



## **Memorial Service**

Held in the Supreme Court of Illinois  
at the September 2017 Term  
on the Life, Character, and Public Service  
of the Late Justice John J. Stamos

Wednesday, September 20, 2017  
2:00 p.m.

Illinois Supreme Court  
Springfield, Illinois

SUPREME COURT OF ILLINOIS  
JUSTICES

LLOYD A. KARMEIER, Chief Justice  
Nashville, Illinois (5th District)

CHARLES E. FREEMAN  
Chicago, Illinois (1st District)

ROBERT R. THOMAS, Chief Justice  
Wheaton, Illinois (2nd District)

THOMAS L. KILBRIDE  
Rock Island, Illinois (3rd District)

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ANNE M. BURKE  
Chicago, Illinois (1st District)

MARY JANE THEIS  
Chicago, Illinois (1st District)

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**Justice John J. Stamos**

January 30, 1924 – January 28, 2017

At 2:00 p.m. on Wednesday, September 20, 2017, other business being suspended, the following proceedings were had:

**CHIEF JUSTICE KARMEIER:**

The Supreme Court has specially convened this afternoon for the purpose of conducting a memorial service for one of its distinguished former members, Justice John J. Stamos. We are honored to have with us this afternoon Justice Stamos's son, James; James's wife, Dr. Julie Stamos; and James's sons, John and Michael. Also with us are Justice Stamos's daughters, Mrs. Theo Stamos of Arlington, Virginia, and Mrs. Colleen Stamos of Brooklyn, New York. Regrettably, Mary Stamos, Justice Stamos's widow, was unable to attend today due to health reasons, and we wish her all the best.

I want to say that I first met Justice Stamos and his friend Lou Garippo sometime in the mid-, maybe early, 1960s when I was attending a state's attorneys conference in Chicago. I believe then Mr. Stamos was first assistant to the State's Attorney, Dan Ward, who shortly thereafter joined this Court. I was honored a few years ago—in fact it was on March 20, 2009—when Justice Stamos stopped by my

office upstairs, and he gave me and signed this small painting, which I proudly display in my chamber. I know a number of my colleagues here on the Court have the same thing. We treasure those, and we remember him for that.

We are going to begin the proceedings this afternoon with a tribute from Justice Mary Jane Theis, a current member of the Court. Justice Theis received her bachelor's degree from Loyola University Chicago in 1971 and her law degree from the University of San Francisco School of Law in 1974. From 1974 through 1983, she was an assistant public defender in Cook County. She has served at every level of the judiciary in the State of Illinois. In 1983, she was appointed as an associate judge, where she served for five years in Cook County. In 1988, she was elected to the circuit court, where she was assigned to both the criminal and the chancery divisions until 1993, when she was appointed to the Appellate Court, First District. She was elected there in 1994. When Chief Justice Tom Fitzgerald retired in 2010, the Supreme Court appointed Justice Theis to fill his vacancy on the Court, and she was then thereafter elected to a full 10-year term. Justice Theis.

#### JUSTICE THEIS:

Thank you. Thank you so much, Chief Justice, for allowing me this opportunity to speak about a man I personally did not know well but whose reputation has always been as a man of integrity, a man of dignity, and a man of honor. In Justice Stamos's early career, as we all know, he served as first assistant to the State's Attorney of Cook County, Dan Ward. As the Chief Justice has now mentioned, Dan Ward was a real giant in our local community. Soon after his period of being state's attorney, he in fact joined this Court. In that transition of Justice Ward becoming a member of this Court, John Stamos was chosen to fill that huge void, those large shoes of Dan Ward, to run the state's attorney's office of Cook County. His strong leadership was critical because very early in his tenure as the State's Attorney of Cook County, the Richard Speck case broke almost immediately. Suddenly, the office was prosecuting one of the most brutal cases in the history of our state and also one of the most notorious. In the glare of national attention, the prosecution was acclaimed to be highly professional. Later, Justice Stamos served on the Illinois Appellate Court for 20 years until once again he was called upon to serve in transition.

When Justice Seymour Simon announced his retirement from this Court with two years left on his term, this Court chose John Stamos to fill his vacancy. This was also a time of crisis. The Greylord scandal had shaken the public's confidence in the Illinois judiciary. John Stamos brought his strong sense of ethics to this Court, and that was certainly most demonstrated in, perhaps his most famous opinion, the attorney discipline case of *In re Himmel*. In that case, attorney

Himmel was hired by a client to recover money stolen from her by her previous attorney. Himmel negotiated a very favorable settlement for his client, but there was an agreement that they would not disclose the misconduct as part of the settlement. Justice Stamos, writing for the Court, said—of the ethics rule that “[a] lawyer should assist in maintaining the integrity and competence of the legal profession”—Justice Stamos wrote that attorney Himmel had violated that rule by failing to disclose the attorney’s misconduct to the Illinois Attorney Registration and Disciplinary Commission and called that conduct a “code of silence.” Despite recommendations for a lenient sanction, the Court suspended attorney Himmel from the practice of law for one year.

