

1           IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
2                   COUNTY DEPARTMENT - CHANCERY DIVISION

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6           REPORT OF HISTORY OF THE EARLY YEARS OF  
7   the Honorable AARON JAFFE on Friday, the 14th day  
8   of May 2004.

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11  
12           ALSO PRESENT:

13  
14           HON. JAMES F. HENRY,  
15           HON. JAMES FLANNERY,  
16           MR. WALTER ROTH.

17  
18  
19  
20  
21   Joyce Ledger, 084-001292  
22   Official Court Reporter  
23   Circuit Court of Cook County  
24   County Department - Chancery Division.

1 JUDGE FLANNERY: All right, Aaron.

2 We are here today to get your oral history  
3 or biography, but before we get involved with you,  
4 how about telling us a little bit about your  
5 parents, where were they born, where did they come  
6 from, what did they do?

7 JUDGE JAFFE: Okay, I am going to have to do a  
8 lot of spellings for the court reporter, because my  
9 parents of course came from the old country.

10 JUDGE FLANNERY: Which is?

11 JUDGE JAFFE: I'm going to have to do a lot of  
12 spellings for the court reporter.

13 My father came from a town called, called  
14 Sukirmotstovetsky, and my mother came from a town  
15 Lutzswania, Lutz for the brevity of it.

16 Actually the name at the time was  
17 Pukinskisla, which I can't spell, but for the  
18 purposes of this examination, let's just say it's  
19 Telz, T-e-l-z.

20 All right, and my father was a tailor,  
21 came from the old country when he was very, very  
22 young and worked hard, took over his entire family.

23 MR. ROTH: What year? When?

24 JUDGE JAFFE: Oh, God, it was before the first

1 world war.

2 So I don't know exactly what year it was  
3 and he took over the entire family.

4 He took over his mother and his siblings.  
5 One sibling was already here, but I think he took  
6 over two sisters and one brother.

7 One brother it was like as I said, already  
8 here. My mother came from Lithuania.

9 She had a big, big family in Lithuania,  
10 and oh, there must have been eight or nine siblings  
11 in the family and three of them wound up in the  
12 United States, in Chicago.

13 The rest of them stayed in Lithuania and  
14 they all perished and that in the Holocaust.

15 So there's no survivors that I know from  
16 Europe. We have a few in the United States that  
17 actually did remain after World War II.

18 Now, it's a long question. It's longer  
19 than you anticipated.

20 Now my mother and father were both  
21 previously married and they were -- my father was a  
22 widower and my mother was a widow. My father had  
23 one son.

24 My mother had one son and they came

1 together and they married and then they had one  
2 child and that was me and I'm the only common child  
3 of the marriage and some people say I am as common  
4 as you can possibly get, but I have two brothers  
5 and of course we were raised as brothers.

6 As a matter of fact there was no  
7 difference and we were very, very close.

8 JUDGE FLANNERY: Where did your parents live in  
9 Chicago before they married and when they met and  
10 when they were first married?

11 JUDGE JAFFE: Well, we lived and I was born in  
12 what was called the GVS, the "great vest side"  
13 which was a, you know, a neighborhood that was --

14 MR. ROTH: The Maxwell Street area?

15 JUDGE JAFFE: Pardon?

16 MR. ROTH: The Maxwell Street area?

17 JUDGE JAFFE: No, no, we lived around oh, 16th  
18 and Spaulding is where I started school and then I  
19 went to school at Bryant which was at, I think,  
20 13th and Kedvale if I am not mistaken and I went to  
21 Marshall High School and --

22 MR. ROTH: What year at Marshall, can I ask?

23 JUDGE JAFFE: I was at Marshall High School  
24 from 1944 to 1948.

1           JUDGE FLANNERY: What was the age difference  
2 with your brothers?

3           JUDGE JAFFE: Well, my brother, Mark, is eight  
4 years older than I am and my brother, Nate, was 12  
5 years older. My brother, Nate, died about two  
6 years ago.

7           My brother, Mark, now resides in  
8 California and, you know, so I am the only brother  
9 left in Chicago.

10          JUDGE FLANNERY: What can you tell us about  
11 your childhood, grade school, growing up in the  
12 neighborhood, any activities and hobbies?

13          JUDGE JAFFE: Well, I have to explain, when you  
14 say hobbies, because when I was a kid, the kids  
15 were not as --

16          JUDGE FLANNERY: Spoiled.

17          JUDGE JAFFE: Well, no, not as spoiled, but  
18 also they weren't activity driven.

19          Today kids have to have, you have to be  
20 oriented. You have to go to dance lessons.

21          You have to go to that type of lesson and  
22 so on and so forth and we of course were not that  
23 driven.

24          You know, we didn't have television and we

1 didn't have the concept of you have to have a  
2 television in every room.

3 We talked to our classmates, made house  
4 calls in those days.

5 For Judge Henry those are ancient times,  
6 but I remember them, but when you say so, we would  
7 -- the neighborhood was a very interesting place  
8 to be and because you really lived in the  
9 neighborhood and you knew all your neighbors and  
10 basically they came from the same background and my  
11 father was the president of a orthodox synagogue, a  
12 small orthodox synagogue, and a lot of, you know,  
13 the social life revolved around that and around the  
14 family.

15 It was family at the temple, the  
16 neighborhood, and I am not going to -- first let me  
17 get to your question, but basically, I went to  
18 school.

19 As I said, Howland was the first school  
20 that I went to and then the second school I went to  
21 was Bryant.

22 I graduated from Bryant and I went to  
23 Marshall High School and at Marshall I was on the,  
24 on the school paper, I was the sportise, sports

1 editor of the paper.

2 I was responsible for more people getting  
3 letters than Clay Davis, than anybody in the entire  
4 world because I would always put them at the game,  
5 in my own mind would put them in the game and the  
6 coach reading the paper would say, this guy was in  
7 the game.

8 I have got to give them a letter, so he  
9 would give them a letter.

10 We had children in the neighborhood and we  
11 played the games that, you know, played baseball or  
12 whatever it was, and by and large we played on the  
13 streets.

14 We played softball and just as an  
15 interesting aside to me, you know, we once had a  
16 game of softball.

17 We always, you know, there were not things  
18 like -- we didn't have little league, things like  
19 that. It was just games from guys in the  
20 neighborhood.

21 We were playing this baseball game and it  
22 was the last of the ninth, I think it was  
23 softball. I said baseball.

24 I meant softball and there was no bunting,

1     okay, and I came up to bat and the last of the  
2     ninth, I think with bases loaded and two out, and  
3     it was a full count on me and they pitched me a  
4     ball and I swung as hard as I could, hit the ball,  
5     but it just dribbled out in front of the plate.

6             The guy from third scored and I ran to  
7     first base and that was a big dispute and they said  
8     no bunting and my team maintained that was as hard  
9     as I could hit and they won the argument, so to my  
10    dismay, but what we, you know, I always enjoyed  
11    it. I wrote for the Garfield Inch which was a  
12    newspaper.

13            I did some of their sports, high school  
14    sports for that which was certified and they would  
15    give me a couple of dollars for an article.

16            JUDGE HENRY: Is that a Jewish newspaper or  
17    neighborhood newspaper?

18            JUDGE JAFFE: No, that was a neighborhood  
19    newspaper.

20            I will tell you that in my family, in my  
21    house, my mother and father, the main language was  
22    really Yiddish and so, you know, to this day I  
23    speak Yiddish rather well.

24            Well, I would say rather well compared to



1 almost everyone else, you know.

2 When I was, it was when I was in the  
3 legislature I think I could speak Yiddish better  
4 than any other member.

5 There the second best Yiddish speaker was  
6 a man by the name of Taylor Ponce who was an  
7 African American and he and I am used to sit and  
8 talk Yiddish together and he was a delightful man.

9 JUDGE FLANNERY: Just one quick one.

10 What day were you born, your birthday?

11 JUDGE JAFFE: May 16, 1930.

12 I was born at Mount Sinai Hospital and the  
13 attending doctor was Dr. Halburt, and I know  
14 because that's what my mother told me. She never  
15 lied, okay, so but --

16 MR. ROTH: When you went to Marshall, was it  
17 still predominantly Jewish?

18 JUDGE JAFFE: Oh, yes, it was predominantly  
19 Jewish.

20 MR. ROTH: No school high holidays?

21 JUDGE JAFFE: Oh, I don't know if they had  
22 school or not. No one was there.

23 MR. ROTH: Did you belong to the orthodox  
24 synagogue you refer to?

1 JUDGE JAFFE: Well, of course, I went to the  
2 temple with my father and I went to Hebrew school.

3 MR. ROTH: Where?

4 JUDGE JAFFE: I went to Hebrew school.

5 It was at one of the Hebrew schools on  
6 Hamlin Avenue. I forget the name of it.

7 At those times the teachers were not as  
8 sophisticated as they are now.

9 MR. ROTH: Marshall was very noted for its  
10 basketball team at the time.

11 JUDGE JAFFE: Yes.

12 MR. ROTH: You were involved as a newspaper  
13 reporter.

14 JUDGE JAFFE: Oh, sure I was the sports editor  
15 and as a matter of fact when I was -- during my  
16 first year at Marshall, they had, you know, they  
17 had two different types of teams.

18 They had the lights and the heavies and  
19 one was five foot six and under and as far as the  
20 five foot six and under, Marshall's high school  
21 basketball team did not lose a game for four  
22 years.

23 They went 98 games without ever losing a  
24 basketball game.

1 JUDGE HENRY: Is that still a record do you  
2 know?

3 JUDGE JAFFE: I have no idea, probably was and  
4 -- but that was the lights, you see.

5 Later on they sort of did away with that  
6 and in my senior year I know, we won 31 city and  
7 the basketball player who was prominent on that  
8 team was a guy by the name, Irv Morris I guess and  
9 Irv wound up in the NBA and he played, I think he  
10 played for the Philadelphia team if I am not  
11 mistaken, but --

12 MR. ROTH: I went to Hyde Park High, as an  
13 aside, and Marshall was a principal enemy.

14 JUDGE JAFFE: Yes, well, Marshall, yes, Marshall  
15 always had a rivalry with Austin which was also on  
16 the west side and Marshall would kill them in  
17 basketball and Austin would kill us at football.

18 I don't think we ever won a football game,  
19 but basketball was the sport there.

20 JUDGE FLANNERY: When did you graduate from  
21 high school?

22 JUDGE JAFFE: I graduated in 1948.

23 I graduated January 1948 because at that  
24 time they had, you know, graduation twice a year.

1                   They had January and June and I was a  
2                   January graduate.

3                   JUDGE FLANNERY: Did you go right to college  
4                   then?

5                   JUDGE JAFFE: I did, you know.

6                   JUDGE FLANNERY: And where did you go to  
7                   college.

8                   JUDGE JAFFE: Well I had a, well, I started at,  
9                   Navy Pier was the University of Illinois, Navy  
10                  Pier, which was a peculiar place to go to school.

11                  If you have ever talked to anybody who  
12                  went to Navy Pier, you had the long pier and, you  
13                  know, your classes could be four blocks away up and  
14                  down the pier, but it was -- I went there for about  
15                  a year and a half, I would say, and --

16                  JUDGE HENRY: How did you get to the pier from  
17                  your house?

18                  Did you take public transportation? Did  
19                  you ever get a ride from other guys in the  
20                  neighborhood?

21                  Did you have your own car?

22                  JUDGE JAFFE: No, I didn't have my own car  
23                  until I was married and had a child.

24                  See, cars were as a matter of fact, in the

1 neighborhood where I was growing up there were very  
2 few people who had cars.

3 My father never drove. We -- Chicago was  
4 always an easy place to get around and we used to  
5 go on the old streetcars and the old streetcars  
6 were, if you know, with the platform in the back.  
7 I feel like I am an historian now.

8 My kids ask me things like, gramps, and  
9 they look at me like I am sort of bizarre, but  
10 going to high school, when you go to high school  
11 you would have people hanging all over the  
12 streetcar.

13 Kids would jump on the back and the front  
14 and the side.

15 MR. ROTH: Do you remember what courses you  
16 took at Navy Pier?

17 JUDGE JAFFE: Well, see, that's a big  
18 question. Now let me tell you why.

19 In those days, they did not have SATs and  
20 all those sorts of things and so they gave me an  
21 aptitude test and they sent me in for an aptitude  
22 test with my counselor, who looked through her  
23 pages and she said, "What would you like to be?"

24 And I always wanted to be a writer and so

1 she looked at my papers and studied them and said  
2 to me, "Oh, gee, I am sorry, but you have no  
3 aptitude for writing at all."

4 She said that and so, "I don't, I don't  
5 think that would be a great thing for you."

6 She said, "What else would you like to  
7 do?" I said, "Maybe I would like to either, you  
8 know, go into history or political science because  
9 I like history and political science and perhaps I  
10 could teach," and she looked through her papers  
11 again, and she said, "I am sorry again."

12 She said, "But you have no aptitude at all  
13 for history and political science and it was just,  
14 would just be terrible and you have no aptitude for  
15 teaching either."

16 So she said, "Okay, said what else would  
17 you like?" I said, "Well, maybe I should become a  
18 lawyer."

19 I had an uncle who was a lawyer, my  
20 father's youngest brother and she looked at the  
21 thing and said, "Oh, no, no, no," she said, "Law  
22 would be terrible. You would never get into a law  
23 school and if you did you would never pass the  
24 bar."

1                   They were very delicate in those days, the  
2 way they handled people.

3                   She said, "Well, what's next?" I said, "I  
4 must tell you when I came in here I was feeling  
5 pretty good and now I feel like the world's worse  
6 reject."

7                   I said, "Why don't you look at your magic  
8 papers there and you tell me what I should go  
9 into?" And I was a little bit afraid of what she  
10 would say.

11                   She went through her magic papers. She  
12 said, "You know, I think medicine would be good for  
13 you," and I said to her, "Medicine for me?"

14                   I said, "Are you aware of the fact that if  
15 you cut your finger on that piece of paper that you  
16 are handling right now and a drop of blood falls on  
17 the table, I'll pass out, and you are telling me  
18 medicine?"

19                   So I sort of took a general course. I  
20 took some zoology courses to satisfy my advisor,  
21 you see, and I would give anti-vivisection speeches  
22 in the biology course, but it was --

23                   MR. ROTH: Did you take any history courses?

24                   JUDGE JAFFE: Oh, yes, I took a lot of history

1 courses.

2 MR. ROTH: What kind of history?

3 JUDGE JAFFE: I loved history. I remember my  
4 history teacher from the Pier was a man by the name  
5 of Nicholson.

6 MR. ROTH: I knew him very well. He was a  
7 tremendous guy.

8 He was the best history teacher in the  
9 entire world, just magnificent.

10 JUDGE HENRY: What history courses did he  
11 teach?

12 JUDGE JAFFE: Well, he taught European history.

13 MR. ROTH: Right.

14 JUDGE JAFFE: But after European history I took  
15 ancient history, then I took American history.

16 MR. ROTH: English, who did you have for that?  
17 Do you remember?

18 JUDGE JAFFE: I don't remember, but Nicholson I  
19 will always remember.

20 You know there are certain teachers that  
21 always stick out in my mind, like in my mind.

22 In law school when I went to DePaul, I had  
23 a teacher whose name was Curran, Honest John  
24 Curran, and I loved Honest John Curran because he



1 would teach in a very unique style.

2 He was a very successful trial lawyer at  
3 one time, but he gave it up I think for health  
4 reasons and he would say to you, "Okay, for the  
5 next class session read Pages 45 to 65," and so you  
6 would read 45 to 65 and you would brief all the  
7 cases and everything you had to do and then you get  
8 to class and he would say to you, "We are going to  
9 go farther at Page 162," and the class would get  
10 all exited.

11 "What do you mean Page 162?" And his  
12 attitude was well, you know, you can learn from the  
13 book any time. I want to teach you how to think  
14 and he was just --

15 MR. ROTH: What did he teach?

16 JUDGE JAFFE: Pardon?

17 MR. ROTH: What did he teach?

18 JUDGE JAFFE: He taught, as a matter of fact he  
19 taught equity.

20 MR. ROTH: Just like you.

21 JUDGE JAFFE: Equity and trust and he always  
22 had something going with the library and at the --  
23 by something going, the liberian whose name was  
24 Kelly would love to get -- lay the cases and bring

1 them to the different professors and instructors  
2 and they would always, you know, thank him for it.

3 He was a very, very nice guy, but with  
4 Honest John Curran he would bring him the cases and  
5 Curran would say, "I already read them," and would  
6 tell him what the cases was even if they came down  
7 four minutes ago and this would drive Kelly crazy,  
8 and during the years that I went to DePaul, all he  
9 did was try to, you know, give Curran one case that  
10 Curran had not read, but he could not do it, you  
11 know, just if, you know, but there are teachers  
12 that have an impact on you.

13 JUDGE FLANNERY: Did you say you were at the  
14 pier for only a year and a half?

15 JUDGE JAFFE: Yes.

16 JUDGE FLANNERY: And then what?

17 JUDGE JAFFE: And then I -- we moved to  
18 California for, you know, awhile and when we moved  
19 to California.

20 It was -- I had an uncle who was my  
21 mother's brother, my Uncle Phil, and I am going to  
22 get into a little, you know, family skeletons in  
23 the closet you see, and you have to understand that  
24 they were from the old school and his wife had

1 passed away and he had owned a business, a grocery  
2 store and so on and so forth in LA.

3 And my mother was -- he had one daughter  
4 by the name of Rochelle, who is my cousin of  
5 course, and she had gotten married to a someone who  
6 wasn't the sharpest stick in the world you see, and  
7 so my mother would, number one was concerned about  
8 my Uncle Phil because she didn't think he could get  
9 along without a woman in the house.

