

real reason why the course of events developed to bring me here today. That happened shortly before my original appointment, and I think it was because of a good deal of public attention that my name came to the attention of the people who were trying to find people, who might fill a vacancy.

But as I understand the substance of Mr. Martin-Trigona's charges, he says that Mr. Torshen, who was my assistant counsel, told him in a conversation that the commission—and specifically I suppose myself as general counsel—had information that two justices of the Illinois Supreme Court were guilty of misconduct which would have justified their removal, and that we had such information and we withheld it from the public and took no action with respect to it. This is simply not true.

We investigated charges of impropriety with respect to a particular case. *People v. Isaacs*, and as a result of very hard work in a very short period of time, with a very dedicated staff, uncovered factual information which justified a report by this special commission of five eminent lawyers of the city of Chicago, not all of the city of Chicago, but the bar of Illinois, it was not simply Chicago lawyers.

SENATOR MATHIAS. Could you supply in the near future the names of the members?

Judge STEVEN. We have, Senator. We have supplied the report of the special commission which identifies the five commissioners. They were the then president of the Illinois Bar Association, the then president of the Chicago Bar Association, and three other members selected by them.

But the substance of the report was that the evidence uncovered by the commission disclosed a significant appearance of impropriety by two members of the Supreme Court of Illinois and it recommended that those justices resign voluntarily. There was a dissent by one member who felt that the committee as a whole had exceeded its task by making that recommendation, that the assignment of the commission was merely to make a report on a particular matter.

But I had urged the commission, as its counsel, to make the recommendation. They did so and the justices ultimately resigned. We had no evidence of wrongdoing by any other member of the Illinois Supreme Court.

I know, I have not spoken to him myself but I am told, that Mr. Torshen, to whom these remarks are attributed by Mr. Martin-Trigona, has denied under oath that he said anything even remotely approaching what Mr. Martin-Trigona quotes him as saying. I am sure that Mr. Torshen would not have said we had evidence because we simply did not have such evidence and had we done so I am sure we would not have withheld it.

[A letter by Jerome T. Torshen follows:]

JEROME H. TORSHEN, LTD.,
ATTORNEYS AT LAW,
Chicago, December 5, 1975.

HON. JAMES EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR SENATOR EASTLAND: The undersigned was privileged to serve as assistant counsel to Judge John Paul Stevens on the staff of the Special Commission of the Illinois Supreme Court ("the Commission"). As a result of the report of

the Commission, two Justices of the Illinois Supreme Court resigned. Subsequently, in an unrelated matter, our office, for a time, represented one Anthony R. Martin-Trigona in connection with Mr. Martin-Trigona's application for admission to practice law in the State of Illinois. We withdrew from that representation prior to the hearings resulting in denial by the Illinois Supreme Court of the said application. See *In re Martin-Trigona*, 55 Ill.2d 301, 302 N.E.2d 68 (1973) (a copy of which opinion is attached hereto).

We have been advised that Mr. Martin-Trigona has submitted a document to your Committee which, in effect, charges that the undersigned advised Mr. Martin-Trigona that the Commission had obtained evidence sufficient to cause the resignation of two Justices in addition to those who had resigned, but that this evidence was, in some manner, suppressed. Apparently, it is charged that Judge Stevens was involved.

These charges are false, malicious and scurrilous. No such statements were ever made to Mr. Martin-Trigona. Moreover, no material was obtained by the staff of the Commission which indicated any impropriety, much less illegal conduct, on the part of any members of the Illinois Supreme Court other than those two Justices who resigned. I shall be pleased to so testify under oath before your Committee to remove this taint on the good name of Judge John Paul Stevens, if in your Committee's judgment, it is necessary or desirable.

I have known Judge Stevens for almost twenty years as a lawyer, as a colleague on the staff of the Commission and as a judge. He is a superb legal craftsman, a gentleman of impeccable character and deep sensitivity, and a man of the utmost integrity. His fitness for judicial office is, if anything, exemplified by the performance of his function as counsel to the Commission.

It is unfortunate that these charges were made. They are totally untrue and defamatory. They should not, in any way, mar the outstanding record of Judge Stevens or adversely affect the deliberations of your Committee in this most important matter.

Very truly yours,

JEROME H. TORSHEN.

Judge STEVENS. There is no basis whatsoever for a charge that the Commission or any of its staff, or I am sure myself either, failed in the discharge of the duties assigned to us. I think that the Commission, and I say this as a member of a team, did a magnificent job which I regard as one of the principal important professional achievements of my life.

Secondly, Mr. Martin-Trigona has released a press release which in substance says I have not made a full disclosure of my financial situation.

I am reminded that in addition to the letter of denial by Mr. Torshen, there is also a letter of denial by Mr. Pitts and by Mr. Greenberg, two letters of denial, one by each, the Cochairman of the Commission, who also substantiated what Mr. Torshen says.

[Affidavits by Mr. Pitts, Mr. Greenberg, and Mr. Torshen appear at pages 194, 197, and 198.]

Judge STEVENS. The press release, as I understand it, says I have not made an adequate disclosure of my financial circumstances, specifically, I have not disclosed the assets of my family and that I may have secret interests in some properties held in trust by others. I have no assets other than those which I have disclosed to the committee.

Our disclosure includes everything which I own, everything which my wife owns, and everything which I own as the trustee for the benefit of my two young daughters, with one inadvertent exception. Each of them has a savings account of approximately \$500 which we inadvertently overlooked.

The charge in the affidavit also suggests that I have some business connections with Mr. Keane who was identified in questions yesterday.