Justice Stamos set a high moral and ethical standard throughout his life. The lawyers who worked for him and with him revered him. People like the late Chief Justice Thomas Fitzgerald, attorney Pat Tuite, and Gino DiVito passed down this legacy to younger lawyers like me. If I ever asked any of them what I should do if I had a troubling question in my career, both as a lawyer and as a judge, they would all say the same thing. They would say to me the words that they were taught by John Stamos: “Do the right thing.” Just as John Stamos was a fine public servant, and almost fifty years after he inspired those young assistant state’s attorneys, his message rings true in our own difficult times: “Do the right thing.” Thank you, Chief.

CHIEF JUSTICE KARMEIER:

Thank you, Justice Theis, for those remarks. At this time I’d like to introduce the Honorable Benjamin K. Miller, who is a retired justice of this Court. Justice Miller received a B.A. degree from Southern Illinois University in Carbondale in 1958. He then attended Vanderbilt University in Nashville, Tennessee, where he received a J.D. degree in 1961. He came back to Springfield, where he was in private practice from 1961 to 1976, when he was appointed a judge of the Circuit Court for the Seventh Judicial Circuit by the state Supreme Court. He was then elected to that position in 1978, where he served as presiding judge in the criminal felony division from 1976 to 1980. In 1981, he was elected chief judge of the Seventh Judicial Circuit and served in that capacity until 1982, when he was elected to the Fourth District Appellate Court. In 1984, he was elected to the Supreme Court of Illinois and was retained in 1994. He was elected Chief Justice of the Court in 1991 and served in that capacity until January 1, 1994. During his tenure as Chief Justice, he formed the Illinois Family Violence Coordinating Council. He retired from the Supreme Court on February 1, 2001. Justice Miller.

## JUSTICE MILLER:

If it may please the Court, Chief Justice Karmeier, Justices of the Supreme Court, relatives and friends of Justice Stamos. I am honored to have been asked to speak for a few moments in memory of John Stamos, one of my best friends on the Court, whose lively career as a lawyer and a judge reminds us all what a person can accomplish in a life devoted to public service. It has been said that one measure of a person's achievements are the friendships that one makes and keeps during the course of a lifetime. Judging from the many longtime colleagues and friends of John's who knew and respected him, I can say that John led a very rewarding life. John spoke proudly of his family and heritage and of his parents from Greece, who settled in Chicago in the first part of the last century and who, with his uncles, opened bakeries, restaurants, and hotels and prospered in those early years.

Upon graduation from DePaul with a bachelor's degree, John served with distinction in the Army during World War II. I know from my conversations with him that he was deeply affected by his experiences overseas. He would tell of his arrival in France in the summer of 1944 sometime during the Allied invasion, there on a beach in Normandy, he heard a familiar voice say to him, "What do you know? What do you say?" It was a friend from Chicago giving the friend's characteristic greeting as though they were two young men meeting on the corner of State and Randolph in Chicago—two American soldiers briefly thrown together by chance on one of the war's famous beachheads. John was assigned to service in Belgium, where he worked as a clerk typist at a psychiatric hospital. There was a story behind his ability to type. Earlier he had seen a room filled with young women, and when told they were learning how to type, he quickly expressed an interest in that and inquired about it. Later in 1944 during the Battle of the Bulge, he was assigned to the front to assist carrying stretchers of wounded soldiers, and those experiences of the fragility of life and the horror stories of war left lasting impressions on him.

Following the war, John earned his law degree from DePaul in 1948. After exploring the American West, he joined the corporation counsel in Chicago and later the office of the Cook County State's Attorney. In 1960, Dan Ward, then Cook County's state's attorney, made him head of the criminal division, and in 1964, John became Dan's first assistant. When Dan was elected to the Supreme Court in 1966, John was named state's attorney. John's integrity and fairness as state's attorney made him a role model for generations of young prosecutors, with one later remarking that John was the best boss that he ever had.

John's friends have often remarked on his independent nature, which has been apparent throughout his career but perhaps to no greater extent than during

the election season of 1968. John had a sterling record as state's attorney during which time his office successfully handled many high-profile cases including the prosecution and conviction of Richard Speck. The party declined to slate John for that office, preferring that he run statewide for Attorney General. John chose to run for a seat on the appellate court instead, and he won, thus launching John Stamos's judicial career—one that produced a total of more than 800 opinions: over 750 as a member of the Appellate Court and more than 50 on the Supreme Court. John served on the Appellate Court with great distinction. In 1988, my colleagues and I on the Supreme Court unanimously selected him from a field of more than 25 highly qualified applicants to fill the vacancy on the Supreme Court made free by the retirement of Justice Simon.