10 That was the old fashioned thing and Phil  
11 had wanted someone to go into business with my  
12 father and so he said, "Well, why don't you come  
13 out to California and stay here and I have a place  
14 for you," and so on and so forth, "And Aaron can go  
15 to college out here," and of course his son-in-law  
16 is in business with my dad and opens up, you know,  
17 this cleaning store and tailor shop and my mother  
18 prevailed upon my father to do that and we moved  
19 out there for a year and a half until my mother  
20 could marry off her brother because the business  
21 didn't go to well because when I -- my cousin's  
22 husband was at the racetrack more than he was at  
23 the store and so I went to school there for a year  
24 and a half.

1 I went to the City College of Los Angeles  
2 and I went to UCLA and then I came back here to  
3 Chicago and my parents came back a little bit later  
4 because I wanted to go to school here and went to  
5 DePaul.

6 JUDGE FLANNERY: Did you graduate from college?

7 JUDGE JAFFE: Did I graduate from college? I  
8 graduated from law school, yes.

9 JUDGE FLANNERY: From DePaul you graduated?

10 JUDGE JAFFE: Yes.

11 MR. ROTH: What year? What year?

12 JUDGE JAFFE: You are talking when did I get my  
13 law degree?

14 JUDGE FLANNERY: Undergrad.

15 JUDGE JAFFE: See, in those days I was one of  
16 the last where you could get into --

17 MR. ROTH: Law school.

18 JUDGE JAFFE: -- law school without having a  
19 degree, so many years that you didn't have to have  
20 a degree, so that's what I did.

21 MR. ROTH: When did you graduate law school?

22 JUDGE JAFFE: I graduated in 1953.

23 JUDGE HENRY: Where was the law school located  
24 at that time?

1 JUDGE JAFFE: On Lake Street. It's a great  
2 building.

3 JUDGE HENRY: Is that building still there?

4 JUDGE JAFFE: I don't think so.

5 MR. ROTH: That a big dean. Dean Taft.

6 JUDGE JAFFE: Dean Taft was a great guy.

7 JUDGE FLANNERY: Before we get into law school  
8 and after law school, what type of jobs did you

9 have like in high school or college or in-between?

10 JUDGE JAFFE: You name it, I did it.

11 You know I started -- in those days we  
12 were 13, 14 years old.

13 I used to take, after school I would get  
14 on a bus and go down the street and down here,  
15 downtown actually just outside of downtown and I  
16 worked for a mail order company and I did packing  
17 in the mail order company.

18 I worked for the Washington Shirt Company,  
19 you know.

20 JUDGE HENRY: As a model?

21 JUDGE JAFFE: Well, you could -- do you  
22 remember Washington Shirt Company at all?

23 The Washington Shirt Company had a number  
24 of stores and they were haberdasheries and they had

1 an old time clientele and the old time clientele  
2 would, for instance would sell collars and you  
3 would have these people walking in who are about  
4 107 years old wanting their collars and we would  
5 get them the collars and they would attach them to  
6 their shirt and I worked for them for a long period  
7 of time, and finally a company from New York came  
8 in and said, "This is a very old fashioned  
9 company. You are really not making enough money."

10 They bought them out and they said, "We  
11 will teach you how to run a haberdashery store."

12 Within three years they had gone bankrupt  
13 because those old guys wanted stiff collars. They  
14 didn't want sport shirts and stuff like that.

15 MR. ROTH: Do you remember the name of the mail  
16 order company?

17 JUDGE JAFFE: Pardon?

18 MR. ROTH: Do you remember the name of the mail  
19 order company?

20 JUDGE JAFFE: The mail order company was -- if  
21 it comes to mind I will remember it.

22 MR. ROTH: Do you remember the address, Aaron,  
23 where it was located?

24 JUDGE JAFFE: I think it was on Fulton Street

1           So when you knocked on the door, you had  
2 to get in and buy a book, he would look you over  
3 and if he liked you, he would press the buzzer and  
4 you would come in, you see, and this is much later  
5 when my mother was an invalid.

6           I would go there and I would talk to him  
7 and I loved to talk to this guy and I would say to  
8 him, "Do you have any books in Yiddish?"

9           Now there were no books in Yiddish being  
10 published at that time.

11           I think there are now, but there were not  
12 at that time and he would say, "Go in the back room  
13 and take a look," and I would go in the back room.

14           These were Yiddish books. I can read a  
15 little bit of Yiddish, not as well as I could speak  
16 Yiddish, and I would pick out the books that I  
17 thought my mother would like.

18           I have a couple of those books left. As a  
19 matter of fact I have a couple of books in Yiddish  
20 by Ether Matheson, you see, Ether Matheson.

21           I just don't give them away. I can't read  
22 them. I just keep them as a memory of my mother.  
23 So I would pick up all these books and I would get  
24 a stack like, eight books, and I would bring it out

1 to him, and he would say to me, "These books are  
2 for your mother, right?"

3 And I would say, "Yes, they are for my  
4 mother." He said, "Okay, this one is a quarter.  
5 This one will be 30 cents."

6 This one will be, top was 50 cents. I  
7 would walk out for a couple of dollars with a whole  
8 stack of books for my mother.

9 Then he also had new books there which  
10 were marked with prices and I would go over and I  
11 would see a book that I would like and say the book  
12 was \$18, you know.

13 I would take it out and I would say, I  
14 want this book, and he would look at the book and  
15 say, "Okay, for this book, it's \$22."

16 I would say, "Wait a second, you know,  
17 this is \$18." He said, "But it's not for your  
18 mother. It's for you." It was great, you know, to  
19 go into that bookstore.

20 JUDGE HENRY: Did that book seller speak  
21 Yiddish?

22 JUDGE JAFFE: Pardon?

23 JUDGE HENRY: Did that book seller speak  
24 Yiddish?



1 JUDGE JAFFE: He spoke both Yiddish and --

2 JUDGE FLANNERY: Can I say something?

3 When you went to DePaul most of the  
4 students were Catholic, weren't they?

5 JUDGE JAFFE: Well, in the rest of the school  
6 it was, but in the law school --

7 MR. ROTH: In the law school.

8 JUDGE JAFFE: -- there were, there were a lot  
9 of Jewish students in the law school.

10 For some reason I think at that time I  
11 think most Jewish people who went to law school  
12 went to DePaul.

13 I don't know why, but that seemed to be  
14 the case.

15 MR. ROTH: Did you get involved in politics at  
16 all while you went to law school?

17 JUDGE JAFFE: Well, I have always had a  
18 fascination for politics and I was born in the 24th  
19 Ward.

20 So how could you not have a fascination  
21 for politics and then of course at one point we  
22 moved across the street.

23 Pulaski was the dividing line between the  
24 23rd and the 24th ward, so the 24th Ward was east

1 of Pulaski and the 23rd ward was west of it and I  
2 think we moved to Komenski which was just one block  
3 west of the 24th Ward which was the 23rd Ward and  
4 Bill Moloda who was the old clerk of the -- clerk  
5 of the municipal court or I forget which one it  
6 was.

7 He was the committeeman of that era and  
8 that was when I was in law school and I remember  
9 becoming the assistant precinct captain for well,  
10 for a man by the name of Sy Siegel.

11 I was going to law school and he was about  
12 as big as this table, but I walked around the  
13 precincts with him and earned a great deal from him  
14 and he was just, just a fun guy. He knew everybody  
15 in the precinct.

16 MR. ROTH: Did you ever meet Jake Arvey in  
17 those days?

18 JUDGE JAFFE: My father met Jake Arvey.

19 My father was very funny when he wasn't  
20 over in the temple or synagogue, but my father knew  
21 all the politicians in the area and as a matter of  
22 fact my father during his lifetime was offered  
23 political jobs because he was the president of this  
24 temple for so long, but my father never, never

1 would take a political job because he wanted the  
2 politicians to be indebted to him so he would get  
3 stuff for his synagogue and so my father, never,  
4 never, did anything in that area, but he knew all  
5 of them and on the west side.

6 MR. ROTH: How about Judge Marovitz for that  
7 time? Is that somebody you would have met?

8 JUDGE JAFFE: My father knew him. I didn't  
9 know Judge Marovitz at that time.

10 MR. ROTH: Do you know the 24th Ward right off  
11 the cuff? That's the ward that was 99 percent for  
12 Roosevelt.

13 JUDGE JAFFE: Yes.

14 MR. ROTH: And Jake Arvey was the controller,  
15 right?

16 JUDGE JAFFE: Right, but when I went with this  
17 guy, Sy Siegel, for the first time it was just an  
18 amazing thing and I have to tell you a story about  
19 that, right, and the story was we went to a house.

20 It was a bungalow and we knocked on the  
21 door and we went into the house and Sy said to the  
22 woman would who was very elderly, he said, "How  
23 is --" let me just pull a name out of the air.

24 "How is John feeling?" And she said,

1 minutes to convince me that he was actually  
2 serious.

3 So I went with someone else. We go over  
4 to the house and his wife had him all dressed up,  
5 propped up on the porch.

6 I think rigor mortis had already set in  
7 and we carried him from the house to the car into  
8 the polling place and he voted or somebody voted  
9 for him, whatever the case may be, had some help,  
10 assistance and we took him home and I think he must  
11 have died a day later, but he -- I think he really  
12 did want to vote and those were loyal voters.

13 JUDGE FLANNERY: What about -- we are going to  
14 change for a second here.

15 What about Charlotte? When did you meet  
16 her? When did you get married?

17 JUDGE JAFFE: Okay, well, I met Charlotte when  
18 I was going to Navy Pier.

19 Charlotte is my wife as you know, and we  
20 went on our first date. We were fixed up.

21 JUDGE FLANNERY: How old were you at that time?

22 JUDGE JAFFE: I think that I was, I was  
23 probably 19 and she was probably 18 or I was 18 and  
24 she was 17 and we -- she had a friend who was going

1 on a date with someone that she had met at Union  
2 Pier or to that effect and she didn't want to go  
3 alone and he had a friend which was Mary and she  
4 prevailed upon Charlotte to go.

5 We had never met and so here I was going  
6 out on this blind date and in those days, you know,  
7 no one had television.

8 It was always radio and I came to her  
9 house and being a very polite young man I said to  
10 her father upon meeting him, talked to him for an a  
11 little bit and he said to me, he said, he said,  
12 "Can't you see I am listening to Gang Busters?"

13 And that was the issue. My father-in-law  
14 was really a very, very nice guy.

15 We went out and the first date we had we  
16 wound up in Skokie where I ended up living after I  
17 was married.

18 In those days it was a real trek and we  
19 went out to Skokie with this other couple and I  
20 don't think Charlotte liked me then.

21 You would have to check with her, see if  
22 she likes me enough. We have only been married for  
23 over 50 years.

24 JUDGE HENRY: Probably doesn't like you.

1 JUDGE FLANNERY: We will get her on the phone.

2 JUDGE HENRY: Where did Charlotte live?

3 JUDGE JAFFE: Charlotte lived around Division  
4 Street and her father worked for the post office  
5 and she and her mother and grandfather had a little  
6 business.

7 When I say it was little, it was really  
8 little. I mean it was sort of hard times. They  
9 made mops.

10 It was called the Grand Old Mop Company  
11 which was never open, but they had certain  
12 customers they would make these mops and sometimes  
13 I would deliver them for them.

14 JUDGE HENRY: When you went to Skokie what did  
15 you do in Skokie?

16 What was the purpose in going there? What  
17 was your --

18 JUDGE JAFFE: I think at that time they had an  
19 eating place in Skokie that was sort of a Bar-B-Que  
20 place or something that the kids were going.

21 JUDGE FLANNERY: Did you drive up there? Did  
22 you take public transportation?

23 JUDGE JAFFE: Well actually this individual had  
24 a car, so we drove up there.

1 JUDGE FLANNERY: How long did you go out before  
2 you were married and when were you married?

3 JUDGE JAFFE: Well, actually we went, we were  
4 going together for three years, four years whatever  
5 it was.

6 I got married right after my 21st  
7 birthday. I was 21 this May and I got married in  
8 June and Charlotte was 19 at the time and it was a  
9 different time.

10 We lived with our parents. I mean she  
11 lived for a while. We lived with my folks and for  
12 a while we lived with her folks and actually, my  
13 son, Alan, was born before I got out of law school  
14 so.

15 JUDGE HENRY: Where on Division Street did  
16 Charlotte live?

17 JUDGE JAFFE: Well, she lived, when I say  
18 Division Street she lived at 1139 North Francisco,  
19 and --

20 MR. ROTH: That's west, west division.

21 JUDGE JAFFE: Pardon?

22 MR. ROTH: San Francisco is west.

23 JUDGE JAFFE: No, Francisco is what?

24 JUDGE FLANNERY: Near California.

1 MR. ROTH: Yes.

2 JUDGE JAFFE: And just south of Division  
3 Street, right by Humbolt Park.

4 JUDGE HENRY: Was that a Jewish neighborhood at  
5 the time?

6 JUDGE JAFFE: Not really.

7 MR. ROTH: People just were beginning to move  
8 out of Lawndale on the west side, right?

9 JUDGE JAFFE: Yes.

10 JUDGE FLANNERY: And you knew a lot of people  
11 who lived in the Lawndale area were beginning to  
12 move out of the west side.

13 JUDGE JAFFE: Well they started, but --

14 MR. ROTH: Yes.

15 JUDGE JAFFE: The west side was, you know, I  
16 think it was a great area. Well, we were kids.

17 There was no air conditioning. Everybody  
18 used to go out and sleep in the city parks and  
19 stuff like that.

20 MR. ROTH: Did you remain religious in your  
21 observances?

22 JUDGE JAFFE: Well, did I remain religious? It  
23 all depends on what you --

24 MR. ROTH: In your observations, kosher and



1 stuff like that?

2 JUDGE JAFFE: When I was first married we did  
3 keep kosher, but later on we sort of drifted away  
4 from that.

5 MR. ROTH: Did you continue to belong to the  
6 synagogue?

7 JUDGE JAFFE: Oh, yes.

8 I actually belong to the temple now, but I  
9 have gone from -- I went from orthodox to judicial  
10 when we were married and lived in West Rogers Park  
11 and then we went to a reconstructionist synagogue  
12 and today we belong to a reform synagogue and I  
13 like them all.

14 I mean I like them all, but I now go to a  
15 synagogue that would drive my father crazy.

16 I mean I go to a synagogue where we have a  
17 woman rabbi and a woman president of the  
18 congregation, a woman who is the head of the  
19 religious school.

20 MR. ROTH: You have given up all your  
21 principles.

22 JUDGE JAFFE: Pardon?

23 MR. ROTH: What's the name of it?

24 JUDGE JAFFE: Well, I have got to tell you, my

1 father, my father although he was orthodox, he was  
2 not, you know, ultra orthodox by any stretch of the  
3 imagination.

4 He did work on Saturday. The reason he  
5 worked on Saturday is he had a family to support,  
6 but my father was very open minded and I think that  
7 as a matter of fact I never -- when he had his  
8 store on Crawford Avenue, just in back of the store  
9 was a Saint Sinbaras Church and my father did all  
10 the cleaning and repairing for the people in the  
11 church and if you walked into my father's store and  
12 you would have -- you would see a Catholic priest  
13 in the store and they called him by his Yiddish  
14 name.

15 It was Kivie, when Saint Sinbaras had a  
16 carnival which they had every year, we were  
17 absolutely required to go to the carnival, you  
18 know, because the church needed money and it was  
19 our responsibility, you know, they were our  
20 neighbors and so we did that and -- but I remember  
21 going to Hebrew school and as I say we had the  
22 old-type Hebrew school teacher and they would hit  
23 you with sticks if you pronounced something wrong  
24 or did something, you know, that you shouldn't,

1 made a mistake or something like that.

2 They were tough, except I had one teacher  
3 whose name was Goldberg and I will never forget  
4 Goldberg because Goldberg -- all the digits on his  
5 hand were normal except for his thumb.

6 The thumb on his right hand, the thumb on  
7 his right hand was shaped like a salami at the  
8 end.

9 I was a tremendous thumb. I have never  
10 seen a thumb like that and Goldberg, when he would  
11 go around the class and ask questions and if you  
12 did something wrong, he would take this massive  
13 thumb and he would flip it and hit you right  
14 between the eyes with the thumb.

15 You were paralyzed for about three minutes  
16 and everybody feared Goldberg's thumb but go ahead.

17 JUDGE FLANNERY: That thumb story may be a good  
18 point to take a break for just a couple minutes.  
19 Is that okay?

20 (Whereupon, there was a brief  
21 pause in the proceedings.)

22 JUDGE FLANNERY: All right, Aaron, what I  
23 wanted to, would like to do with the notes I have  
24 is I would like before we get into your law

1           Strange how you remember certain things  
2 and certain things you don't remember at all and we  
3 lived on the third floor of the apartment.

4           Alan was already born and my daughter,  
5 Alisa was born while I was there and we were not  
6 wealthy.

7           I mean, you know, when I got out of law  
8 school, I earned, I was a person who earned a lot  
9 of money. I earned about \$30 a week.

10           In those days that was not bad because  
11 they were doing you a favor by giving you a job and  
12 we'll get into that later on, but we lived on the  
13 third floor and we had very, very little furniture.

14           I remember that the doctor that delivered  
15 my first two children was actually my father's  
16 cousin and I remember when he came back from World  
17 War II, his name was Sid, and he was a lot of fun  
18 and at the time after the second birth of -- the  
19 birth of my second child that was my daughter,  
20 Alisa, A-l-i-s-a, and we had, the furniture, we had  
21 I think we had a bedroom.

