believe that trying cases is (inaudible). And when you (inaudible) your problems up to a jury, much more of a chance. When you settle, you may not get what you want, but it's your decision. So I enjoyed tremendously my time in the commercial [calendar?]. I like this, very honest with you, there's not enough work here. I like work. And I would like twice the load I have. That's me. I've always been a nymphomaniac (sic) for work.

Q: And along the same --

A: Did some months in traffic, which I think is very important for beginning judge, because you learn how to be a judge instead of an advocate or lawyer. I did some time in housing which I enjoyed. So you know what, you get an

assignment, you take it, you do it. You can't sit and gripe about it.

Q: Along the same line, have you been accomplishing what you wanted to do as a judge?

A: I think the most important thing we try to do as a judge is get people to respect you, your fairness, for bringing the value of the judiciary up. 30, 40 years ago, the judiciary was considered a much more political. It isn't now. So people are out there that are respected, people feel that you're being fair, that's the most important thing you do. If you look at the stuff, you try to be as fair as you can. Maybe not perfect, I've been reversed. You try to understand the case, do the best you can. Try to give the people the sense that they're being treated fairly.

Q: And the first time you're reversed, how's that really make you feel?

A: It's a whole world up there. Most of the time when a case comes down and I read it months or a year or so later, I don't even recognize the case. Some cases recently I had one, I was wrong and I learned where I was wrong. So it doesn't bother me because they're not picking at me. Indeed they're very nice to me. The one thing about the appellate court of all over is that if you're respected as a judge, they treat you with respect too. If you're an

idiot, you get reversed continually. So I get some reversals, but almost everybody does. There are a few judges like Warren Wilson who's sitting up, they're magnificent. But everybody sees cases and goes [wrong?], doesn't bother me. Can't let yourself be bothered by it. I got a funny story. I did a lot of [election?] cases and Joe Snyder was a judge, was very nice to me. I only did this once in my life. So I reversed him, he said "Sheldon, I don't mind if you reverse." I reversed him twice. Only time in my life, so he says, "Sheldon, I think you judges are over-active on the appellate court." So I said, if they made a habit out of reversing me on everything, I might not like it. It's part of the game. The strange part is that so many times on appeal it's handled by a different lawyer. Some of the same lawyers that made the arguments here might have very well have won.

Q: OK and what do you think is the future of the Cook County court system?

A: Well, I happened to love [Tim Evans?] OK. He's a superb Chief Judge. He was by boss both in law and the domestic. His predecessor, O'Connell was superb. O'Connell was one of the best administrators I've ever seen. [Cummerford?] made a transition, was a little bit political, but he was also good. Unless the system changes, we don't have a

heavily political system. The Head of the Democratic Party, Mayor of the City of Chicago. I hear of no situation where there's an attempt to influence anybody. And as long as the system is independent, it'll be a good system. I wish that we didn't have elected judges because when judges are up for retention, and there's usually two, three, four (inaudible) they never lose. So it would be nice if they could pick judges by knowing instead of by name, couple people were well known won out over better opponents in my opinion. I don't want to mention any names because it wouldn't be appropriate. But it's a good system, you know (inaudible) Democracy's as good as the people. And if we don't care, we don't vote, as long as we keep an interest, I will say I think newspapers do a fine job. They cover us. And I think they do an excellent job. And I think we'd be better off an appointed system and I've always, even though I was elected, I think an appointed system would be better. Too hard for the rank and file of people to know who these people are. First, they vote for all the women. My wife (inaudible), don't know, people aren't biased, but along the margin if they don't know, they'll vote for the ethnic base or vote, because they don't know any better. That's what's wrong with the system. My wife would not vote for a woman in a race where

she knew the woman to be not competent. But they're all a bunch of names, people pick it out.

Q: So is there a way of maybe informing voters on who some of these candidates are?

A: Newspapers try, independent voters (inaudible) put out a lot of ballots, [New England?] ballots which were circled, newspapers, guy I know said to me, when we clean out after the [precinct?] we find (inaudible) ballots and Tribune, Tribune is very (inaudible). Sometimes is not moving as well, maybe will be. It was at one time. With all the change, not that people aren't (inaudible) I don't think the perception's as good. And at the top, for example, President, Governor, Senator, people make their own minds. (inaudible) endorsements (inaudible). Sometimes they have a bias too. There's a bias among the Bar, there's a bias among the Bar to prefer people with jury experience because so many of them with personal injury and criminal cases. I don't agree with the bias because I don't think jury experience is that important. So if you're competent, which happened to three or four friends of mine, but you haven't had jury experience, you might not be found qualified. I have told people to do is go out and get some jury experience. You don't need a lot of it, but that's the bias in the system. Judges, like anybody else, human

beings, they have their failings et cetera. But the system is good. I remember an old man who I officed with, he said the [bench?] is afraid of the Bar, the Bar is afraid of the bench. (inaudible) we respect the lawyers in front of us. The worst thing you can do as a judge is be so hostile that if you're recalled, people take [changes?] from you. You have to respect, you do get a few that really misuse it. I think works both ways. You don't let lawyers push you around. But you respect them, I think that's important. One of the things I was most proud of is I was quoted I think it was on that brochure of being complimented for being courteous to judges and clients. And that [to me is very important?] doesn't cost you anything.

Q: And I'm sure that some feel that if you are courteous, that someone, a judge, I mean a lawyer may try to take advantage of you.

A: They do, I've had a case where it came back to me from somebody I know, in divorce court, very nice young man, told people he was a friend of mine. (inaudible) influencing them. And that's a risk you have to take. People who normally know that it's below me. And that's one reason why judges become so standoffish. But I take the risk, everything in life has a risk.

(silence for remainder of file)

END OF FILE ONE; BEGINNING OF FILE TWO

A: (inaudible) find out [difference?], some of them are very narrow and don't do much besides the law. Some of them are very nice people. Shy and they don't want to get too close. (inaudible) but all kinds of people. Like lawyers because you gotta be (inaudible) you're not verbal, they'll put you on the spot, do research all your life (coughs).

Q: OK, I just wanted you to remark further on anything else you might want to say about your life and --

A: Maybe quite a number of articles, I edited a book on election law. I did in my earlier youth I did columns and trade journals. Always did a certain amount of writing. I had the theory, in order to do any specific thing, you have to live a general life. You can't just be a judge or a lawyer. You have to be a human being with interests in everything, in movies and books, because you have to see the whole world. Which is hard to do when you're in school.

Q: (laughs) It is. OK, and what do you see as your future in the Cook County court system?

A: [I'm gonna be?] a trial court judge, and I'll be it when I feel that it's either physically too hard, I'm beginning to

forget, but so does everybody, so that's not a problem. I find that either my mental capacity or physical capacity lessen, I won't do it anymore. I had the choice and I made it (inaudible) go out (inaudible). I like it here. As long as I'm capable, I will.

Q: Do you have any further remarks?

A: I thought you were very delightful, and could only wish you the best. I hope that I've given you much information as honestly as I can. Obviously it's subjective (laughs).

Q: Thank you so much for taking your time out to assist us with the Cook County Oral History Project.

A: Well I think it's a great idea. Good luck to you.

Q: Thank you.

END OF FILE TWO