On the Supreme Court, John quickly became known among his colleagues for his hard work, his rigorous intellect, and his quiet sense of humor. John's experiences in the state's attorney's office and service on the appellate bench made him a valuable member of the Court. His colleagues greatly appreciated his knowledge and insight he shared during oral argument during the course and discussion of cases. As we mentioned, one of the very first opinions John wrote before the Court was *In re Himmel*, which was decided in September 1988. *Himmel* is a frequently cited opinion of the Court concerning attorney's rules governing professional conduct in reporting the misconduct of other attorneys. Another notable opinion by Justice Stamos was his *Greenspan* 1990 decision, involving the cessation of nutrition and medical treatment for a comatose patient. The opinions John wrote for the Court consistently displayed his ability to analyze difficult, controversial issues with great sensitivity and understanding.

John was a favorite of the Court's staff including the late Ruth Holcomb who managed, supervised, and presided over the operations of the third floor of the building where the justices live when in session. John liked to joke with Ruth, who appreciated his unique sense of humor. A staircase connects the second and third floors of the building. John would sometimes take the stairs, rather than the elevator, down to the courtroom on the second floor. One day while Ruth was sitting at her desk near the staircase, he started down the steps and once out of sight remained on the step and continued to move his feet as though he was still walking downstairs. After the sound of John's footsteps went on for longer than Ruth thought would be possible given the length of the staircase, she looked over the railing to investigate. "Gotcha," John said. A picture of Justice Stamos's life would not be complete without mentioning his love for art and his great artistic talent. He loved to sketch and to paint and to the delight of others, including the Chief Justice and other members of this Court. He enjoyed with great pleasure sharing his artistic talent with friends and acquaintances. He found a way to reproduce his many sketches and paintings onto small pieces of wood, and he

would then share these with others, and they began to collect them. John was interested in everything, and he was an interesting person. He was multidimensional in his abilities and in his character. He was not defined by a single quality or interest, instead was able to succeed in life in multiple ways: as a skilled and honorable lawyer and judge, as a gifted artist, and as a devoted husband and father. John liked to say that his artist friends thought he was a great judge and that his lawyer friends thought he was a great artist. He was in many fields a great person, and I am proud to say that he was my friend.

CHIEF JUSTICE KARMEIER:

Thank you, Justice Miller. It is now my privilege to introduce the Honorable Gino L. DiVito, retired justice of the Illinois Appellate Court, First District. Justice DiVito attended Loyola University in Chicago, where he majored in philosophy and received his J.D. from that same institution. He has been a member of the Illinois bar for over 50 years. For more than 20 of those years, he served the people of Illinois as a judge, retiring in 1997 as a justice of the Illinois Appellate Court. After leaving the judiciary, Justice DiVito became a partner in the law firm of Quinlan & Chrisham in Chicago but then went on to cofound the firm of Tabet, DiVito & Rothstein, where his practice concentrates on trial and appellate advocacy, primarily focusing on commercial and complex civil litigation. Among his numerous other activities, he has also found time to devote his considerable experience and expertise assisting our Court through work on various Supreme Court committees. He has taught law school, authored numerous legal works, cochaired the committee which helped overhaul the state's criminal laws, and served in leadership roles in many professional organizations, including as president of the Illinois Judges Association, the Appellate Lawyers Association, and as an officer of Illinois State Bar Association. Justice DiVito.

JUSTICE DIVITO:

Chief Justice Karmeier, members of the Supreme Court, may it please the Court. Members of the Stamos family. I begin with a confession: John Stamos is my very favorite justice of the Supreme Court for all time. I know that's shocking to every member of this Court, but I beg the members of the Court to understand. I'm sure each of you knows the great admiration and respect I hold for each of you. You know of these special feelings I always will have for my good friend Tom Fitzgerald and for Dan Ward, who was the first person to employ me as a lawyer.

Before I explain why John is my favorite Justice, allow me to offer an observation. One of the unavoidable consequences of John's reaching old age is the

loss of those who knew him best and would be far better equipped than me to pay tribute to him. That's the negative side of his outliving people like Dan Ward, Ed Egan, Lou Garippo, Bob Boyle, Tom Fitzgerald, and Bill Martin. That exemplary group of lawyers who toiled in the state's attorney's office when John was there are representative of all those assistant state's attorneys of that era whose guiding light was to do the right thing. The downside of living a long life applies also to John's outliving everyone on the appellate court who served with him and everyone who served with him on the Supreme Court, except of course for the ever-youthful Ben Miller. We are blessed to have Ben here as the only surviving colleague of John's on the Supreme Court. No one could be found from John's state's attorney days, and it's impossible to have someone from his appellate court days, so you are stuck with me.

Let me explain why John Stamos is so special to me. It is based on my belief that there are always a few people who have a significant impact, for better or worse, on every individual's life. Besides my parents and certainly my wife Rita, who daily has a significant impact on my life and has impacted it for the last 48 years, John ranks right up there with my eighth-grade nun—the nun who told me I was going to St. Ignatius High School when I had no idea what and where St. Ignatius was. “Never mind,” she said, “you're going there.” In those days you did not say no to your eighth-grade nun. That forced detour ensured me the first-class Jesuit education unlike I would have received if I had attended any of my neighborhood schools.