22           We had an open up couch and I mean it was  
23 a very, very sparse thing.

24           My wife had come back from the hospital to

1 take care of baby and she was having, you know,  
2 that depressive period and so she was feeling down  
3 and she called my father's cousin, Sidney, just to  
4 talk to him and say and tell him she wasn't feeling  
5 great and she was really sort of down and what not  
6 and being the great doctor that he was, he was a  
7 good doctor, he said to her, "You know what you  
8 ought to do? You ought to rearrange your furniture  
9 and go out and buy yourself a hat," at which she  
10 broke down and started to cry, you know, but so we  
11 lived there for a while and then we moved to West  
12 Rogers Park.

13 We moved to 2650 Greenleaf. You know that  
14 and we moved into an apartment building and the  
15 apartment building was owned by an old man and his  
16 wife and they lived on the second floor.

17 Now, it was sort of a funny relationship  
18 because I never hardly talked to the landlord.

19 Charlotte would talk to him and they  
20 always had this, this relationship in which they  
21 played cat and mouse with each other, you see and  
22 she would always threaten him with me because I was  
23 a lawyer and so he thought I was a monster and if  
24 he and I were walking down the street and I was

1 coming, he would cross over the street.

2 He would never, never talk to me and  
3 Charlotte of course would tell me all that.

4 We had this apartment and we wanted to fix  
5 it up and when we wanted to do some things with it  
6 and the lease was coming due in, I don't know four  
7 or five months, and so Charlotte talked to him and  
8 said, "We want to do these things is it all right  
9 if we do them? We want to know that the lease will  
10 be renewed."

11 And he said, "Sure, do them." So we did  
12 them and when it came time for our lease to be  
13 renewed, I guess his wife was not feeling too well  
14 and he wanted the first floor apartment that we  
15 just fixed up and he said, well, I will give you  
16 the second floor.

17 Well, he was sort of finicky and so was  
18 his wife and we imagined with two kids running  
19 around upstairs, it really wouldn't be good so we  
20 decided to move, you see, and Charlotte then  
21 insisted that he pay for some of the improvements  
22 and they had this long battle going between the two  
23 of them which I never was involved in and I think  
24 it was great sport for both of them, and we were --

1 should have never have been --

2 MR. ROTH: Is it whiskey?

3 JUDGE JAFFE: I will be all right. I guess I  
4 can go on.

5 Where was I?

6 (Record read as requested.)

7 JUDGE FLANNERY: So?

8 JUDGE JAFFE: So we were moving out of the  
9 apartment and they were still negotiating, see, and  
10 there was a huge mirror in the front room and the  
11 mirror was attached to the wall.

12 We couldn't take the mirror anyway.  
13 However we had bought some of the stuff from the  
14 previous tenant and on that bill of sale he had the  
15 mirror and she knew the landlord wanted that mirror  
16 and so she said to him, you would have to  
17 understand most of the stuff is on the truck.

18 You know what happens now. We are taking  
19 down the mirror and he said, "Well, you can't take  
20 down the mirror," and she said, "Well, it's on our  
21 bill of sale and here's the bill of sale," and just  
22 as we are ready to get into the truck he comes out  
23 with a check and gives her the check, but the check  
24 was not that much I will tell you, but it was the

1 great sport that Charlotte had with the landlord.

2 JUDGE HENRY: In what hospital were your  
3 children born?

4 JUDGE JAFFE: Well, my two older children were  
5 born in the same hospital that I was born in, but  
6 my father's cousin delivered both of them because  
7 at that time you didn't have a specialist like you  
8 have today.

9 Most everybody was, you know, a general  
10 practitioner and he was an excellent doctor. He  
11 really was.

12 JUDGE FLANNERY: And then what about your  
13 children and their early days and what were they  
14 involved with? What were some of their  
15 achievements?

16 JUDGE JAFFE: Okay, well, I guess I want to  
17 tell you that from, well, we moved to Greenleaf and  
18 when we moved out we went to the place in Skokie  
19 which was at 4441 Wilson Terrace in Skokie and, you  
20 know, if you are in my family you have to learn how  
21 to talk very early and usually talk a lot you see.

22 And my kid, my oldest son is Alan, who  
23 when he was going to school was the president of  
24 the student senate, and I remember his first



1 campaign slogan.

2 It was him holding a taffy apple and he  
3 said, "In candy it's taffy. In the senate it's  
4 Jaffe," and he won that election.

5 He had a band that he played with, you  
6 see, and you know he was very, very, very social,  
7 really very social.

8 JUDGE HENRY: Was that high school or college?

9 JUDGE JAFFE: No, that was high school.

10 And my daughter of course is sort of the  
11 nature child. At the time she lives in California  
12 in a place called Piltdown which of course nobody  
13 knows where it is.

14 It's a deserted mining town and they  
15 bought a piece of property up there and it and if,  
16 you know, it's a fun town and of course my youngest  
17 is Lowell and Lowell was always the neighborhood  
18 character because Lowell is funny and he tells a  
19 lot of stories and I was always afraid that when  
20 Lowell would go out he would be one of these kids  
21 that would be sort of obnoxious because they would  
22 still be telling the same stories they told when  
23 they were five years old or something.

24 Well, he is very shy. He really is very

1 child number two has two children, child number  
2 three has three children, and --

3 MR. ROTH: The youngest has three children?

4 JUDGE JAFFE: Yes, and he has three children.

5 Mat, he is going to be nine. Drew was  
6 just seven and then there is Max who is going to be  
7 four this week.

8 So and they go to school in public schools  
9 in Evanston, you know.

10 MR. ROTH: They are all very proud of their  
11 grandfather?

12 JUDGE JAFFE: Well, see, when you say proud of  
13 their grandfather, I have, I sort of have a  
14 relationship with them where they don't think that  
15 I am really their grandfather.

16 They think that I am about 12 years old  
17 and I do a lot of stuff with them and that really  
18 is the greatest thing of all, grandchildren,  
19 nothing like it.

20 JUDGE HENRY: What is your oldest grandchild  
21 studying in school?

22 JUDGE JAFFE: He is now taking business.

23 No, I am sorry my oldest grandchild, my  
24 oldest grandchild is Rachel and Rachel was in music

1                   What were some of the jobs you had as an  
2 attorney and when did you start getting more  
3 seriously involved in politics?

4           JUDGE JAFFE: Well, my first legal job I worked  
5 for a single practitioner by the name of Harry  
6 Greenstein.

7                   Does that name mean anything?

8           MR. ROTH: Yes.

9           JUDGE JAFFE: He was a single practitioner and  
10 I worked for him for one year.

11           JUDGE FLANNERY: What year?

12           JUDGE JAFFE: Must have been '53, '54.

13           JUDGE FLANNERY: Right when you got out of law  
14 school and passed the bar?

15           JUDGE JAFFE: Yes, yes, contrary to what my  
16 advisor said in college you see, I did pass the bar  
17 the first time.

18                   I did get into law school and I have  
19 taught in school. I have taught school. I taught  
20 at Oakton Community College. I taught a sociology  
21 course.

22                   I used to do that part-time when I was in  
23 the legislature for the fun of it, that embodies,  
24 you know, history and some other things and I

1       taught over at Loyola and I have taught there on  
2       occasion and I have done my teaching and I have  
3       succeeded in every field that she told me I  
4       couldn't succeed in with the exception of writing,  
5       but I am working on that, you see, but that was my  
6       first.

7               MR. ROTH: Was he a graduate of DePaul?

8               JUDGE JAFFE: Who?

9               MR. ROTH: Your first, Harry Greenstein.

10              JUDGE JAFFE: No, I just, I don't know how I  
11       even got to be with him.

12              MR. ROTH: Okay.

13              JUDGE JAFFE: He was a single practitioner,  
14       very serious guy.

15              JUDGE HENRY: What type of practice did he have  
16       and what did you do for him?

17              JUDGE JAFFE: Well, I was his law clerk and as  
18       I say in those days we, you -- most of our class  
19       was getting \$25 a week for when they got out,  
20       because if you got out in those days they said if  
21       you had a job, we are doing you a favor by letting  
22       you work for us because big firms were just not  
23       accessible to me, at least I didn't know about.

24              I don't think they would have been

1 accessible for me anyway, but I worked for Harry  
2 and I did some writing and made some court  
3 appearances and stuff like that and I remember he  
4 had a deprivation of civil liberties case where a  
5 policeman beat up a dentist if I am not mistaken  
6 and there were not, there were not very many cases  
7 like that at the time and he had to write a brief  
8 for the federal court and I wrote that brief and  
9 that brief was upheld and he then went on to settle  
10 the case for something like \$20,000 or something  
11 like that.

12 JUDGE HENRY: So you sank your teeth into that  
13 case?

14 JUDGE JAFFE: Yes, and which was a big verdict  
15 in those days.

16 Today I think it would have been in the  
17 hundreds of thousands and having done that, Harry  
18 bought me a tie and give me a week's vacation, you  
19 see, and that was my reward and then very shortly  
20 thereafter I went into partnership with Marty  
21 Ashman.

22 JUDGE FLANNERY: Do you remember when you  
23 decided you wanted to become an attorney or why you  
24 wanted to become an attorney?

1                   Was there any one thing or --

2           JUDGE JAFFE: Was there any one thing?

3                   Not really.

4           JUDGE FLANNERY: Okay.

5           JUDGE JAFFE: Not really, I, you know I do love  
6 the law.

7                   You know I was instilled with this feeling  
8 of justice and so on and so forth through my  
9 parents.

10                   My parents were you know, very, very much,  
11 you know, came from the old country. They came  
12 here for they had lived through pogrons in the old  
13 country.

14                   They talked about it and they saw freedom  
15 in this country and they saw religious freedom and  
16 they believed that, you know, that everybody should  
17 be equal and everybody should do what they wanted  
18 to do to the best of their ability and that's what  
19 we were taught, you know, and be respectful of  
20 everyone, that I must say I was never hit as a  
21 child.

22                   Never hit as a child, but my mother was a  
23 great psychologist.

24                   I remember once going to the Illinois

1 Psychological Association and I said to them, "You  
2 and Sigmund Freud, you know, you think you know all  
3 about psychology. You don't know a thing about  
4 psychology," and they all looked at me and started  
5 making notes.

6 They thought they were going to lock me up  
7 or something. "Let me tell you who knows something  
8 about psychology." I said, "It's my mother."

9 I said my mother has never raised her  
10 voice in her entire life, but she could sit in  
11 front of a boulder that's the size of the Sears  
12 Tower.

13 She could sit on a chair next to this  
14 boulder and look at it for a minute and a half and  
15 the boulder would have a nervous breakdown and that  
16 was my mother.

17 My mother was -- she could inflict guilt  
18 on anything, on everything you know, but my father  
19 would kid her about that and she was, you know,  
20 even though she came from the old country, my  
21 mother would occasionally play baseball, you know,  
22 and do stuff like that, so it was, it was fun.

23 JUDGE FLANNERY: I don't remember did you tell  
24 us your mother and father's name?

1           JUDGE JAFFE: Well, my father's name was Carl,  
2 and everybody called him Kivie, K-i-v-i-e, which is  
3 from his Hebrew name.

4           His Hebrew name was Akeba and they called  
5 him Kivie and my mother's name was Dora and --

6           MR. ROTH: Where did Jaffe come from?

7           JUDGE JAFFE: Pardon?

8           MR. ROTH: Where did Jaffe come from?

9           JUDGE JAFFE: Well, Jaffe is a very, very old  
10 Hebrew name and I think that's the original name.

11          MR. ROTH: That's the original?

12          JUDGE JAFFE: Oh, yes, that's the original  
13 name. It means beautiful.

14          MR. ROTH: You think in Hebrew?

15          JUDGE JAFFE: Yes.

16          MR. ROTH: I see.

17          JUDGE JAFFE: So if you look at me you can  
18 understand my genes why I was named that.

19          JUDGE FLANNERY: How about back with Marty  
20 Ashman then.

21                 You went into practice with him. When was  
22 that and what did you do?

23          JUDGE JAFFE: I met Marty in high school. We  
24 were on the school paper together and I had known



1 Marty for a long, a long time.

2 I think he did the news page. I did the  
3 sports page and we studied together in law school  
4 actually we studied, Nick Bua studied with us. We  
5 had a really rather illustrious class.

6 I am thinking about how many of that class  
7 wound up in jail. There were a few.

8 MR. ROTH: These are all Marshall boys?

9 JUDGE JAFFE: No, no, not the Marshall boys.  
10 The boys were okay.

11 MR. ROTH: Harshman was Marshall.

12 JUDGE JAFFE: Sure, in our class they either  
13 went to jail or became judges.

14 It was just that type of a class and some  
15 did a combination of the both.

16 MR. ROTH: I wouldn't spread that.

17 JUDGE JAFFE: But I can tell you how many of  
18 our classmates were judges. Ashman became a judge.  
19 I became a judge. Bua became a judge.

20 Bob McCauley became a judge. Richardson  
21 in the south suburbs became a judge. Wayne Olson  
22 was from my class, see.

23 MR. ROTH: Are you saying all these people you  
24 just mentioned came from DePaul?

1           JUDGE JAFFE:  Came from my class and ours was a  
2   small class.  We only had a class of about 35 that  
3   graduated or 40, something like that.

4           At that time they would let you into law  
5   school rather easily, but they would brief you  
6   beforehand and they would say look to your left and  
7   look to your right.

8           Only one of you will be here, you know,  
9   three years from now and I looked to my right and I  
10  saw a brilliant guy from the University of Chicago  
11  and I got scared to death.

12          Of course he flunked out, but I, you know,  
13  I managed to survive because I developed a way of  
14  learning.

15          It was called the Jaffe Method of Learning  
16  and the Jaffe Method of Learning just enough, so I  
17  became very test prone.

18          I never was afraid of a test, but if you  
19  tell me tomorrow you are going to give me a test, I  
20  don't know if I could do it today.

21          You tell me you are going to give me a  
22  test on brain surgery which I know nothing about, I  
23  would say of course give me a day or two.  Let me  
24  read the book and what do you need to pass.

1           MR. ROTH: What was special about De Paul, your  
2 class that made them such a great number of them  
3 became judges, made it possible?

4           JUDGE JAFFE: I don't know. We had a -- well,  
5 they all took different routes. There's Nick Bua,  
6 at that time was in Cicero.

7           He started off being -- and Marty, Nick  
8 and I would study together all the time and Nick  
9 started off, he was older than we were and he was  
10 an adjustor for one of the insurance companies for  
11 a while and he ran for the judge of I think it was  
12 Cicero.

13           At that time each town had judges. It  
14 wasn't a unified system and when they made the  
15 unified system, he got absorbed into the system.

16           I think the same thing was true of Wayne  
17 Olson. He came from Riverside and he was elected a  
18 judge in Riverside.

19           When I became a judge, I became a judge  
20 much later than they did and of course I ran  
21 countywide and Marty became a judge even later. I  
22 forgot --

23           MR. ROTH: Was he also county?

24           JUDGE JAFFE: Yes, and Bob McCauley.

1 I forget how he became a judge, but  
2 Richardson also came from one of the outlying  
3 courts, so we had, you know, quite a few and those  
4 were not the only judges that we had and it was a  
5 small class.

6 JUDGE FLANNERY: How about getting back with  
7 Marty Ashman practicing law?

8 What did you do and how long were you  
9 together?

10 JUDGE JAFFE: Well, we got together in 19, it  
11 was either '54 or '55. We had no clients and we  
12 figured, well, what the heck. You know, I am  
13 making \$30 a week and he is making \$25 a week, how  
14 much worse could we be off?

15 So we opened up an office at 10 North  
16 Clark Street. I loved that building.

17 If you remember, 10 North Clark Street, 10  
18 North Clark Street, you know every shopping center  
19 has sort of its main tenants like a Walgreens or a  
20 Marshall Field or something like that.

21 Well, the main tenant was actually the  
22 landlord who operated a pawnshop on a couple of the  
23 floors at 10 North Clark Street and the renting  
24 agent who worked for the pawnshop was a guy who

1 would walk around the building collecting rent.

2 It was just an amazing thing and he would  
3 always smoke a cigar in his pipe.

4 Did you ever see a guy with a cigar in his  
5 pipe and he would come, he would always come a few  
6 days early to collect rent like he was going to get  
7 brownie points or something for collecting rent  
8 early and they -- the buildings don't have that  
9 character anymore.

10 There was a barber in that building that  
11 everybody went to. He was -- his name was Itchski  
12 and he was completely bald headed and Marty was  
13 losing his hair and he came to him and said to him,  
14 "Do you have something that would, you know, help  
15 us, help me grow hair," and he looked at him and he  
16 said, "Why do you ask me a question like that? If I  
17 could do it, wouldn't I do it myself?"

18 And he was very particular, Itchski. You  
19 had to make an appointment with him so if you got  
20 off the elevator and saw he wasn't busy, you would  
21 walk in to his place and say, "Give me a haircut  
22 now."

23 He would say, "You don't have an  
24 appointment. Go make an appointment with me."

1                   You go up to your office and you call him  
2 and say, "Itchski, can I have an appointment?"

3                   "Yes, you can have an appointment. Come  
4 down I will give you a haircut," but that's the way  
5 he was and but anyway we went to 10 North Clark  
6 Street.

7                   We rented this office. It was a rather  
8 small office and we thought we would sit around and  
9 we would, you know, play cards or do something like  
10 that, but it didn't work out that way.

11                  We got a few clients here and there and we  
12 worked really very, very hard for our clients.

13                  We did and it isn't like today with  
14 billable hours. What did we know from billable  
15 hours and we started doing the stuff that other  
16 lawyers didn't want to do.

17                  We handled everything. We handled  
18 everything from collections to criminal law and  
19 Marty also said, you know what an expert is?