In contrast to my eighth-grade nun, John's impact on my life came not by intimidation but in the form of an out-of-the-blue gratuitous offer to place me on the appellate court. He gave me, with no strings attached, one of the most cherished positions in the judiciary. That gift came in early December 1988, when, while I was sitting on the bench at 26th and California, I received a message to call him. He had been appointed to the Supreme Court as a temporary replacement for Seymour Simon. His initial words to me were, “How would you like to be on the appellate court?” My response was, “Thank God I am sitting. Of course I'd like to be on the appellate court, let me catch my breath. Why me?” He said simply, “I believe in promotion.” He then explained that the First District of the Appellate Court was increasing to 6 divisions of 4 judges each and by expanding from 21 judges to 24 that each of the three Supreme Court justices in the First District was choosing one judge to assign to the appellate court. He said that I was his choice. Except for his statement that I believe in promotion, I never received an explanation for John's selecting me. To this day, I continue to ask why. After all, I had only two personal encounters with John when I was in the state's attorney's office.

The first occurred just a few months after I was in the office. I was a novice attorney working in the consumer fraud division—an assignment that involved no courtroom work whatsoever. Despite my lowly status like other assistant state’s attorneys, I was required to rotate onto so-called homicide duty, which entailed being available during off hours to review and either approve or deny the filing of homicide charges. That was during those pre-felony-review days, where only homicide charges were screened by assistant state’s attorneys. In response to a homicide detective’s call, I went to a police station, was briefed by detectives about the case, and then, in those pre-Miranda days, I took the arrestee’s confession with a court reporter and approved the filing of murder charges. A couple days later, I was in the office of John Stamos, chief of the criminal division. Like the other front office positions of the state’s attorney himself and that of the first assistant, the chief of the criminal division was a position held only by a titan. John was a tall man. On that day, I estimated him to be about seven feet tall. Also invited was John Gannon, a colorful and veteran assistant state’s attorney. John Stamos had read the transcript of the defendant’s confession and my memorandum about the case. He emphatically instructed us to go to the grand jury to get an indictment for murder. John was a master of the Queen’s English, as was evident during a couple of phone call interruptions during our conversation, but his instruction to us on that occasion, his emphatic language, was full of F-bombs. “Go to the f----n grand jury and get a f----n indictment against that f----n so-and-so,” and on and on. I don’t remember the details of the murder offense, but John was sure passionate about obtaining an indictment. Before long, after I had recovered from this initial encounter with John, I was before the grand jury, not as a prosecutor but as a witness. He questioned me, I answered, and we had a true bill. It was my first jury victory without my asking a single question.

My only other personal encounter with John occurred after he placed Ed Egan as first assistant. He called me into his office to discuss my having dismissed a murder indictment and going to the grand jury to obtain a reindictment without getting his permission to do so. Our discussion centered on my insistence that the original indictment was faulty and therefore the new indictment was necessary. John, whom I judged to be about seven-foot-six on this occasion, insisted that the indictment was not faulty. To prove the point, he opened one of his famed binders of cases. Rumor around the office was that he had listed in his binders every criminal case on every conceivable topic ever addressed by the supreme or appellate court. Although I don’t remember the cases he cited, he asked, in a not too friendly manner, “Did you read *People v. Dole*?” Fortunately I had, and I distinguished that case. “What about the Smith case,” he asked. Again, I distinguished it. “What about Jones,” I distinguished that case as well. At that point, he slammed shut his binder and said, “Ok, you did a good job but next time,

get my permission.” That meeting informed me that doing the right thing sometimes has conditions.

Why John chose me to be on the appellate court still baffles me. We had no personal relationship, I did nothing for him politically, I could not help him to be elected to the Supreme Court or to any other office, and he never sought anything from me. The only promise I made was to myself: a promise to always do the right thing and to never do anything that would embarrass or disappoint him. What he did for me remains one of the great mysteries of my life. It ranks right up there with the greatest mystery of my life: that the person who loves me best, my wife Rita, loves me. For John, doing the right thing never meant what was in his self-interest. He never sought the spotlight. He never sought glory or fame. He just believed in doing the job at hand and doing it to the best of his ability with passion, with competency, and with integrity. That’s what he did throughout his professional career as an assistant state’s attorney trying felony cases, as the chief of the criminal division, as a first assistant, and as a state’s attorney. Convictions were never the goal; the goal always was justice.

When the Democratic Party refused to slate him for the office of Cook County State’s Attorney and offered to slate him instead for Attorney General, he flat out refused, considering that position inferior to the office he already held. He was later offered slating for the appellate court. He hesitated and then accepted but did so reluctantly because the party would not slate him for the office he loved. Thank God he did so because for 20 years as an appellate court judge and for the 2 years he served on the Supreme Court, his opinions were clear and concise and proper—never in the spotlight but always right on, always doing the right thing. Bill Martin summed it up best when he pointed out that John as then state’s attorney could have prosecuted the notorious Richard Speck, garnering all the favorable publicity and all the glory connected in doing so. He refused because he chose not to abdicate his responsibility for running the office and because he had ample faith in the abilities of the attorneys he assigned to the case.

Fortunately I had many opportunities to thank John, both privately and publicly, and to share good times together. Rita and I were honored to be guests at the home of John and Mary, whom he called Daisy, along with Lou and Collette Garippo and Pat Tuite. John, Lou, and Pat told countless stories of their days in the state’s attorney’s office and beyond. That time with John and those other icons of the office was breathtaking. Even more breathtaking were the stories of John and Judge Bill Bauer when they and their spouses graced us as guests at our home a few years ago. From appetizers through dessert and beyond, no one else got a word in edgewise as we were treated by these two old friends to countless accounts of adventures and misadventures in and out of court, many hysterically funny, others involving corruption of the worst kind. We were treated to stories

told by two men with encyclopedic memories. Men who had lived through it all and who were vital and positive contributors to more than a half century of Chicago, Du Page County, and Illinois history. It was a magical night.

No doubt many here are familiar with and possibly possess John's collection of mostly humorous accounts of the antics of judges and lawyers during the 1950s and earlier in the work he entitled *Criminal Court and Other War Stories*. I love that title. I bet most everyone in the room is a proud possessor of one or more of John's miniature paintings. John was the total package. He clearly was not one-dimensional. Today's program, the written program, confirms that fact by quoting a 1988 article that described John, not only as a highly regarded jurist but as an accomplished artist, carpenter, gardener, and avid student of history. How many persons could be described in those terms?

With reference made to *In re Himmel*, I don't intend to repeat what others have said about that opinion. Suffice it to say that that case encapsulates John's belief in doing the right thing. The case is grounded in John's belief in the threefold importance of maintaining the integrity of the legal profession, protecting the administration of justice from reproach, and safeguarding the public. Today every Illinois lawyer and judge is aware of the *Himmel* reporting obligation. Wikipedia reports that in 1988—as you heard, the opinion came down in late September 1988—154 attorneys were reported for misconduct in Illinois and that in 1989—the year after the publication of that opinion—922 attorneys were reported for misconduct, six times the number reported the year before. John Stamos was serious about ethical requirements, about doing the right thing.

My favorite Stamos decision—Ben has mentioned *Greenspan*—my favorite opinion was issued by John 38 years ago in May 1979 when John was on the appellate court. That decision is captioned *Kraus v. Board of Trustees of the Police Pension Fund*. *Kraus* is a seminal case on the meaning of section 5 of article XIII of the 1970 Illinois Constitution. The decision made it clear that employees in public pension systems have an enforceable, contractual relationship with their governmental employer and that that contractual obligation prohibits the diminishment or impairment of their pension benefits. *Kraus* has been cited, and its reasoning has been applied in every Supreme Court decision that has addressed the same or similar issue, including the Court's most recent definitive decisions in *Kanerva* and *Heaton*, the latter being another one of my favorite cases. John Stamos was a soothsayer, he was brilliant, all his decisions were right on, and he always did the right thing.

I know I've spoken too long. I ask everyone to forgive me for speaking so long on the meaning of John Stamos in my life. He was, after all, a giant presence in my life and a significant role model for me well before he offered me the appellate court judgeship, and I know that each of you understand that I needed to

take whatever time it took to do what I could to ensure that each member of the Supreme Court fully understands what John meant in my life and why he is my favorite Supreme Court Justice of all time. Indeed, when I said at the beginning may it please the Court, I meant it. I wish that the Court be pleased and my remarks were not a hollow one. I am honored to have had this opportunity to speak about John. I thank the Court, and I thank John's family for giving me that opportunity.

CHIEF JUSTICE KARMEIER:

Thank you, Justice DiVito, for that moving tribute. I will now recognize Justice Stamos's son James Stamos, who will speak on behalf of the Stamos family. James Stamos is a 1980 graduate of the University of Illinois College of Law. Upon graduation, he joined the law firm of Rooks, Pitts & Poust where he worked primarily in medical malpractice defense and in construction litigation and coverage issues. He has coauthored numerous chapters on behalf of the Illinois Institute for Continuing Legal Education, and in 2005, he authored a revision to the chapter on malpractice litigation in West's Law of Medical Malpractice in Illinois and in each of the revisions and supplements to date. He joined Coffield Ungaretti Harris & Slavin (now Nixon & Peabody) in 1984 and became an equity partner in 1987, where he practiced commercial litigation representing both defendants and plaintiffs. He is now a name partner in the Chicago firm of Stamos & Trucco. During his distinguished career, he has tried over 60 jury trials, as well as many bench trials and arbitrations, handling cases both in state and federal courts of appeal, arguing successfully before the Indiana Supreme Court. He is a member of the federal trial bar for the Northern District of Illinois and a member of the Society of Trial Lawyers, a former member of the Illinois Supreme Court Rules Committee, and is an arbitrator. His current practice is primarily in commercial, financial, and employment litigation and professional liability defense, as well as the defense of insurance bad faith claims. He has been elected an Illinois super lawyer every year since the inception of the award in 2005. I'm certain your father was very proud of you. Mr. Stamos.