20                  An expert is a guy who handles a case just  
21 like this once before and I think that that's  
22 probably probably true.

23                  He was an excellent lawyer and he would  
24 call me old Common-law and the reason that he would

1 call me old Common-law is because I never took a  
2 pleading out of a law book.

3 I thought if you are doing a pleading you  
4 ought to know what the elements are that you have  
5 to plead and then you will plead them.

6 So what did I need a law book for? So I  
7 would always do my own pleading and I never liked  
8 legalese.

9 I would plead them in the English and  
10 sometimes the judges understood them and so we  
11 started off in that fashion and the practice grew  
12 somewhat, you know.

13 We never became millionaires or anything  
14 else to that effect and we stayed together and we  
15 had a lot of, you know, if you know and for  
16 instance I became a semipro in doing workman's comp  
17 cases.

18 I didn't even know workman's comp existed  
19 when I was in law school, you see, and just by  
20 virtue of the fact that we have got this  
21 application that we did it.

22 So we did a little criminal. We did a  
23 little.

24 JUDGE FLANNERY: So how long did you stay

1 together?

2 JUDGE JAFFE: We stayed together until the time  
3 when I was elected to the legislature which was in  
4 1900 -- and I think it was in the 1970 and I went  
5 to the legislature.

6 Me and Marty and I had been friends for  
7 for so many years. I said to him, "I am going into  
8 the legislature. I am not going to be around so  
9 everything is going to fall on you and the time  
10 will come when you will resent me for that."

11 I said and we were good friends and I  
12 don't want that to be the case and I think that we  
13 should dissolve and if the time comes we will get  
14 back together.

15 We will get back together and that's  
16 basically what we did and so --

17 MR. ROTH: Where did you run from, what  
18 district?

19 JUDGE JAFFE: I ran from a district which was  
20 -- well, it was Skokie, main township and parts of  
21 really township.

22 JUDGE FLANNERY: At this point it would be a  
23 good point since it's 4:00 o'clock and then we will  
24 pick up next time with your political years and



1       whatever, however long the statute has run,  
2       whatever you can still talk about from those days.

3               JUDGE JAFFE:   Okay.

4               JUDGE FLANNERY:  And we will go from there  
5       outside of that.

6               JUDGE HENRY:  I think this has been great and  
7       from -- off the record.

8                               (Discussion off the record.).

9                               (WHICH WERE ALL THE PROCEEDINGS  
10                              HAD IN THE ABOVE-ENTITLED CAUSE  
11                              ON THIS DATE.)

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1 STATE OF ILLINOIS )

2 ) SS:

3 COUNTY OF C O O K )

4

5 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

6 COUNTY DEPARTMENT - LAW DIVISION

7

8 I, JOYCE LEDGER, Official Court Reporter  
9 of the Circuit Court of Cook County, County  
10 Department - Chancery Division, do hereby certify  
11 that I reported in stenotype the proceedings on  
12 this date; that I thereafter caused the foregoing  
13 to be transcribed into typewriting, which I certify  
14 to be a true and accurate transcript.

15

16

17

  
Official Court Reporter

18

084-001292

19

20

21

22

23 Dated this 15<sup>th</sup> day

24 of June 2004

1           IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
2                   COUNTY DEPARTMENT - LAW DIVISION

3  
4  
5  
6           A CONTINUATION OF THE HISTORY OF THE EARLY  
7 YEARS OF the Honorable AARON JAFFE on Thursday, the  
8 17th day of June 2004.

9  
10  
11  
12           ALSO PRESENT:

13  
14                   HON. JAMES F. HENRY,  
15                   HON. JAMES FLANNERY,  
16                   HON. FRANCIS BARTH,  
17                   MS. DANA BOWERS.

18  
19  
20  
21           Joyce Ledger, 084-001292  
22           Official Court Reporter  
23           Circuit Court of Cook County  
24           County Department - Chancery Division.

1 JUDGE FLANNERY: Where were we?

2 Let the record reflect or the transcript  
3 reflect that we are going to continue the biography  
4 of Judge Jaffe and I am going to be asking some  
5 questions and we are joined today by Judge Frank  
6 Bart.

7 Francis or Frank?

8 JUDGE BART: I am Francis Bart, retired judge.

9 JUDGE FLANNERY: Who was originally involved  
10 with taking some of the oral history of some of the  
11 judges back several years ago.

12 JUDGE BART: That's correct.

13 JUDGE FLANNERY: And also by?

14 MS. BOWERS: And Dana Bowers.

15 JUDGE FLANNERY: Is it Bowers with a B?

16 MS. BOWERS: Yes.

17 JUDGE FLANNERY: And you are a law student at  
18 Kent and you are very interested in ancient history  
19 rather, I am sorry, history, history.

20 So I am going to ask some questions and,  
21 Judge Bart, if you want to jump in at any time or,  
22 Dana, if you think there is anything you would like  
23 to ask, we have a sitting target.

24 Aaron, when we left off last time, we

1 stopped in 1970 when you went down to the  
2 legislature and at that time you ended your  
3 partnership with Marty Ashman I believe.

4 JUDGE JAFFE: Yes, I ended my partnership with  
5 him.

6 JUDGE FLANNERY: Okay.

7 JUDGE JAFFE: And, you know, basically I felt I  
8 was going into the legislature, that it would not  
9 be fair for me to continue on in a partnership  
10 because of the fact that when a client wants you,  
11 they want you and everything would fall upon him  
12 and I felt that that would strain our personal  
13 relationship which we had since high school days  
14 and which we still have until today.

15 So we withdrew and I withdrew and that was  
16 -- that's what happened.

17 JUDGE FLANNERY: What about, when you were  
18 first, were you first elected or appointed to go  
19 down there and how about your first election?

20 Were you opposed? Was there opposition?

21 Were you running against somebody who was seated at  
22 that time or an opening?

23 JUDGE JAFFE: This is going to take the whole  
24 hour and a half.

1 several books that were very popular about the  
2 Chicago politics and about the first Richard Daley  
3 and so I called him.

4 I had to track him down and he was in Las  
5 Vegas or someplace like that and I said, "Miltie,  
6 do you want to run for Congress?"

7 And he said, "I will run for anything. I  
8 don't really care. I don't know if it's a winner  
9 or a loser because I have written books on this  
10 subject and I would like to see what it is to run  
11 for office and to do that."

12 So I called the other committeemen and  
13 they said, "Fine," so Miltie is our candidate and  
14 in the meantime we are passing out these things for  
15 Eddie and a meeting is called by Mayor Daley at the  
16 Cook County Central Committee.

17 I forget which hotel it was at, at that  
18 time. It was either the Bismark, the LaSalle, one  
19 of them.

20 JUDGE BART: Might have been the Morrison.

21 JUDGE JAFFE: Might have been the Morrison and  
22 we -- and the way the room is situated is there was  
23 this meeting room, but there were two entrances  
24 into the meeting room.

1 Well, one was sort of like through a hall  
2 and the other one was through Mayor Daley's office.

3 So I expected him to be in there, but he  
4 was in. We had to walk through the Mayor's office  
5 and the meeting room and we had go through the  
6 meeting room and as I walked through, the Mayor  
7 gave me the finger.

8 "Come here." So I came there. He said,  
9 "Moreman called ti right." I said, "Yes, he is.  
10 He is going to be a candidate for Congress," and I  
11 said, "Well, Mr. Mayor, I have to tell you number  
12 one, he doesn't want to run for Congressman. He  
13 did that one time and it was a losing proposition  
14 for him. He wants to go back to the legislature, I  
15 would like for him to go back to the legislature,  
16 and I think that's what ought to be done," and he  
17 said to me, "Well, do you know where he is?" And I  
18 said, "Yes, I know where he is. He is in his law  
19 office. I could call him probably if you wish,"  
20 and the mayor said, "Yes, please give him a call  
21 and tell him I want to see him."

22 So I called Eddie and I said to him,  
23 "Eddie, the Mayor wants you to run for Congress.  
24 I don't think you should run. I don't think you

1 want to."

2 He said, "Well, I don't want to." I said,  
3 "So either, you know, you can do one of several  
4 things. Either I will get the mayor on the  
5 telephone with you and you can talk to him or I can  
6 tell him that you don't want to run or maybe run to  
7 hide under the desk. You can hide under the desk  
8 for a few hours and by that time we will have  
9 nominated Miltie Rayko," because he knew what was  
10 going on, but the mystique of Mayor Daley was so  
11 strong that Eddie wanted to come down and see the  
12 mayor.

13 And he came down and we all sat around the  
14 room. The mayor, he came in and he went into the  
15 an office with the mayor and the mayor talked to  
16 him for about ten minutes and he came out and he  
17 said, "I am running for Congress," and, you know, I  
18 was just dumbfounded, but the mayor was very  
19 persuasive as you can see.

20 And so I then walked up to the mayor. I  
21 said, "Well, now, I have got a problem because I  
22 have been circulating petitions for Moreman and we  
23 don't have a candidate," and the Mayor said, "We  
24 will have a meeting on who," you know, on the



1 for two offices at the same time and I would be  
2 running for committeeman and state rep at the same  
3 time," and Touhy said, "Oh, come on. My father  
4 once ran for three or four offices at the same  
5 time," and suffice it to say that they did to me  
6 what Daley did to Moreman and I became the  
7 candidate for state rep, okay.

8 Now, it was sort of a funny candidacy  
9 because it was a multi-member district as you  
10 recall.

11 I was the bowling ball and there I was  
12 coming out of left field running for state rep.

13 My -- it was a minority district. In  
14 other words, you know, you had an election, one  
15 democrat and two republicans and so you run with  
16 your opponent and you have to beat your opponent  
17 and and I, you know, I ran with this opponent.

18 JUDGE BART: Actually, it's not your opponent.  
19 It's your teammate.

20 JUDGE JAFFE: He is my teammate. That's  
21 exactly right. You run, as Tony Scariano would say  
22 you always say, running the other guy around so he  
23 can't take a punch at you, you see, and so I ran  
24 for the office and because I was just a

1       committeeman and because I had not run for state  
2       rep and the other guy had, I got very few  
3       endorsements.

4               As a matter of fact I didn't get, I didn't  
5       get the endorsements for the then popular IVI.

6               It was -- they didn't even interview me,  
7       but I won the election and just as an aside with  
8       the IVI, I remember Shelly Gardner was then one of  
9       the ladies of the IVI.

10              Shelly is a judge now. At the end of  
11       session they took a look at the records of the  
12       individuals who ran and they had to give me an  
13       award because mine was the, you know, the most  
14       independent record down in the legislature.

15              It was independent and it was liberal you  
16       see, and so here it was they had to give a guy who  
17       had not been, not been screened by them, who had  
18       not been, you know, not been endorsed by them, they  
19       had to give him this award.

20              So I went there and instead of being  
21       gracious as I should have been, I took the award  
22       and I lectured these independents, you know, about  
23       the fact that in order to be independent, sometimes  
24       it's tough to be independent of independence, you

1 know, and I gave them a little speech and as I was  
2 walking off the podium, Shelly Gardner got all  
3 upset and he said as I was leaving, you know, he  
4 said, "We don't believe in 80 percent of what you  
5 said."

6 So I got back up on the podium and I said,  
7 "Mr. Chairman, I just wanted you to know that  
8 neither does Mayor Daley, so that makes 160  
9 percent," and that's how I first ran.

10 JUDGE FLANNERY: Very good.

11 Now how about some of the early years when  
12 you were down there, any of the interesting people  
13 down there or friends that you made or lifetime  
14 friends in the legislature you were involved with  
15 the first couple years.

16 JUDGE JAFFE: Well, the first couple years, let  
17 me tell you this.

18 Sam Rayburn of Texas used to say whenever  
19 you go into the legislature you go down and you  
20 keep your mouth shut and you watched everything and  
21 everybody and I didn't do that.

22 I pushed a lot of stuff, and I always held  
23 -- we were in the minority. Billy Bomclear was  
24 the speaker of the house. It was a very, very

1 conservative House.

2 JUDGE BART: What year was that specifically?

3 JUDGE JAFFE: 1971, and so I, I took the  
4 position that, you know, you just can't sit back  
5 and forget your programs.

6 You have to come forward with aggressive  
7 perhaps and not just be defensive about them.

8 So I filed a lot of legislation and I made  
9 a lot of friends in the legislature. I really did.

10 I came down at the same time with Mike  
11 Madigan. He was in my class. It was -- it was a  
12 fantastically interesting House because we had such  
13 people as Henry Hyde, you know.

14 Harold Washington was a good friend of  
15 mine, you know.

16 Harold Katz, Bob Mann and it was a  
17 different place than it is now.

18 JUDGE BART: Abner Mikva was still there?

19 JUDGE JAFFE: No, he had left.

20 Scariano was there, but you could hear a  
21 debate between Hyde and Washington and Scariano and  
22 those were wonderful debates.

23 C. L. McCormick who no one ever heard  
24 heard. He came from the southernmost part of

1 Illinois. C. L. owned a store. It was called the  
2 Little Big Dollar Store or something.

3 It was a general store and you would go  
4 into C. L.'s store and come out barefoot and you  
5 would think you had a pair of shoes on. He would  
6 give one speech a year.

7 JUDGE BART: Clyde Shew was down there.

8 JUDGE JAFFE: I became quite close to Clyde.

9 Actually McCormick was from the same  
10 district as Clyde. He would give this great speech  
11 at the end of the session.

12 He would say, "The people in my district  
13 are so poor and the mosquitoes are so big," he  
14 said, "We are working in the field and the  
15 mosquitoes are so big they come in and they turn  
16 over our tractors."

17 So that was him, but we had a lot of great  
18 characters, you know, who were in, were in the  
19 legislature.

20 JUDGE FLANNERY: And then what about some of  
21 the legislation that you either sponsored, had  
22 passed or some of the interesting legislation down  
23 there when you were there?

24 JUDGE JAFFE: Well, well, I, well, I passed a

1 lot of -- you are talking about the whole --

2 JUDGE BART: What were the big issues let's say  
3 in those days?

4 JUDGE JAFFE: Well, the big issues, well, you  
5 know a lot, you know, there was, there were a lot  
6 of things that were going on.

7 For instance, one of the things I am best  
8 known for is the complete revision of the criminal  
9 statute with regard to sexual crimes and we had the  
10 Rape Study Committee and I chaired that for a  
11 number of years and we came out with proposals  
12 that, that we were the first ones that came out  
13 with these proposals.

14 Other states passed them before we passed  
15 them. They had picked up our thing and passed them  
16 and the stuff that we actually passed became really  
17 good law in that.

18 I think the University of Illinois did a  
19 survey of criminal statutes that had been passed in  
20 the last 20 years or whatever, you know, a lot of  
21 criminal statutes are somewhat silly because why  
22 are they passed, they are passed because the  
23 individual who filed it is an individual who is a  
24 nice person.

1           You want to give him a bill to take home  
2           so he could brag to his constituents that he passed  
3           that bill and as a matter of fact I remember Judy  
4           Topinka who is, you know, now a state officer and a  
5           very delightful person.

6           She had a bill called, Aggregate  
7           Aggravated Fleeing which I don't know if that's  
8           still on the books or not, but I thought that was,  
9           you know, a funny statute, but they passed it for  
10          her.

11          So I passed that. I passed the, well, I  
12          was, I was involved in legislation with the -- in  
13          probate with the independent administrator.

14          I did divorce stuff. I was, you know, at  
15          that time you also had the, had the change where  
16          people went from 21 to 18.

17          I did a lot of things for the rights of 18  
18          year olds including, you know, the drinking of wine  
19          and liquor, a bill that I got passed for 19 year  
20          olds and it passed the legislation.

21          That itself would take about four hours to  
22          explain.

23          JUDGE FLANNERY: What about House Bill 123?

24          JUDGE JAFFE: Oh, House bill 123 was -- the

1 Sun-Times had an expose and the expose was on dance  
2 studios and some of these dance studios were really  
3 taking advantage of people and they would sell them  
4 long-term contracts.

5 They would tell them that they would  
6 become popular and you had some, you know, people  
7 who are just taken advantage of.

8 One woman had lost fortunes. I remember  
9 one woman we had, it was just a disgrace and so I  
10 had the bill to clean up the --

11 JUDGE FLANNERY: Dance studio industry?

12 JUDGE JAFFE: Dance studios and you can get,  
13 you can sort of will -- you get a bill number in  
14 the order which it's filed, but sometimes you say  
15 to the clerk when you get to this number, I want  
16 you to give it, hold my bill until that time and so  
17 the clerk said, "What number do you want?"

18 I said, "I want House Bill 123," and he  
19 said, "Okay," and the reason that I did that is  
20 because every time I spoke about that bill I spoke  
21 about it in the following manner.

22 I would call it House Bill one, two,  
23 three. So it just, just as a dance step and pretty  
24 soon everybody loved it, to say House Bill 123,



1 123, and it passed, unanimously. I had a lot of  
2 fun with bills like that.

3 JUDGE FLANNERY: You got the penalty bill.

4 JUDGE JAFFE: Well, of course the death  
5 penalty.

6 I introduced some bills which I would  
7 consider probably a little bit off the page, but I  
8 often did that just to illustrate we in the  
9 legislature sometimes were preoccupied with some  
10 very silly things.

11 The death penalty bill that I had and I am  
12 against the death penalty. I don't know who here  
13 isn't, but I am against the death penalty bill, but  
14 I had this bill drafted that said that executions  
15 should be public, held in stadiums, that we should  
16 charge admission charge and I allocated where the  
17 money should go to, to the fish fund or something  
18 like that, and I had a lot of fun with it.

19 I did, you know. I did something --  
20 education, I came from the suburbs.

21 Traditionally suburban areas are thought  
22 of as being very rich, but suburban areas don't get  
23 much money from the school aid normally.