MR. JAMES STAMOS:

Chief Justice, members of the Court. It is very difficult to stand up here and talk about my dad without getting emotional. One of my sisters said this is probably one of the only times you'll be entitled to cry in court, but I'll try not to do that. I do notice that some of my lines were stolen, but I'm a defense lawyer, and I always go second, so I'm quite used to that. I will soldier on. I want to thank

you very much on behalf of my family. My wife Julie is here and my sisters and my sons, Michael and John. My sister Janet actually lives in Hawaii and is not able to be here. She had planned to but spent last week in Florida with her in-laws trying to dig out, and she wasn't able to join us.

Sometime before my father died, he wrote a letter to us all—as aging parents sometimes do—and he gave us a couple of admonitions. One of them was, “Well, maybe don't have a funeral, maybe have a private service, and then you could have a memorial service where everyone could get together and talk about what a swell guy I was.” That's what I think we are doing here, and we thank you for that opportunity.

Being on this Court was the highlight of his career, and it is hard for us to convey how proud we were of him and how happy we were for him. It was an honor for our family as well. When we grew up, he was state's attorney, and we would see him on television with his pipe, and we would see him in newspapers. The phone would ring, and it would be Mayor Daley calling, and we thought that was a pretty big deal. It was an honor for us. We know our parents taught us to work hard and to do well and you will build yourself up. We don't kid ourselves that having had our mother and father was a great leg up in life, especially when you are a lawyer.

I also had the opportunity many times of taking Tennessee appeals<sup>1</sup> of cases to my father. I remember years ago, as an example—he always teased me about this—the *Laue v. Leifheit* case, which was decided by the Second District and ultimately confirmed by the Court. We learned, to the utter shock of the defense bar, that you had to bring a contribution action during the course of a pending case, you couldn't wait until later. I read the opinion, and I snapped my head back. I was a young lawyer, it was 1983 I think, and I called my father and said, “I just read that *Laue* case. I know it wasn't your district, but I'm kind of shocked by that.” He said, “What was that case about?” I said, “It was about the contribution act. Let me send you a copy of it; it's obvious you hadn't read it.” I got to do that with him. He said, “You just like having a judge to push around.” He did have the reputation of absolute probity, and that's an honor when you have people think that about your father and say these kind things that we've heard today.

I have on my book shelf his copy of Royko's book *Boss* in which Mike Royko inscribed it: “John, if all lawyers and politicians were like you, we wouldn't have anything to write about.” I think that's right. My father was an example of the old adage that you always are who you were when you were 12. His character was formed then, and he always had kind of a childlike quality about him. He told a

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<sup>1</sup> James Stamos used this term, as did Justice Stamos, to convey an extrajudicial complaint to a colleague about an adverse decision.

story of being 12 years old and waiting for a streetcar. There was a lamppost next to the streetcar stop, and on it was a political poster advertising for someone running for state's attorney. He's 12 years old, and he said, "I looked at that, and I said to myself, I wonder if I can be state's attorney some day?" He didn't know what the state's attorney was, but he looked at it, and he would always comment how when he became state's attorney how crazy that was, and it occurred to him from time to time. He was childlike also in his sense of humor, and we've heard the one story about the steps. My favorite story about the Supreme Court was that they would fly, and the plane would stop in Waukegan and pick up Justice Moran and come to Palwaukee and pick up my father. Apparently, Justice Moran was a very, very bad flier, and my father would sit up by the pilots because he liked to look at the equipment. The plane took off one day, and Justice Moran was sitting back by the door, and as the plane took off, air started rushing in the door and whistled. This spooked him, and he looked up and said, "John, ask them what that's about." My dad leaned forward and talked to the pilot, and when he leaned back he said, "Tom, let them know if it keeps happening." Poor Justice Moran! That wasn't what the pilot had said; he said, "It will stop in a minute."

He had a childlike wonder in every facet of his life. He would talk about every position he achieved: "What am I doing here? How did this happen to me? Why am I honored with this?" He tended to doubt himself at the beginning of endeavors but not for very long. We were recently cleaning out his house and found a couple of things. First were all those books filled with cases, and they really are typed perfectly, underlined, and redlined. We also found his law school books. They were like bench books. They are bound books, and it is shaming to see the way he took his notes, these algorithmic explanations of legal principles, and there are no cross-outs and no interlineations. It's just like it came fully formed from his head. When people talk about him having an incisive mind, he really did. I was there at times when he would look at the West books and reach in and pull one out and hand you the case. It didn't happen all that much because we weren't in the same business, but I saw him do it.

I know it sounds kind of corny or melodramatic, but I tend to think of his experience of life as the twentieth-century experience. His parents and his uncles came to the United States at the turn of the last century during the great immigration. They came to America to make something of themselves, and my grandfather made a bunch of money in the first four or five years he was here and went back and brought my grandmother here. My father was one of nine children. You have to understand what an absurd thing that is to say about a Greek family. You don't have nine children in a Greek family, especially in that era, but six lived to adulthood. We assumed our grandparents liked each other a lot. They were also a very long-lived family. My Aunt Sophie died at 100, four years ago; my Aunt Zoe

will turn 101 in December; and my Aunt Christine will turn 100 in January. It's been said that my father died young. In South Chicago among Greeks when someone has a birthday you say in Greek, "νατα εκατοστησεις," "may you live to be 100," and where they come from, that's an insult!