24 I think the school aid formula is so

1 complex only three people in the world understand  
2 it and that I was not one of them and I think two  
3 of them were in the mental institution it was so  
4 crazy, but I did change it to get a better break  
5 for the schools and whatnot.

6 JUDGE FLANNERY: You know we should get into  
7 your career as a Judge, but before we do, how about  
8 some of the other people down in Springfield,  
9 anybody you can think of who was particularly  
10 effective, somebody who had the most integrity,  
11 some of the best friends you made down there just  
12 to touch on that.

13 JUDGE JAFFE: My seat mate was Glen Schneider  
14 from Naperville.

15 He was wilder than I was. Glen Schneider,  
16 Zeke Gada from Rockford.

17 Gene Barnes who was my office mate, who  
18 then became head of the CTA.

19 Harold Washington and and I became very,  
20 very close.

21 JUDGE FLANNERY: Who were the two republicans  
22 from your district?

23 JUDGE JAFFE: Well, if you recall, I am going  
24 to tell you two republicans and you will see one of

1       them was Bob Jaquette.

2                   Do you remember him?

3           JUDGE BART:   Yes, I know the name.

4           JUDGE JAFFE:   Jaquette was probably the most  
5       conservative members of the legislature. I think I  
6       was the considered the most liberal and Gene  
7       Slickman.

8           JUDGE BART:   That --

9           JUDGE JAFFE:   Gene Slickman was in the middle  
10       and no one could understand how Jaquette and I were  
11       elected from the same district and I was  
12       maintaining that I represented the lunatic fringe  
13       and that resulted from my -- my going to a meeting  
14       at Park Ridge which was a very conservative area  
15       and we used to have these town meetings and people  
16       would come in there and and Mikva was running and  
17       Michael Fulmore would be there because I would  
18       refer to them as my conservative friend, Abner  
19       Mikva, you see, but one guy was very upset with me  
20       one day and he got up and he went into a tirade and  
21       said, you know, "You don't represent this  
22       district. You don't represent me," and I said to  
23       him, "You are right. I really don't represent you,  
24       and quite truthfully I don't want to represent

1 you."

2           You are not -- I said, "I represent the  
3 lunatic fringe and as long as the lunatic fringe is  
4 happy I am going to get reelected," and after the  
5 meeting, a lot of the people came up to me and  
6 said, "How do we join the lunatic fringe?" Which I  
7 felt good about, but you want to talk about Sloat.

8           I really liked Sloat and Sloat was not  
9 liked by the independents, you know, and Clyde was  
10 an amazing guy.

11           He had won the congressional Medal of  
12 Honor in World War II. He was supposed to be a  
13 protege of Walt Powell.

14           Powell, he was thought of as the great  
15 wheeler dealer and I think that a lot of that was  
16 just a mystique that he brought about himself  
17 because he was -- my wife always thought he was the  
18 sexiest man in the world, you see, because he was  
19 this rough and tumble guy from southern Illinois  
20 and he was absolutely charming and very, very  
21 tough.

22           I, I remember once when we were talking he  
23 said, you know, he said I was born, there were a  
24 number of kids in the family, nine, ten, eleven,

1 twelve, I don't know how many there were, and I  
2 guess his father was had passed away or something,  
3 and he said to me, you know, he said and, "Mama  
4 needed money," and he would say and they would have  
5 these Friday fights that would roam around southern  
6 Illinois and he would, people would pay to see the  
7 fights and they would have someone who is a  
8 professional get in the ring and then you would  
9 challenge that person, he said, and they would have  
10 those fights and you get in the ring and you get --  
11 you had to stay with them for three rounds I think  
12 or something like that, say and if you could do  
13 that you get \$10. If you couldn't you only get  
14 five.

15 He said, "And mama needed the money, so I  
16 would get in the ring. Usually I would bring home  
17 ten, he said but sometimes I brought home five,"  
18 and he was was just hysterical.

19 He was one of the funniest guys and really  
20 knew human nature. Now this next story I probably  
21 shouldn't tell, but, but you know he was the  
22 minority leader.

23 He was the leader of the democrats then  
24 and Jerry Shay who you know was the assistant

1 minority leader and Billy Bobmyer was the speaker  
2 of the House and I loved to talk to Clyde, and  
3 Clyde knew that Shay was there to watch him for  
4 Daley, you see.

5 And one day he says walks over to me and  
6 he says, "I am going to take a little walk with the  
7 speaker and I want you to watch Shay while I do  
8 it," and he walks up to the Speaker in the middle  
9 of the house, you know, and he has got him around  
10 the -- put his arm around him and is whispering in  
11 his ear.

12 I tell you when Clyde whispers in your ear  
13 only his face shows and the rest is in your head.  
14 He is taking to the speaker and he is walking up  
15 and back, whispering in the ears of one another,  
16 talking very, being very animated and I am watching  
17 Shay and Shay is watching them and he looks very,  
18 very concerned, and Clyde comes back to me and  
19 said, "Well, did you watch Shay?" And I say, "Yes,  
20 I did."

21 I said, "What was that all about?" He  
22 said, "Nothing," he said, "I just like to keep Shay  
23 on his toes," but that was Clyde, you know.

24 After Clyde left the legislature, he

1 became the dean of external affairs for Southern  
2 Illinois University which meant that he was their  
3 lobbyist and one night I had dinner with him and he  
4 picked up the check and Clyde who was always  
5 putting people on, he pulled out a credit card and  
6 he said, he said, "You know what? They gave me this  
7 card here and it's made out of plastic. I don't  
8 know what to do with it. They told me I could pay  
9 for dinner with it."

10 He said, "I don't know anything about  
11 this." He said, "I only use cash, never used,  
12 anything like checks or little things like this,"  
13 and of course he was, you know, he was just putting  
14 on a show, and was very, very funny.

15 JUDGE FLANNERY: All right, how about if we  
16 start talking about your career as a judge, when  
17 you became a judge, what your assignments have  
18 been, some of the interesting cases you have had,  
19 some of the good attorneys that have appeared in  
20 front of you, things like that.

21 JUDGE BART: Was there another political story  
22 to get out of the legislature and into the  
23 judiciary?

24 JUDGE JAFFE: Well, there are a million

1 political stories, you know, but I don't think  
2 that's what you want.

3 JUDGE BART: Well, I mean there came a time  
4 when you got slated, just as you were slated for  
5 the General Assembly, how did that happen?

6 JUDGE JAFFE: Well, how I got slated was that  
7 Seymour Simon was in the -- was on the Supreme  
8 Court and if you recall in that election, in the  
9 election Seymour Simon ran for -- to go on the  
10 Supreme Court.

11 The parties had slated Francis Lorenz who  
12 was really a great guy, you know, but wasn't as  
13 good a judge as Seymour and very personable and the  
14 democrats slated Eddie Burke for state's attorney  
15 and Richard M. Daley ran against Eddie Burke as a  
16 independent and the political organizations in my  
17 area were supporting -- I was no longer a  
18 committeeman.

19 I had given that up a long time ago, but I  
20 found it just an impossible task to do but, so, all  
21 the political organizations were endorsing Lorenz  
22 and Burke and I endorsed Seymour Simon and Daley  
23 and they got between 56 and 70 percent of vote in  
24 my area, had nothing to do with me in any area I



1       guarantee you, had nothing to do with them.

2                   They did it on their own because they were  
3       popular and they won and when I was with Seymour,  
4       he said, "Would you like to go on the bench?" And  
5       all my friends were leaving the legislature and I  
6       said, "Yes, I think it's about time that I do leave  
7       because it was great fun," but you know, you have  
8       got to know when to hold them and you have got to  
9       know when to fold them, and so I said, "Yes, I  
10      would," and he appointed me to the bench.

11                   Now the next election of course I had to  
12      run for and that was the beginning of everybody  
13      running for office, you know.

14                   And I had 12 opponents.

15                   JUDGE BARTH:   What year are we talking about?

16                   JUDGE FLANNERY:   '86?

17                   JUDGE JAFFE:   '86, yes, because I was let's  
18      see, I went onto the bench in '85, yes, and that  
19      was, it was '86, so what, you know, I was slated to  
20      run and I had twelve opponents.

21                   That was the first time everybody jumped  
22      on. They are starting to understand that you  
23      didn't need organization to win and I have a very  
24      short name.

1 I don't have a middle name. We were too  
2 poor to get middle names in those days.

3 You wouldn't know about that, but anyway,  
4 so my whole name is only ten letters long and I  
5 drew the place on the ballot, Number 8, which was a  
6 terrible place to be on the ballot.

7 Fortunately, I won because I had a lot of  
8 support. Number one, you know, Washington was then  
9 mayor. He supported me, Vrydolak and Washington  
10 were fighting and Vrydolak I don't think supported  
11 me.

12 He was too busy doing other stuff to worry  
13 about me and Madigan who was becoming in power at  
14 that time supported me.

15 So I got support from all three and won  
16 the election. So, I pride myself on the fact that  
17 I was able to get all three, you know,  
18 combinations.

19 There's a funny story about dinner that I  
20 was at with, you know, with Vrydolak.

21 He had had an award dinner here downtown  
22 and as you know he was the Chairman of the  
23 Democratic Party and he had thousands of people  
24 there and I didn't know if I could get to the

1 dinner, but I did and I came to the desk and I  
2 identified myself and I said, "Is it possible for  
3 me to get a ticket?"

4 And as I was waiting, Eddie Vrydolak  
5 passed by and the woman at the desk grabbed him and  
6 said, you know, "Judge is here." You know. "Do we  
7 have a place to sit him at?"

8 And Vrydolak was really all frenzied  
9 because he was running around and trying to take  
10 care of everything and he went through and got a  
11 whole packs of tickets and he gave me a ticket and  
12 said, "Sit at that table. It's a good table for  
13 you," and I sat down. I came to this table.

14 I didn't know anybody there. There was an  
15 elderly couple, two elderly couples. No, there was  
16 an elderly couple, an elderly woman sitting with a  
17 person who was obviously her son and it was sort of  
18 a space in the middle and I sat down and it turned  
19 out I was sitting next to Vrydolak's mother and  
20 next to his in-laws and it was his brother.

21 Now, I think his brother thought because I  
22 was sitting at the table and he had, he had put me  
23 there that I must be very, very important and all  
24 of the members of that political organization came,

1 you know, came up to the table to pay their  
2 respects to the mother and the brother would say,  
3 "And this is Judge Jaffe, Eddie really wants  
4 him."

5 You see, and so I came out of the 10th  
6 Ward with a great majority. Harold Washington had  
7 sent out a letter for me, you know, and so I, you  
8 know, I did all right, but after, I saw Washington  
9 after the election he said, "You know I was worried  
10 for a while. I didn't know if you would get  
11 elected. It took me a while to find you on the  
12 ballot."

13 I was Number 8. Everybody had long names.

14 JUDGE FLANNERY: So what about as a judge?  
15 What's been your experience?

16 JUDGE JAFFE: Well, my first experience was  
17 that when I became judge, I preceded Larry  
18 Comerford who I think it was a very sweet guy and I  
19 think a very able administrator who really was  
20 never recognized for as good as he was, you see,  
21 and as you know, Harry would smile, but I very  
22 seldom saw him laugh, you see, and he said, "Well,  
23 where do you want to sit?"

24 And I had, in the legislature I had passed

1 the Reform Marriage and Dissolution Of Marriage Act  
2 in 1977 and I do like kids and so I said, "I think  
3 I would like to sit in the Divorce Division and I  
4 think I would like to hear divorce cases," and with  
5 that, he started laughing so hard I had never seen  
6 him laugh that hard.

7 He almost fell off his seat. He said,  
8 "Why do you want that?" He said, "Nobody wants  
9 that." I said, "Well, I helped pass that  
10 legislation and I do like kids and if I can do  
11 something decent for a child, you know, I think  
12 that that would be very, very satisfying for me."

13 Well, at that time there was a different  
14 structure in the Divorce Division and you had a  
15 custody call, so there became two custody calls and  
16 I handled one custody call until they changed the  
17 structure of the Divorce Division.

18 It was, it was a tough call.

19 JUDGE FLANNERY: How long was that? How long?  
20 How long were you in that division?

21 JUDGE JAFFE: Well, I was in the Divorce  
22 Division for six or seven years until I came down  
23 with a bleeding ulcer, but I don't attribute it to  
24 that, actually to that, but it was very rough when

1 you are dealing with kids and as you know, you get  
2 there in the morning and you go on the bench and  
3 you have an emergency with a three year old, a  
4 non-verbal little girl and the mother is irate  
5 because the child, they have taken the child to the  
6 doctor and they find that she has been sexually  
7 abused and she comes in yelling and screaming and  
8 saying I don't want that husband near my child, and  
9 he comes in and he is irate because they are  
10 separated, and he is saying, "Well, look, don't  
11 look at me. I am more irate than she is. Take a  
12 look at her new boyfriend," and that's all I had  
13 and I have got to make a decision where to put that  
14 child that night.

15 I would go home many, many nights talking  
16 to myself until I got the hang of what you do, you  
17 know, and what you do is you have to terrify  
18 everybody in the proceeding.

19 You appoint an attorney for the child.  
20 You order psychologicals on everyone and tell the  
21 wife she has to bring her boyfriend in because you  
22 don't have jurisdiction over him and you order a  
23 home study report and by the time they leave the  
24 courtroom, they are so terrified that everybody is

1 going to be looking at them and fortunately nothing  
2 ever happened.

3 So, but I stayed there for, you know, for  
4 about six years I would say and it was satisfying,  
5 but then they changed the structure and then we  
6 were broken down into teams and everybody started  
7 taking custody cases and I became the, sort of the  
8 head of a team.

9 We had A, B, C, D, E, F, teams so and each  
10 team had about five judges on it, so --

11 JUDGE FLANNERY: Then when did you go to  
12 Chancery?

13 You went to chancery right after divorce?  
14 Is that true?

15 JUDGE JAFFE: No, no, no, after divorce I  
16 wanted to, I didn't want -- I went to the Law  
17 Division for about three years I think.

18 JUDGE FLANNERY: You were in the Law Division?

19 JUDGE JAFFE: I was in the Law Division, yes.

20 JUDGE FLANNERY: Is that what they refer to as  
21 the Golden Age of the Law Division?

22 JUDGE JAFFE: Well, I sort of think it was the  
23 Golden Age of Chancery after I got in there, but it  
24 was the Golden Age of the Law Division.

1           JUDGE FLANNERY:  And when was that?  When were  
2 you in law?

3           JUDGE JAFFE:  Oh, I don't know, you know,  
4 highly subject to being a judge, something like  
5 that.

6           JUDGE FLANNERY:  And there you handled law  
7 jury?

8           JUDGE JAFFE:  Law, jury, now, you know, I can't  
9 necessarily say that I really enjoyed the Law  
10 Division and the reason for it is this.

11                    You do get to rule on law cases, make the  
12 law of the case and so on and so forth, but you  
13 don't make the final decision, you see, and for me  
14 most of the job initially is putting the jury in  
15 the box and get -- swearing the jurors in and  
16 making sure that you get a good jury and try to  
17 help the lawyers get a good jury and then the other  
18 part is reading instructions.

19                    Well, instructions are just the most  
20 terrible thing in the world because you read  
21 instructions and by the time you finished three  
22 instructions at least four of the jurors are  
23 sleeping.

24                    So very often I would make up my own



1 instructions and towards the end of my turn in the  
2 Law Division, I always thought it was sort of silly  
3 to send in one set of instructions for the jury to  
4 look at.

5 I don't know if this has changed so you  
6 are going to have to tell me, but I decided in my  
7 last cases to get done, what instructions, to have  
8 copies of the instructions for each juror and if  
9 they were going to, if we were going to have them  
10 start deliberating the next day I would give them  
11 their instructions to take home with them, even  
12 before final arguments you see, before final  
13 argument.

14 JUDGE FLANNERY: Go ahead.

15 JUDGE BART: Aaron, you were up in your seventh  
16 year in jury and this means you would have had to  
17 have gone through at least one retention and I was  
18 wondering if you had any thoughts or reflection on  
19 the evolution of the retention process since you  
20 have been on the bench and since you maybe had some  
21 influence in the election process in the General  
22 Assembly and we are still going through the  
23 judicial retention and do you have any thoughts or  
24 reflections on that aspect of being a judge?

1 JUDGE JAFFE: Well, being now what portion are  
2 you talking about?

3 I mean the retention process itself or?

4 JUDGE BART: I was thinking of the entire  
5 thing, the judges having to get 60 percent.

6 The question in a normal election as you  
7 well know, that would be a landslide.

8 JUDGE JAFFE: Yes.

9 JUDGE BART: And when I said the evolution of  
10 it, I assumed when you first went on the bench  
11 probably you went on the Chicago Bar association  
12 maybe or the ethnic bar and now there's a great  
13 many of them.

14 I would be interested in any of your  
15 thoughts with the perspective of years you have had  
16 in the process as to the quality of the process  
17 after being an effective tool for the people and  
18 what good if any it does for the quality of the  
19 judiciary?

20 JUDGE JAFFE: I seem to, a number of, really  
21 number of things.

22 The retention is one thing. The  
23 sub-circuits are another, you know, and the  
24 sub-circuits are good and bad because it does give

1 minority members representation people might not  
2 necessarily have in them, but by the same token  
3 because the area is so small it usually gets  
4 controlled politically, and I don't think political  
5 control in and by itself is that terrible.

6 I remember with the Bar association, for  
7 years the Chicago Bar has been trying to pass, you  
8 know, judiciary forms and they have always gone  
9 with the Netsze, Dawn Clark Netsze Bill which they  
10 have been defeated on for at least 30 years that I  
11 know of and they persist on coming back with the  
12 same bill over and over and over again and they get  
13 defeated and at one time Dan Lynch who is a judge  
14 and, you know, prior to him.