They really did, as a family, experience the twentieth century. Not only did they come during the great migration, he had two sisters who died of the Spanish flu during the Spanish flu epidemic. He lived through the Depression, he served in World War II, and Justice Miller was right, he didn't get into combat because he could type like the wind. Until the day he died, he could type like the wind. He served in the corporation counsel, where he told hilarious stories of the frightening things that would go on in the police court—things today that would put them all in jail. You have heard all of the cases that he participated in as state's attorney: the Speck case, the Martin Luther King riots, and the 1968 Democratic convention. In his last days, he would talk about how astonishing it was that he was there. He felt like Zelig, like everything important would happen, and he would be there.

He was a great storyteller, as many of you know. What I found amazing about his stories is that they were always the same. I never heard him tell a story, and it be different the next time. It was always the facts, so I assume all of the stories to be true. I don't think he would have lied about anything in the first place, but it's very uncommon. His favorite story that he would tell—and my sons had heard it over and over again—was during the war. It was in the fall of 1945, when the war was over. He and his first cousin Pete told the Army they were brothers. Pete was wounded during the Battle of the Bulge. My father had to be a litter bearer during the Battle of the Bulge, and he asked his captain, "I'd like to go see my brother." His captain wrote him orders to go find his brother, which means he didn't have to ride in the back of the train. He had orders to get there, so he went to the front of the train. He went to Eisenhower's headquarters to find where Pete's unit was. They had to give him a tie, and they said, "Don't salute, everyone's a general." They took him into a room with guys with machine guns, and there he is. He found Pete somewhere in Heidelberg and spent time with him and then flew back on a DC 3 with his first airplane flight back to Paris. He would tell that story the same way every time.

He would also talk about a lot of political stories. He knew a lot of things. I remember him saying on more than one occasion, "If I really started talking they would run Yellow Cab ragged trying to get to the airport." He knew a lot of people. One story he told me late in life—and he took great joy in telling this story—as Justice DiVito said, sometimes he would use language that wasn't entirely cultured. In fact, the whole family is like that I'm sorry to say. My grandfather and his family were quite wealthy in the 1920s; they had owned 17 different

businesses. The Stamoses were big shots, but when the Depression came, they were terribly overextended and lost everything. My grandfather went from owning 17 businesses to having to rent back one of the hotels that was taken by the bank, the Washington Hotel, and had to work there. He had to pay the rent every month to the management company that ran it for the bank. Every month, this gentleman would come by, this fellow—I won't call him a gentleman—to collect the rent. One day my dad was there; he brought my grandfather his lunch. This fellow was there, and he gave my grandfather a sweet pushing around because he didn't have all the money. My grandfather was a very dignified man; he took himself very seriously and always wore a tie. My father watched that, and he was not favorably impressed. He was 12 at the time. Flash forward to 1967 or 1968, he's the State's Attorney of Cook County. He's at the Sherman Hotel at some political event, and in the receiving line is John Boyle the chief judge, and Mayor Daley is two people over. John Boyle introduces him to a man; it's the guy! My father put a make on him and said, "Oh I know you, you used to work for the Connelly Company didn't you?" "Well, yes, I did." My father said, "You used to come to the Washington Hotel; you used to collect rent from my father." "Oh I recall that." My father said, "You used to like pushing the old Greek around didn't you?" The next thing you know, they had to practically separate them so nobody got hurt. He was so proud of having to avenge his father that way. It choked me up the first time I heard it.

I had other stories, and there was one other story I wanted to tell, but I can't tell it because it chokes me up. But I will tell you this: some of you know he died at his ninety-third birthday party, which is the same birthday party for my son John, who shares his name and his birthday. My son John was born on my dad's seventieth birthday. The whole family was there, all the kids and all the grandchildren. It was two days before his ninety-third birthday, and some of you might know he had a lung problem that deteriorated over time, and he slowly declined, but he had all of his wits until literally the last second of his life. I'll never forget the final words I remember him saying. I came in the house, and I sat down across from him in the family room. I looked up at him, and he looked up at me and said, "Move your head, how much time is left in that game?" I had sat in front of the television, and it was the Kentucky game. I don't know why he was watching it, but he was. A little later, we had dinner, and he sat down but didn't want to eat much. He went in the other room, and with my wife and my sisters holding his hands, he died. I would say sign me up if that's the way you go. He had a blessed life and a blessed end. It was a privilege to share it, and I thank you for the honor you have given my family. Thank you.