15 So it was lobbyist I think with Tommy  
16 Hynes, you know.

17 We were asked to serve on a committee, the  
18 Chicago Bar, to come up with some concept of  
19 judicial reform and, you know, we worked hard on it  
20 and what we did is we came up with a hybrid because  
21 I don't like the concept of a governor picking  
22 judges.

23 That means if you have got a democratic  
24 governor he is picking out the judges or a

1 republican doing the same then it becomes more  
2 political than an election.

3 The ideal things, of course would be the  
4 election if the people paid attention to the  
5 judges, but the Congressman said in order for you  
6 to have at least a democracy you have to have an  
7 enlightened election for which they don't pay  
8 attention.

9 They complain about the size of the  
10 ballot, but they don't try to become acquainted  
11 with the judges at all, a small portion, but not  
12 everybody.

13 So Lynch and I proposed what was sort of a  
14 cross between the Netsze bill and a new bill that  
15 would also incorporate as politicians, as  
16 politicians they are not going to give up their  
17 ability to have an input, but you also spread out  
18 that input and make sure that the bar associations  
19 and the bar associations are more political  
20 sometimes than political parties, but you are  
21 trying to spread it out so you have more people  
22 involved and we came up with the concept and I  
23 don't even remember what the final product was, but  
24 it had a lot of people involved and the Bar

1 association looked at it and they went with the  
2 Netsze bill again and they have been getting  
3 defeated ever since.

4 I don't even think they even bring it up  
5 anymore and so you have that, the concept of being  
6 interviewed by the Bar association.

7 I found very interesting because basically  
8 you go before a committee and what amazed me last  
9 time, I had already been on the bench for about 14  
10 years and went before this committee.

11 I had sat in law jury. I had sat in the  
12 Divorce Division. I had sat in Chancery and I went  
13 into a room, I didn't recognize one lawyer there.

14 Of course, basically the committee is made  
15 up of young lawyers who have time to give to that  
16 committee and they don't have much else to do and  
17 sometimes the questions that are asked are  
18 sometimes inane.

19 It shows that that person has really not  
20 been in a courtroom and nonetheless they are  
21 passing judgment on you.

22 Then you get to the concept of with every  
23 different power association and they all have their  
24 own biases and the biases are legal in nature by

1 any stretch of the imagination and so, I think  
2 there is a lot lacking in that sort of process. I  
3 really do.

4 Before the alliance we had to go to just  
5 about ever bar association in the world.

6 JUDGE BART: That's what I, I suppose it  
7 betrays an underlying bias of my own, but I was  
8 concurring with your thought in putting the  
9 question, because when you go before an alliance  
10 now each has a bias for an agenda of their own and  
11 a judge has to get 60 percent of the vote.

12 I was wondering from the perspective of  
13 the years you have as a lawyer and a judge, do you  
14 think ultimately this is an improvement on the  
15 system that you were introduced to 10, these many  
16 years ago or you think there could be trouble down  
17 the road?

18 JUDGE JAFFE: Oh, I think there will be trouble  
19 down the road. There's no question that there's  
20 going to be trouble down the road.

21 I think things were different and maybe  
22 it's a sign of age, but it seems even that we are  
23 -- we can go, when we had the politicians picking  
24 out the judges, we had some excellent, excellent

1 judges that were coming forth and, you know, I can  
2 think of some of the old ones, I am sure you can  
3 that were just marvelous judges and they came out  
4 of the political system and I think the political  
5 system is different than what it is today and I  
6 think the political system, it was politics you  
7 know, and you, and you had everything that you had  
8 was not particulars, but you had something in  
9 addition to it and I think it was the times.

10 For instance, the times the democratic  
11 party really believed that you had to serve the  
12 people and I think politically I think we are  
13 further pulled away from that special interest  
14 which leads me to a thought about the judiciary,  
15 because I think if I look at the political scene I  
16 think the executive branch really caters to the  
17 special interests.

18 I think, the judiciary, I mean the  
19 legislative branch actually caters to the special  
20 interests.

21 The only place I think someone can get a  
22 fair shake is in the courthouse and if the time  
23 comes when people can't get a fair shake in the  
24 courthouse has to be a new deal, has to be a level

1 playing field and if our courts do not present a  
2 level playing field we are in big trouble and we  
3 can kiss any democracy good-bye.

4 I really feel that way and I think we have  
5 to strive to make the judges more independent, you  
6 know, unfortunately, in this area, since we had  
7 Greylord, judges are sort of afraid to be judges,  
8 you know.

9 You kind of sit in your room you have got  
10 to close the door and you have got to hide under  
11 the desk.

12 I mean that's silly. I mean if you are a  
13 judge you have got to also live in the real world  
14 and know what's going on in the real world and --

15 JUDGE BART: You feel that we are still living  
16 with, how do I put it, a legacy of Greylord?

17 JUDGE JAFFE: I think we live with a legacy of  
18 Greylord to some extent, and I find that judges are  
19 very intimidated by an awful lot of things and they  
20 are, the Canons of Ethics, you know, for judges,  
21 it's good, but it's far from perfect.

22 It really is far from perfect. If you sat  
23 down with it, you know, I really show you actually  
24 how different things that I think is wrong with it,



1 that many people who will not agree with,  
2 especially Judge Henry because he is sort of a  
3 stickler, and --

4 JUDGE HENRY: Sound like BS to me.

5 JUDGE JAFFE: But judges have to have this  
6 independence.

7 JUDGE BART: Well, I have heard judges allude  
8 to I think what you refer to.

9 I think judges have to have some backbone,  
10 some spine and it shouldn't be thought that they  
11 would be easily influenced or intimidated by  
12 external effects and you are saying that, there I  
13 think you are saying, I won't put words in your  
14 mouth, that they almost closet or cloistered  
15 themselves to the sense they possibly lost touch  
16 with the real world and possibly the contact.

17 JUDGE JAFFE: I think that's very true.

18 I think that's happened. For instance,  
19 when I sat in the legislature, we would sit in this  
20 one room with all these people and we would be  
21 talking to each other, for the, for six months at a  
22 time and pretty soon everybody started to think  
23 that this was the real world and I would get up and  
24 say, "Listen to yourselves talk. You are not

1 talking about the real world," and then they would  
2 talk about their constituency there and they would  
3 always talk about their constituency, their  
4 constituent who was a person who cared only about  
5 their pocketbook, cared nothing about anybody else  
6 and, you know, and when you, when you got done with  
7 the picture you had the most awful human being in  
8 the world painted to pass laws for that awful  
9 person when you got down to people, good people  
10 with problems, things like that and just inhumane  
11 and I think sometimes that that happens in the  
12 judiciary that we just don't, you know, stand up  
13 and be counted, for instance, and maybe it's the  
14 sign of age.

15 I always maintained to my good friends in  
16 the Appellate Court that they should be thankful  
17 for me because without me at least two panels would  
18 go.

19 I like my cases to go up on appeal and I  
20 have, one of the things that I am proud about is  
21 the fact that I think that every case maybe except  
22 one where the Appellate Court has affirmed me goes  
23 to the Supreme Court.

24 The Supreme Court has reversed the

1 Appellate Court, but we have got a -- if it doesn't  
2 start down in the, especially in the Chancery  
3 court, if it doesn't start down, you know, with  
4 outside and unless we have cognizance of what's  
5 going on in the world and unless we are and if we  
6 are not doing the things we should be doing, they  
7 are not going to be done.

8 You know people talk about activist  
9 courts. Every court is an activist court. I have  
10 never seen anyone say the liberals are activists.

11 I think conservatives are just as much if  
12 not more activists.

13 JUDGE BART: Talking about retention then, do  
14 you think there is any merit to statistics that  
15 would show Judge A has been reversed so many times  
16 as opposed to Judge B who was reversed less when  
17 the Supreme Court talks in those terms? Is that  
18 fair?

19 JUDGE JAFFE: No, I don't think that's fair. I  
20 don't think that's true the all.

21 JUDGE BART: And yet the electorate that you  
22 referred to earlier might see that as the only  
23 statistic on a judge when he comes up for  
24 retention.

1           JUDGE JAFFE: That's true, so maybe I don't  
2 know really what the final conclusion is, but the  
3 point of it is we have to insure that the judges  
4 are independent and I have held that the Appellate  
5 Court has, always has the right to be wrong.

6           It doesn't bother me if they reverse me  
7 and I will give you an example.

8           Well, do you remember the Locket rule  
9 which you were familiar with in administrative  
10 reviews?

11           If you didn't serve everybody that had to  
12 be served, you were out. One police chief case,  
13 yes, and I had one case in which they -- it was an  
14 administrative review from, I don't know whether it  
15 was a police decision or something else.

16           They named every individual on the board,  
17 the mayor, a whole slew of people.

18           The only thing they didn't put in was the  
19 police review board, but every person on the police  
20 review board was named and they came in to strike  
21 that case and get it out because they had not  
22 complied with the statute and I said I am fully  
23 aware of what the Locket case is.

24           It's so harsh. Every human being that

1     could possibly be named has been named. All that  
2     has not been named is an entity which really  
3     doesn't exist except through human beings and  
4     therefore I am going to hear it.

5             The Appellate Court reversed me and the  
6     person who wrote the opinion wrote a long opinion  
7     on stare decisis, you see, and since that time I am  
8     happy to say that the legislature did change it  
9     somewhat.

10            It's not perfect yet, but they did change  
11    it so that you could actually do some stuff, but I  
12    think it is important to do those things.

13            JUDGE FLANNERY: Let me just get in, we have  
14    about five minutes left.

15            Knowing that your children, grandchildren  
16    maybe your wife might be reading one day your words  
17    of wisdom here and that your friends are going to  
18    be reading it, anything else you want to talk about  
19    that we haven't discussed or anything else that you  
20    have, your final great thoughts on the meaning of  
21    life for instance? Anything else you want to say?

22            JUDGE JAFFE: You can't do that in five  
23    minutes.

24            You have to have at least another

1 session. You see, I haven't even gotten into my  
2 judicial experience yet and so -- off the record.

3 (Discussion off the record.)

4 JUDGE HENRY: But answer Judge Flannery's  
5 question, the meaning of life in five minutes and  
6 then you can come back and footnote it at the next  
7 session.

8 JUDGE JAFFE: The meaning of life in five.

9 JUDGE HENRY: And words of wisdom to your wife  
10 and grandkids.

11 JUDGE JAFFE: I don't give them words of  
12 wisdom.

13 I only get them you see as Judge Flannery  
14 and you fully know, that I'm the most henpecked man  
15 in America.

16 JUDGE HENRY: I think that's the landlord at  
17 your apartment when you first got married.

18 That's the most henpecked man in America  
19 when your wife whittled him down to the return of  
20 your security deposit.

21 JUDGE FLANNERY: All right, we are going to be  
22 coming back for another session then possibly all  
23 right so we are finished.

24 For next time we will talk about your

1 judicial career.

2 Off the record.

3 (Discussion off the record.)

4 (WHICH WERE ALL THE PROCEEDINGS  
5 HAD IN THE ABOVE-ENTITLED CAUSE  
6 ON THIS DATE.)

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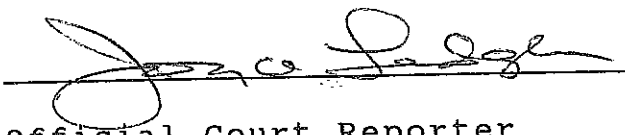
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1 STATE OF ILLINOIS )  
2 ) SS:  
3 COUNTY OF C O O K )  
4

5 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
6 COUNTY DEPARTMENT - LAW DIVISION  
7

8 I, JOYCE LEDGER, Official Court Reporter  
9 of the Circuit Court of Cook County, County  
10 Department - Law Division, do hereby certify that I  
11 reported in stenotype the proceedings on this date;  
12 that I thereafter caused the foregoing to be  
13 transcribed into typewriting, which I certify to be  
14 a true and accurate transcript.

15  
16   
17 Official Court Reporter  
18 084-001292  
19  
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23 Dated this 23d day  
24 of August 2004



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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT - LAW DIVISION

REPORT OF HISTORY OF THE EARLY YEARS OF  
the Honorable AARON JAFFE on Friday, the 24th day  
of September 2004.

ALSO PRESENT:

HON. JAMES F. HENRY,  
HON. JAMES FLANNERY.

Joyce Ledger, 084-001292  
Official Court Reporter  
Circuit Court of Cook County  
County Department - Chancery Division

1 JUDGE HENRY: Ready.

2 JUDGE FLANNERY: All right, we are going to  
3 start talking again with Judge Jaffe about his  
4 judicial career.

5 And we talked a little bit about it  
6 previously.

7 Why don't you tell us, you left the  
8 Domestic Relations Division, correct?

9 JUDGE JAFFE: I spent six years in Domestic and  
10 from there I went to Law/Jury.

11 JUDGE FLANNERY: How long were you in Law/Jury?

12 JUDGE JAFFE: I was in Law/Jury for about two,  
13 three years.

14 JUDGE FLANNERY: You were?

15 JUDGE JAFFE: Yes, and the truth of the matter  
16 is that for me, Law/Jury --

17 JUDGE FLANNERY: See, we were actually keeping  
18 track.

19 All right, let's get started here.

20 JUDGE JAFFE: Okay.

21 JUDGE FLANNERY: So what we are going to do is  
22 start picking up again with the Divorce Division  
23 and a couple of things.

24 When the Divorce Division changed to the

1 team concept, what were you doing then?

2 JUDGE JAFFE: Well, as such we broke into, I  
3 believe it was six different teams and each team  
4 had four judges on it and we were given, it was  
5 marked by A, B, C, D, E and F and I was the  
6 preliminary judge in team F and I don't know if  
7 those letters stand for anything at all, but  
8 anyway, I was the preliminary judge and the  
9 preliminary judge in -- at that time heard all the  
10 motions that came in with regard to the cases that  
11 we had and then after -- and then also assigned the  
12 cases out once they were set for trial without a  
13 judge.

14 I don't think it was a revolutionary  
15 idea. It wasn't bad.

16 I think it worked out pretty well and --  
17 but in thinking about the Divorce Division I really  
18 have to think about the practice of law in the  
19 Divorce Division because, you know, people are  
20 critical of lawyers who practice domestic relations  
21 law.

22 I think it's a tough practice to be in  
23 because you are dealing with raw emotion.

24 It's really a tough, tough place to be and

1 unfortunately people pick lawyers for their  
2 divorces that are usually the wrong lawyers for  
3 them.

4 I once gave a talk on this before  
5 matrimonial law association, one of the  
6 associations and I said to them, I said, you know  
7 "You hate your client and your clients hate you,"  
8 which is very true in the Divorce Division and I  
9 said, "Let me tell you why I think you hate your  
10 client and your client hates you."

11 It's because when the client goes out to  
12 get a lawyer, there is so much emotion here that  
13 they go out and they look for their evil alter ego.

14 They want to look for someone who is just  
15 like them, but will do all the terrible things that  
16 they want to do, but cannot do and I said so, think  
17 about your absolute worse client, the client that  
18 gives -- you dislike the most.

19 I said, "If you think about that client,  
20 that client, that's you," and they all laughed and  
21 they looked around and they said, "I can see what  
22 they are saying to the other people, yes, that true  
23 for you, but not me," but I think that that's an  
24 actual fact in that particular practice.

1 I mean clients change lawyers. If the  
2 case is in court for any period of time, I think  
3 they will have three and four lawyers in and out,  
4 in and out because they are upset with their  
5 lawyers.

6 Their lawyer gets upset with them. It's a  
7 very emotional type of practice and when you are  
8 sitting as a judge, you know, you have to be able  
9 to tune into what people are really talking about.

10 You know, for instance, they have a vase  
11 that someone actually gave them when they got  
12 married and both of them hated that vase, couldn't  
13 stand that vase, but yet when the time came to  
14 break up, all of a sudden that vase is a big issue  
15 and neither side wants the other to have it.

16 You have to understand that they are  
17 really not fighting about that vase at all. They  
18 are having a rough time of the separation. They  
19 are fearful, all sorts of things are going through.

20 Personally I think that any judge who sits  
21 in the Divorce Division, if that judge hears any  
22 custody cases, I think that in addition to a legal  
23 education that judge has to know something about  
24 child psychology and psychology in general because

1 when a child is the child of divorce, that child by  
2 and large believes certain things.

3           Number one, they believe that they caused  
4 the divorce and I don't care if the kid is four or  
5 40, it's the same. They think that they caused the  
6 divorce.

7           Number two, the child doesn't want to be  
8 split no matter how bad the family is.

9           The child usually wants to be with both  
10 parents and when you are dealing with an in camera  
11 with a child, I used to do an awful lot of in  
12 cameras with kids, you have to be very, very  
13 careful, you know.

14           Let me give you a for instance. The worse  
15 part of any in camera with a child would be to say  
16 to the child or ask the child, who you want to be  
17 with.

18           The lawyers will always be scared to death  
19 that the judge would be asking him that. No judge  
20 is going to ask him that.

21           No judge is going to ask him that. You  
22 know, I would understand that the child felt that  
23 they caused the divorce and I would try to sort of  
24 get the monkey off the child's back by telling him,

1 "Do you know why you are here? You are here  
2 because your mom and dad are not getting along and  
3 they are doing things that you don't understand,  
4 that I don't understand and quite truthfully that  
5 they don't understand and maybe as time passes by  
6 we are going to have to -- what, we will learn what  
7 it really is all about, but we don't know what it's  
8 about at the present time and your mom and dad both  
9 love you," you know.

10 "But someone is going to have to decide  
11 where you stay and they can't do it and so I am  
12 going to have to and so before," you know, "I make  
13 my decision, I wanted to talk with you and tell you  
14 and meet with you and tell you that I am the one  
15 that's going to be making that decision because I  
16 think you have a right to know who is making that  
17 decision, but understand because of my thoughts, I  
18 am not going to make it according to my wishes.

19 "It's not your responsibility, it's my  
20 responsibility. You may be happy with it, you may  
21 not be happy with it, but it's my responsibility."

22 And with that I thought I would take the  
23 guilt away from the child.

24 Whether or not that ever worked I don't

1 know, but, different, you know, it's a very strange  
2 -- let me tell you one story.

3 Okay, I am sure you are surprised. I am  
4 going to be telling you a story, but let me tell  
5 you one story.

6 I had this divorce where this couple were  
7 dividing a multimillion dollar estate and they had  
8 settled the matter and I am sitting on the, on the  
9 bench and the wife got up first and they talked  
10 about the settlement and what she understood it to  
11 be and I made sure that she understood the  
12 settlement and that she was satisfied with it and  
13 then she got off the stand.

14 Now, up comes her husband who is a  
15 tremendous success in the business world and he gets  
16 on the stand and he is talking about the settlement  
17 and how he understands it and is satisfied.

18 It's satisfactory with him and all of a  
19 sudden I look and tears are running down his face,  
20 and I say to him, "Is there something wrong?" And  
21 he says to me, "She won't give me my blocks."

22 I said, "Excuse me I don't really  
23 understand what you mean. What do you mean by  
24 blocks? "



1                   He said, "I have had baby blocks all of my  
2 life, that my parents," you know, "Gave to me as a  
3 child and she has taken my baby blocks, and she  
4 won't give them back to me."

5                   And, you know, here I am presiding over  
6 the division of a multimillion dollar estate.

7                   So you just sort of react to something  
8 like that. So I said to her and I turned to her  
9 and I said, "Is that true? You have his blocks?"  
10 And she said "Yes, I do."

11                   I said, "Well, give them back to him." She  
12 said, "Okay." And it was all over, but it was that  
13 last piece that she had to have.

14                   That's the way couples are. They have  
15 something that everyone knows how to get.

16                   Whenever someone is married for any period  
17 of time, one party knows how to pull the other  
18 party's chain and they often do and you get a  
19 chance to see that.

20                   JUDGE HENRY: One question about the Law  
21 Division.

22                   In the Law Division, over 90 percent of  
23 the cases settle. How did that work in your  
24 experience in the Domestic Relations Division?

1                   Did you actually have to go to trial on a  
2 lot of cases or did a lot of them settle?

3                   JUDGE JAFFE: Well, most of them do settle, but  
4 those that go to trial last forever, really and  
5 don't forget, divorce cases are never over.

6                   You know when you get done with the Law  
7 Division case you are done with it. Anything that  
8 happens it goes on appeal, but Domestic Relations  
9 cases they are always coming back.

10                   There's always the children. There's  
11 always visitation and there is always a million  
12 other things that they still hold onto and they  
13 still fight over and by and large I think that  
14 contrary to people saying, "Oh, I had an amicable  
15 divorce," I sort of maintain that anybody who said  
16 they had an amicable divorce probably, probably are  
17 sort of brain-dead and don't know what's going on  
18 because they all -- they all fight and it's really  
19 sad because the ones that are really hurt are the  
20 kids.

21                   They have to understand for instance there  
22 is so much that goes into it and for instance at  
23 transfer time, the child resides with the mother  
24 and now they are going to the father for a weekend

1 or three days or whatever it may be.

2 Transfer time is a very difficult time  
3 because the child doesn't really know how to  
4 react.

5 It's going from one environment into  
6 another and especially where parents, there is some  
7 friction there.

8 They know that the parents are not happy  
9 during this part and so usually the child will act  
10 up in some way during the period of transfer and  
11 you have to understand that.

12 So, I think with every judge who sits  
13 there we ought to take a true course in psychology,  
14 know something about child psychology, know  
15 something about the psychology of individuals going  
16 through the divorce.

17 JUDGE HENRY: Even when you were in the  
18 legislature, Aaron, when they adopted the  
19 Dissolution of Marriage Act.

20 JUDGE JAFFE: I was the principal house sponsor  
21 of the, I think it was the 77 Act. I know it, know  
22 it was in the '70s. I was one of the principal  
23 sponsors.

24 That's the reason I wanted to go into the

1 Divorce Division.

2 JUDGE HENRY: How did it work out in your  
3 division? Was it adopted?

4 How did it play out in court? Were you  
5 satisfied with it?

6 JUDGE JAFFE: Well, you are never satisfied  
7 with a divorce action.

8 It's very difficult, but I think we let a  
9 lot of the things, we went into equitable  
10 distribution. We went into a number of other  
11 things that sort of leveled the playing field.

12 JUDGE HENRY: Did it also take fault out of the  
13 process?

14 JUDGE JAFFE: Oh, no, that came later. Actually  
15 I had the first no-fault divorce, well,  
16 irreconcilable differences is what they call it.

17 It's not no fault and I can tell you a  
18 story about Henry Hyde and myself.

19 Henry Hyde, when I came out of the  
20 legislature was the assistant majority -- no, it  
21 was the majority leader.

22 The speaker was Bob Hair and I had this  
23 bill and I know, when it went into committee and I  
24 said to the people on the committee, and I said,

1 "Well, I know this is not going to pass on the  
2 floor of the house. This is no fault."

3 But I simply started talking about it and  
4 I would like to get it on the floor of the house.  
5 I am going to get defeated. I know that.

6 I think it's important as a legislator to  
7 bring up matters because the only way you are going  
8 to get them discussed if you put them into the  
9 public arena and the committee was nice enough.

10 We had a committee of about 22 people and  
11 at that time you didn't have to have a majority of  
12 the committee.

13 Now it's a majority of committee voters to  
14 get it want out of the committee.

15 You had to have a majority of those voting  
16 and I think I had it on the 22 number committee on  
17 a vote of three to two with about 16, you know,  
18 present votes on the things [and we went to the  
19 floor of the house] and we went to the floor of the  
20 house.]

21 Henry Hyde spoke against the bill and the  
22 way it worked basically is that the speaker calls  
23 upon the sponsor of the bill to talk about the bill  
24 and then turns to somebody who is against it and

1 that's that split and going back and forth until  
2 everybody has spoken.

3 I don't know if I should put the story in  
4 my oral history but I will, because it's, it's a  
5 matter of public record anyway.

6 So Henry got up and this was the no-fault  
7 divorce bill and prior to that time you needed two  
8 witnesses, and so Henry spoke against the bill.

9 He said, "This is a terrible bill,  
10 terrible bill. What you are going to do is you are  
11 going to permit perjury to take place."

12 Of course perjury was taking place under  
13 the old bill and you had to have a witness and say  
14 people had, they had with their problems there was  
15 physical cruelty or something like that.

16 Usually no one is around. What you do is  
17 if you are a lawyer you would pull in a relative  
18 who would come in to testify on that.

19 There was an awful lot of the perjury and  
20 this would have done away with perjury. Henry went  
21 on to say it was, in addition to saying it's a bad  
22 bill, "There's a hooker in this bill; that is, no  
23 corroborative witnesses," and he said, "That is a  
24 very bad hooker because that's going to lead to all

1 sorts of perjury."

2 So he said, "So even if you are for the  
3 bill," I was a freshman at that time, I think it  
4 was my first term that Henry was the majority  
5 leader.

6 So he said, "So don't fall for that hooker  
7 and don't vote for the bill because it's going to,  
8 it's going to produce perjury," and I got up in my  
9 response to him at the end and I said, you know, "I  
10 have heard the majority leader speak and I must  
11 concede one thing," I said, "And that is when it  
12 comes to hookers, the majority leader is far more  
13 knowledgeable than I am," and, you know, everybody  
14 laughed and my bill of course went down the drain  
15 but Henry, Henry and I always got along very well.

16 I always thought he was a nice guy even  
17 though he differed in the, in policy far different  
18 from the politics we have.

19 There was a lot of things in the divorce  
20 field. It was a very challenging, draining call if  
21 you do it right.

22 JUDGE FLANNERY: Overall did you like the  
23 Divorce Division?

24 JUDGE JAFFE: I liked the Divorce Division, I

1 did, and I felt that they were getting a bad rap  
2 because of the fact that they have to have a lot of  
3 things that are handled in all the other  
4 courtrooms.

5 They have to handle property. They have  
6 to know taxes. You have to know this, you have to  
7 know that and it was, it was, it was very, very  
8 challenging and when the funny case came along, it  
9 was a very, very funny case, sometimes I --

10 JUDGE HENRY: Who were some of the judges you  
11 worked with?

12 Do you recall that?

13 JUDGE JAFFE: I mean Herman Nell who passed  
14 away and Bob Cusack who is in the Probate Division.

15 Still he was sort of my mentor. He was  
16 really sort of an excellent judge there. Hy  
17 Feldman was there.

18 There were an awful lot of judges.

19 JUDGE FLANNERY: When would this have been  
20 approximately?

21 JUDGE JAFFE: It was probably from 1980 to -- I  
22 am sorry, 1981 to about 1986 I think and then I  
23 went to the, to the --

24 JUDGE HENRY: Law Division.



1 JUDGE JAFFE: -- Law Division.

2 JUDGE FLANNERY: Before the Law Division just  
3 one quick question.

4 Who were some of the better divorce  
5 attorneys who appeared before you?

6 JUDGE JAFFE: I always maintained with lawyers  
7 there are no great hotshots.

8 I mean some have great reputations because  
9 they have PR guys, but I -- well, some of the  
10 lawyers that I thought were gorgeous were, Howard  
11 Rosenfeld was a good lawyer and yet you don't think  
12 of him in the divorce field, but he was really an  
13 excellent lawyer and knew how to try a case and at  
14 that time Bob McNish.

15 I am talking about guys you never heard  
16 of. Bob McNish was the head of the Matronial  
17 Committee at the CCVA and he was a guy I very often  
18 called upon to, you know, to be an attorney for the  
19 child and was just excellent.

20 There were -- let me just think. I liked  
21 the oldest of the Nellen brothers. He was a good  
22 attorney.

23 He was sensible. By that, I mean the  
24 people I am talking about were sensible people.

1 They actually had their client's interests at heart  
2 and that was a long time ago.

3 I can't really remember all of them, but  
4 there was also some very bad ones that really  
5 should not have been practicing in that field  
6 because, you know, when you deal with children you  
7 have to be very, very extra sensitive.

8 I will tell you a funny story. For  
9 instance I would never have parents bring their  
10 children into the courtroom.

11 It's bad enough that they see the --  
12 notice the parents are fighting and have to see  
13 them fighting in the courtroom and one day I was  
14 sitting on the bench and I didn't realize this, but  
15 Judge Preston who was then a representative came  
16 into the courtroom with his daughter and I had a  
17 court clerk who was just magnificent.

18 She was a lady probably close to 80. Her  
19 name was Angie she was so good with people.

20 The last thing you need in a courtroom  
21 like that is a ten foot tall muscular deputy who  
22 say is going to threaten people when they get all  
23 upset.

24 Angie would come up to people and say,

1 "Now, now, Jerry, I know it's been a rough day for  
2 you. It's hard. Why don't you sit down and I will  
3 get you a glass of water?"

4 She handled that courtroom perfectly and  
5 everybody just liked her and everything else, but  
6 nonetheless Preston came in to visit my courtroom  
7 and he had his daughter with him.

8 At that time she was in her early teens  
9 and my deputy threw her out of the courtroom  
10 because there were no children.

11 Preston still holds it against me. He says  
12 this is the only courtroom he has been thrown out  
13 of.

14 JUDGE FLANNERY: Were you going to ask a  
15 question?

16 JUDGE HENRY: Who was the presiding judge in  
17 your tenure in the Domestic Relations Division?

18 JUDGE JAFFE: Well, the initial presiding judge  
19 was Jorzak and then Napa came in.

20 JUDGE HENRY: What about the Law Division? You  
21 were there a short time?

22 JUDGE JAFFE: Yes, I was there for a couple of  
23 years and Harry Comerford, I really had a great  
24 deal of respect for Harry Comerford, nice guy.

1                   Never got the credit that he really  
2 deserved, I think. I think he wanted to put me in  
3 chancery, and, but I said, "No, thanks."

4                   So he put me into the Law Division and the  
5 Law Division as I saw it is a good relation, but it  
6 was really wasn't, wasn't my cup of tea.

7                   I mean I enjoyed it. It was challenging  
8 as all divisions are challenging, but I sort of  
9 liked to be more involved in the process because  
10 when you are in the Law Division, when you are  
11 hearing Law/Jury cases, because putting in a jury  
12 sort of becomes redundant.

13                   I know it varies from case to case, but it  
14 becomes somewhat routine. Giving instructions, I  
15 would fall asleep during the giving of  
16 instructions.

17                   I can imagine how the jury felt, but it  
18 was, it was a good, you know, division.

19                   JUDGE FLANNERY: And what about, when did you  
20 go into chancery?

21                   JUDGE JAFFE: I went into chancery when the  
22 presiding judge was Curry and he was a very,  
23 very bright man, very bright man and very sensible  
24 and --

1           JUDGE FLANNERY: Did you know Judge Curry  
2 before you worked with him in the Chancery  
3 Division?

4           JUDGE JAFFE: Not really. Not really.

5           I think I may have met him before, you  
6 know, a couple of times, but never, never knew him,  
7 you know, and was friendly with him after I came on  
8 the bench.

9           He was very unique. I had this whole load  
10 of cases and I had my calendar and he had the staff  
11 and he said, "Let me make a suggestion to you.  
12 Don't hear any cases for the first month or so.  
13 Just, you are getting a calendar that's been worked  
14 on. Why don't you just call in everybody in all  
15 these cases and see where they are and what you  
16 have to do on them," and frankly with the lawyers  
17 which I did, which may sound very simple, but it  
18 was an excellent suggestion.

19           Once I had my count, I know what I had to  
20 do with all these various and sundry cases and he  
21 was essentially and of course he was followed by  
22 Judge Dunne, "Moose," who I became very, very close  
23 with.

24           He and I, I had the courtroom just down

1 the hall from him and lawyers who appeared before  
2 Judge Dunne would always, were always terrified  
3 because he was, number one, physically a big guy,  
4 and number two, you know, there was no nonsense in  
5 his courtroom and he was also very, very bright,  
6 but off the bench he was completely different and  
7 he was just a very kind, warm human being and on  
8 occasion we would play little practical jokes on  
9 each other because I walked into the courtroom one  
10 day and every time I moved around I heard a frog  
11 chirping and it turned out he had put an electronic  
12 frog, you know, in my courtroom and no one knew  
13 about it except the two of us, you see because no  
14 one -- everybody could hear the chirping someplace  
15 else.

16 I had put things on his bench when he  
17 would come out very often would crack him up and we  
18 would be doing these things with each other.

19 He was just so, so, he was just so -- when  
20 he passed away I was just, you know, heartbroken  
21 over his passing because I saw him go from, you  
22 know, big hulk, healthy hulk of a man.

23 He was getting sicker and sicker and it  
24 was it was not easy to watch, but he was a great

1       presiding judge.

2               If I had to say, the one presiding judge  
3       that I had that I most admired, it was Judge  
4       Dunne. He was always there for you.

5               He knew how to handle people. He was a  
6       kind person, very bright.

7               You could come to him with any question  
8       and he would try to help you in any possible way he  
9       could.

10              JUDGE HENRY: His grandfather was governor of  
11       Illinois, is that right?

12              JUDGE JAFFE: I believe so.

13              JUDGE HENRY: And his uncle was the presiding  
14       judge of probate.

15              JUDGE JAFFE: Yes, it was a great family and  
16       he, I consider having served with him to be a honor  
17       really because he was so good.

18              JUDGE HENRY: Did you just, when you worked for  
19       him in the Chancery Division was that the first  
20       time you became acquainted with him?

21              JUDGE JAFFE: Yes, yes, and, you know, if you  
22       know the difference between the two of us, I mean  
23       here he was football player from the University of  
24       Michigan.

1 I was not a football player and it was, it  
2 would seem just looking for the backgrounds of the  
3 two of us you would think those two guys would  
4 never get along, but we got along very well and got  
5 along extremely well.

6 JUDGE HENRY: Then who became the presiding  
7 judge after Judge Dunne?

8 Was that Judge Barth, Judge Barth became  
9 -- Judge Barth was here.

10 First of all he is not here today, but he  
11 admires you very much and he was here for the  
12 second part of the interview and the reason he  
13 can't be here today he promised his daughter he  
14 would take care of her four children today so he  
15 sends his regrets.

16 JUDGE FLANNERY: What are some of the types of  
17 cases you heard in chancery and what were some of  
18 the more notable cases you had in chancery?

19 JUDGE JAFFE: Notable cases.

20 Well, chancery first of all we hear, you  
21 know, extraordinary remedies.

22 We hear injunctive relief. We hear  
23 specific performance. We have environmental  
24 spills. We have class actions.



1                   We also hear foreclosures which I  
2           absolutely despise.

3                   I mean I don't mind foreclosures that are  
4           commercial foreclosures and because those are  
5           different than when you have foreclosures when you  
6           are throwing people out of their houses and  
7           unfortunately, foreclosures where you throw people  
8           out of houses, usually they result from mortgages  
9           very often that very often should never have been  
10          given to begin with.

11                   That's because the mortgage companies  
12          should have known the individual that got this  
13          mortgage couldn't pay it off and it's -- I don't  
14          think that the mortgage lawyers of the world  
15          particularly love me, but because I am sort of  
16          sympathetic to somebody who is being thrown out of  
17          their house and I realize there are people that  
18          play the system and they know what to do with  
19          mortgage foreclosure and they know how to stall and  
20          so on and so forth, but people who are thrown out  
21          of their house, they can't afford lawyers.