## CHIEF JUSTICE KARMEIER:

Thank you, Mr. Stamos, for that moving, insightful, and humorous at times tribute to your father. Finally, it is my pleasure to recognize the Honorable Russell Hartigan, retired judge of the circuit court of Cook County. Judge Hartigan received his undergraduate degree from DePaul University and his J.D. from John Marshall. After more than 30 years in private practice, public service, and dedication to his family and community, he was appointed to the circuit bench in 2010. He was subsequently elected to a full term on that court in 2012 and served there until his retirement at the beginning of this year. This summer, Judge Hartigan assumed a new office: president of the Illinois State Bar Association. It is in that capacity and on behalf of that organization that he appears here this afternoon. Judge Hartigan.

## JUDGE HARTIGAN:

Justice Karmeier, Justices of the Illinois Supreme Court, family, and friends. I come to you not having any personal stories of Justice Stamos. However, back in 1966, I was considering going to law school. I was in college at DePaul, and at the time, my uncle served as an investigator for the state's attorney's office of Cook County. He kept telling me about this man, this state's attorney, who he said befriended him, how respected he was, and how much he really enjoyed working with him because my uncle was a retired detective of the Chicago Police Department.

I did meet your father on a couple of occasions, and I was in awe of him, to be frank, because he was a very tall man and to be State's Attorney of Cook County, wow. I grew up in a political family, and that meant a lot being a state's attorney. So, it was inspiring to me to consider political life after meeting your father. I had one occasion in the appellate court when I argued before him. It was mentioned previously how concise and thoughtful he was. He had raised good questions in the argument. I was very respectful of his qualifications and ability on the appellate court.

As an educator, I teach at DePaul College; I also teach at John Marshall and occasionally at Northwestern. The Himmel case you've heard a lot about already, and I will try not to repeat some of the background facts because it's been stated here before. Himmel is mentioned many times in my course. It is affectionately called the snitch rule by many students, but it meant a lot because of Greylord and everything that had occurred. If you know that somebody is doing something wrong as an attorney, you, as the innocent attorney, have to report it. I had Himmel

appear before me a couple times as a judge, and he's back practicing. I think he's learned his lesson.

As far as Justice Stamos is concerned, I did not know about all of the painting and literature that he was interested in. He was offered a scholarship to the Art Institute of Chicago in his youth; I don't think that was mentioned. He retired from the bench in 1990 to work with his son Jim and to serve as counsel and also do some of the work that I'm doing: arbitration and mediation.

I grew up on the west side of Chicago, which was predominately Irish back then. There was a Greek community over at Central and Harrison, and they basically assimilated with the Irish. Most of them went to Catholic Fenwick High School, and we got to know a lot of Greek athletes. Of course, the Irish always thought we were better athletes than anybody. The bottom line is that I grew up with a lot of Greek people. Interestingly, my son is a lawyer and married about two years ago; my daughter-in-law is Greek. Two weeks ago, we have a new member of our family, and knowing the Greek names that I grew up with on the west side, they are basically George, Nick, Pete, and Sam. Am I right? There's one more, though, I forgot, Ted. We have a new Teddy in our family, so we've assimilated again. We're very proud of their family, and I'm sure Justice Stamos would love to hear that. I know he was a pillar in the Greek community, an inspiration to many lawyers, Greek lawyers. I know that some of the cases you have mentioned about the public pensions and the Himmel case, they will be with us for a long, long time.

Getting back to my uncle, he was not a person to praise people as a Chicago detective, because they are always suspicious of somebody. When he went over to the state's attorney's office, he said about Justice Stamos, "This is a fine man and a fine gentleman." Since I met him only a few times, I have no personal stories, unfortunately. I wish I could offer that. I know he was respectful to bar associations and was an active member. He received a few awards that perhaps weren't mentioned. He had the Distinguished Service Award from the National District Attorneys Association, the Professional Achievement Award from the Illinois State's Attorneys Association, and the Liberty Bell Award from the Federal Bar Association.

After retiring, he traveled widely, and as mentioned before, he enjoyed painting, doing some legal assignments, and working with his son's law firm. He is an inspiration, certainly, and my personal recollection was basically in awe of this man, a state's attorney of Cook County and a man that was respected by everybody, including my uncle. Thank you very much.

JUSTICE KARMEIER:

Thank you Judge Hartigan. Thank you also Mr. Stamos, Justice DiVito, and Justices Miller and Theis. The tributes that you delivered and the memories that you were able to share with us hopefully have been a moving reminder to members of Justice Stamos's family and the impact he has had on friends, family, and the people of our state.

Memorial services can be considered a time of sadness, but we like to think of them as a time of joy and remembering. James Stamos's remarks have certainly helped us with that, and as we reflect on his life, on Justice Stamos's life, I hope that everyone here feels inspired to lead their lives with joy, with honor, and with dedication.

Supreme Court Clerk Carolyn Grosboll, the memorial service presented here today is to be spread upon the record. In addition, the transcripts of these proceedings are to be presented to the Stamos family as a token of this Court's gratitude. A reception will be held in the former appellate court courtroom immediately across the hall after this ceremony concludes. Everyone here is invited to attend. Please come, share your additional memories about Justice Stamos, and give us all here on the bench an opportunity to meet with you and personally thank you for your father's and grandfather's service to this Court. Mr. Marshal, the Supreme Court is adjourned.