22                   They are coming to court, usually they are  
23          pleading for a little bit more time, you know, to  
24          stay in the house so they can get money together to

1 rent an apartment or do something like that. It's  
2 sad so --

3 JUDGE HENRY: Do you also do administrative  
4 reviews in chancery?

5 JUDGE JAFFE: Oh, yes, administrative reviews.

6 JUDGE HENRY: Do you see a lot of activity at  
7 the various administrative agencies of government?

8 How do you think that process runs as far  
9 as the justice being done in those cases?

10 JUDGE JAFFE: Well, that's a very good  
11 question.

12 As I say, first of all, I have my doubts  
13 as to whether or not administrative hearings, but  
14 before it comes from governmental bodies is really  
15 a due process of law.

16 Let me give you an example. You have  
17 agencies where the agency is the prosecutor.

18 The agency designates who hears the case,  
19 you know, and they have another person at the  
20 agency making the decision.

21 Now, I don't think that that's fair and I  
22 don't think that you really get your day in court  
23 when that happens and yet the rules about those  
24 cases are number one, you have to give deference to

1 the hearing officer as to factual issues, you know.

2 We reverse it if it's against the manifest  
3 weight of the evidence or it's absolutely contrary  
4 to the law which is a very, very high standard and  
5 and let's face it, like I am not pointing to any  
6 particular party.

7 I have heard cases of the administration  
8 of a lot of different secretaries of state, but by  
9 and large the people there who are doing these  
10 cases are in great fear that if you say you have a  
11 drunken driver, who likes a drunken driver?

12 Absolutely no one, but the rules are such  
13 that they can keep a drunken driver off the street  
14 forever and they bend over backwards in order to  
15 not give the -- give the license back and very  
16 often the thing that pops into my mind is that  
17 when, you know, when does this stop being  
18 punishment?

19 I mean when does it become just, become a  
20 political decision because they think that someone  
21 is going to go out and do this again.

22 What agencies would rather do, I am not  
23 saying this is true of any agency today, but is --  
24 their answer is we won't give him his driver's

1 license.

2 Let him go into court and let the judge be  
3 the bad guy, and so very often we are the bad guy,  
4 but I have had cases where individuals were found  
5 guilty of drunken driving and they hadn't received  
6 their license back for seven, eight years and it  
7 would come before me and they was no evidence of  
8 them drinking after that we would get letters from  
9 their employers and other persons, okay, and pay  
10 their fine and get a whole stack full of stuff, but  
11 still and all they wouldn't be giving them back.

12 They were entitled to -- you have a place  
13 where someone works in construction, has to be on  
14 the job at 6:00 or 7:00 o'clock in the morning and  
15 his wife is also working and she has to drive him  
16 to the construction site and she has to get up at  
17 4:00 o'clock in the morning to do it and she has a  
18 job herself and she has to take care of the kids  
19 and you see people and it really becomes a terrible  
20 thing to that particular family.

21 Now, if the guy is in fact a person who is  
22 habitually drunk and he should be off the street, I  
23 am not disputing that for a second, but where you  
24 do it for political purposes and so that you don't

1 get a bad rap in the paper, I think that that's a  
2 tragedy and I know you mentioned this beforehand,  
3 but you asked this question, what's my philosophy  
4 of the law.

5 I think the law has to be a level playing  
6 field above all. You know, I have been in the  
7 legislature and I know that there are lobbyists and  
8 lobbyists are more influential now than they were  
9 when I was in the legislature 20 years ago.

10 I mean there were still lobbyists, but you  
11 know we have more control by leadership now than  
12 you had in those days and let's face it, we are  
13 going to a presidential election now.

14 Each one of the candidate will spend how  
15 many millions of dollars, \$15,000,000,  
16 \$100,000,000? I don't know.

17 The funds are endless and the legislature  
18 is by and large the same way because who is going  
19 to lobby for an individual who really has no voice.

20 Nobody is going to lobby for him. You  
21 have some, some do-gooder groups, but they are not  
22 very, you know, influential, don't have the  
23 wherewithal to have their voice heard, so on and so  
24 forth and I think the last place that's here, that

1 remains the cornerstone of our democracy.

2 I don't mean to get preachy on this or  
3 anything else to that fact, but our courtrooms and  
4 when someone comes into our courtrooms, you know,  
5 it has to be a level playing field and if the  
6 judges do not make it a level playing field, if  
7 they are intimidated by either one, some statute or  
8 the stature of the attorney who is not doing their  
9 job, I take an awful long -- when I get a pro se I  
10 take an awful long time with a pro se.

11 In the Law Division when you waiting for  
12 another law jury cases you usually don't have a pro  
13 se, but we get them.

14 For instance, we have people who can't pay  
15 their mortgage, don't have lawyers and they are pro  
16 se and I realize the law is you treat everyone as  
17 though they were a lawyer, but that's not  
18 reasonable.

19 So you have to somewhat balance that and  
20 make sure that you get the full story before you,  
21 before you leave.

22 JUDGE FLANNERY: You don't have jury trials in  
23 chancery.

24 You think if someone asked you for a jury,

1 I mean, how do you feel about the types of issues  
2 you decide in chancery without the benefit of  
3 having the right to have a jury, jury trial before  
4 you?

5 JUDGE JAFFE: Well, there are legal issues  
6 involved. There are legal issues involved.

7 We could try the entire thing and have a  
8 jury. Just have to decide who is going to decide  
9 what.

10 I will decide the equitable issue and they  
11 would decide the legal issues, the issues of fact  
12 and whatnot.

13 I like calling the shots myself and the  
14 reason I like calling the shots because I think  
15 that I try to do the best that I can and if  
16 something goes up on appeal and I am reversed, so I  
17 am reversed.

18 I don't consider being reversed a big  
19 deal. I know there are many judges who will bend  
20 over backwards not to be reversed, but let me give  
21 you an example.

22 We had in the, what you call it, in the  
23 administrative reviews that which was called the  
24 Locket Doctrine and the Locket Doctrine basically

1 said this.

2 When you filed your appeal in the Circuit  
3 Court if you left someone out that should be  
4 joined, that person, the person that filed an  
5 appeal was out.

6 They have to join everybody. If they  
7 don't join, it's defective and out it goes.

8 So I had a case where I think it was an  
9 appeal from a police board. They, the plaintiff  
10 who brought in, he made the village, all the  
11 officers of the Village and all the members of the  
12 police board.

13 However he left out of the title the  
14 police board in the village of so and so, which  
15 according to the Locket Doctrine made it defective  
16 and the village came in and said the guy is out and  
17 I said this is bizarre.

18 Every human being that could be notified  
19 has been notified and what you are doing is that  
20 you are taking a fictitious name and saying of  
21 course that hasn't been put in, you throw it out.

22 I say, I know that the Appellate Court  
23 will frown on my decision, but I said it's about  
24 time that the Appellate Court realized that it's a



1 silly doctrine.

2 I mean and I made an record of it. It's a  
3 silly doctrine and somebody should not be denied  
4 their right to a rehearing.

5 It doesn't guarantee that they will win,  
6 but they should not be denied any hearing because  
7 they left six lawyers out of a complaint.

8 Well, they went up on appeal and I was  
9 reversed, naturally, and the judge who I shall not  
10 mention, wrote a long and somewhat silly opinion on  
11 stare decisis and danced about this question for a  
12 little period of time.

13 I am happy to report that because I did  
14 that, the legislature picked up on it and they  
15 changed the doctrine somewhat, not totally, but  
16 somewhat and so I was -- but I was happy about  
17 that, but I think that judges have to do that.

18 I really think that we -- you can't have a  
19 -- somewhat listen to that, that little voice  
20 inside of you which I call your justice button and  
21 have to do those things. You can't.

22 JUDGE HENRY: Somebody told me one time Judge  
23 O'Brien, Sr., was in the legislature back in the  
24 '50s.

1           He felt that everybody should serve in the  
2 legislature before they become a judge so they  
3 could have an appreciation for the legislative  
4 process and then focus that experience into the  
5 real life decision-making responsibility they have  
6 in individual cases and to paraphrase it another  
7 way, Phil Rock who was the president of senate as  
8 you know at one time, said that they legislate in  
9 broad brushes and leave it to the judge to do  
10 justice and fairness in the individual case.

11           First, do you agree with Judge O'Brien  
12 that having been a legislator gives you the ability  
13 to look at legislation through a legislator's eyes  
14 to understand it and a judge's eye to apply it to  
15 an individual and what do you think about Phil  
16 Rock's admonition to us, when we pass legislation  
17 we may not have any quote "legislative intent" but  
18 we were doing it for all people similarly situated  
19 and we want you the judge to deal with the  
20 individual and we don't care if it follows us or  
21 not?

22           JUDGE JAFFE: Well, I would tell you that when  
23 individuals come before me and they argue  
24 legislative intent and as a legislator I have been

1 quoted a few cases because I was involved in the  
2 debate.

3 They argue with legislative intent. I  
4 used to teach at Loyola. I used to teach  
5 legislative law and I was told there was no  
6 legislative intent by, and you have a body of the  
7 house is made up of a hundred people, whatever it  
8 may be and when I first went into legislature, it  
9 was 177.

10 So you have 177 voting on an object. How  
11 do I know, would I know why Mr. G or M or Y, you  
12 know, voted on a particular bill?

13 What was their intent? How do you get an  
14 intent from an entire body? I have to somewhat  
15 agree with Mr. O'Brien.

16 I mean we know, you know, if it's an -- if  
17 it's a statute against murder, we know that the  
18 legislative intent is, you know, is against murder,  
19 murder, but to try to, you know, get my point.

20 I sort of have to agree with Rock, that  
21 the legislature helped me in judging. I think it  
22 did to some extent.

23 It probably helped me in that I realized  
24 that when a piece of legislation came to me it



1 the one affirmation you had.

2 Are there some chancery cases that you  
3 remember that are either very interesting,  
4 factually important to you, important to the system  
5 that you can talk about?

6 JUDGE JAFFE: Well, yes, there are quite of few  
7 of them actually.

8 Sort of funny. My law clerk is doing some  
9 research on a particular subject matter and he said  
10 to me, you know, "The first three cases that I  
11 found were your cases." You don't find that very  
12 often.

13 JUDGE FLANNERY: No.

14 JUDGE JAFFE: But, all right. Well, first let  
15 me say I think that I was sort of meant to be a  
16 trial judge.

17 I think that being a trial judge is really  
18 a great thing because you are down there with the  
19 people.

20 I mean you are not up in some ivory tower  
21 reading transcripts or having transcripts read for  
22 you by someone.

23 You are down there and you are living with  
24 the people in your courtroom and when you give a

1 the one affirment you had.

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3 remember that are either very interesting,  
4 factually important to you, important to the system  
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18 a great thing because you are down there with the  
19 people.

20 I mean you are not up in some ivory tower  
21 reading transcripts or having transcripts read for  
22 you by someone.

23 You are down there and you are living with  
24 the people in your courtroom and when you give a

1 decision you have to give them a decision and you  
2 have to eyeball, you know.

3 So there's no running away from it. So I  
4 think of all of the courtrooms, the best courtroom  
5 is the trial courtroom because that really has  
6 really emotion in it and it has real people and I  
7 think everybody that sits in a real courtroom  
8 should be commended for the work that they do, but  
9 getting on to some of the cases.

10 Well, there's one case that is in the  
11 insurance field that if you read just about any  
12 insurance case, any insurance case at all, they  
13 always come up with a case called Wausau versus  
14 EHLCO or EHLCO versus Wausau. That's E-h-l-c-o.

15 It was an environmental spill case where  
16 there were about 135 different areas that were  
17 under contention with maybe a hundred lawyers, 90  
18 lawyers or whatever it may be, a multitude of  
19 insurance companies and every time we would call  
20 this case the entire courtroom would get up and we  
21 referred -- we had to break it down into committees  
22 and whatnot and then and then we decided to try it,  
23 some in piecemeal and there was one case that went  
24 up on appeal and the Appellate Court reversed me.

1           It went up on to the Supreme Court and the  
2 Supreme Court affirmed me on it and it became one  
3 of the notable cases in the -- in the field of  
4 insurance law.

5           Now you are going to ask me what the point  
6 was, what the basis was. There were so many  
7 different disputes in that field that I cannot  
8 really at this moment, you know, think of what, why  
9 was it out in Wausau versus EHLCO, but every time  
10 people came before me and they, you know, they  
11 would say and your case of Wausau versus EHLCO,  
12 made a big deal to the insurance lawyers.

13           Incidentally, this is not a notable case,  
14 but this happened to me yesterday.

15           I had an appeal from the Secretary of  
16 State's office for a, for a minor and it was a due  
17 process question because they do not give the same  
18 due process to a minor as they do to an an adult.

19           I had a case where I ruled that was  
20 improper and that the minor is entitled to the same  
21 due process as the adult was.

22           The Supreme Court reversed me on it and  
23 yesterday they argued a case, they argued a very  
24 similar case in my courtroom, and the lawyer who



1 was arguing for the minor was not aware that this  
2 case was my case, you see, and he tried to convince  
3 me that that case was not, you know, in line with  
4 the cases we had in front of us and I said, "I  
5 think you have got the wrong judge on that one."

6 I said, "That was my case. I got  
7 reversed. I took the position you did and the  
8 Supreme Court reversed me so I don't think I am  
9 coming with you this time."

10 So I thought that was sort of a funny  
11 thing that happened to me, yes, you know,  
12 yesterday.

13 Probably the most distressing case that I  
14 have ever had, I won't say that I have ever had,  
15 there's another one that was, that one was there  
16 and this sort of -- well, was the auditorium  
17 theater case and the reason that it was so  
18 distressing to me was because of the fact that it  
19 initially came before me and I decided a summary  
20 judgment after examining hundreds and hundreds and  
21 hundreds of documents.

22 What happened in that case was that the  
23 auditorium theater counsel maintained there was a  
24 trust created by Roosevelt University for the --

1 really a personal attack on me which I took  
2 personally and if you read the decision you would  
3 understand that it is a personal attack.

4 I never saw a decision quite written in  
5 that fashion and it was a decision in which they  
6 criticized me because they said they thought that I  
7 did such things as say certain people were credible  
8 and certain people were not credible and it was a  
9 very, very harsh opinion.

10 I have seen one like that similar, but,  
11 since then but I won't get into that at this  
12 moment, but and they said, well, you have got to do  
13 it over again.

14 They didn't reverse me and they said you  
15 have got to do it over again and at the same time  
16 this was costing both sides attorneys' fees in the  
17 amount of millions of dollars.

18 It was really in my view an abuse of  
19 process and they wanted to and their order was send  
20 it back to me.

21 I will tell you the thing that disturbed  
22 me worse of all is that they did not come out with  
23 a decision after hearing it and having heard oral  
24 argument for a couple of years and it's just

1 for the use of the auditorium theater counsel which  
2 was really just a comedy because the University, at  
3 the time when Roosevelt University was ready to  
4 develop and they maintained that they basically had  
5 the -- there was, they had no legal right to the  
6 theater or anything else to that effect and they  
7 filed a suit and I granted the summary judgment  
8 motion in favor of Roosevelt University and the  
9 Appellate Court said, "No," you know, "You can't do  
10 it. You have to have a factual hearing."

11 Well, I had a factual hearing which took  
12 up more than a month's time in which I heard dozens  
13 of witnesses and came to the conclusion that it  
14 was, I was absolutely right the first time.

15 There was nothing there. There was  
16 nothing there. The counsel, that the auditorium  
17 counsel was entitled to and I ruled in favor of  
18 Roosevelt University and I set a bond because it's  
19 a valuable piece of property.

20 The Appellate Court did not wish to have  
21 them paying for the bond and so on and so forth  
22 and, but getting to the heart of the issue.

23 After trying the case, the Appellate Court  
24 came down with a decision and the decision was

1 really a personal attack on me which I took  
2 personally and if you read the decision you would  
3 understand that it is a personal attack.

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5 that fashion and it was a decision in which they  
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19 process and they wanted to and their order was send  
20 it back to me.

21 I will tell you the thing that disturbed  
22 me worse of all is that they did not come out with  
23 a decision after hearing it and having heard oral  
24 argument for a couple of years and it's just

1 waiting and waiting.

2 At the same time this decision was  
3 sitting, the auditorium theater was in the hands of  
4 the auditorium theater counsel.

5 They took it up on appeal because one of  
6 the justices on the panel said, you know, this is  
7 absolutely silly.

8 There's no way. I can use the word,  
9 silly. He said, "I am even saying in the record,  
10 there's no way that these people can prevail in  
11 this lawsuit. There is nothing here, absolutely  
12 nothing here," and the Supreme Court took it and  
13 reversed the Appellate Court and affirmed me  
14 unanimously without a second vote and it bothered  
15 me because of the fact that I had a case that I  
16 thought was, I will be kind and say, mishandled, by  
17 the Appellate Court and should have never have been  
18 there that long and never have caused an  
19 educational institution millions of dollars in  
20 attorneys' fees.

21 JUDGE HENRY: A private institution?

22 JUDGE JAFFE: Pardon?

23 JUDGE HENRY: A private institution.

24 JUDGE JAFFE: Private institution, yes, but it

1 would have been bad if it was a public institution  
2 too, you know, because education in this country  
3 costs too much money, but that was one of the cases  
4 on the funny side of it.

5 If you want to get into numerous cases  
6 that I have had, this one is before the Supreme  
7 Court I think right now or the Appellate Court. I  
8 don't know whether it's Supreme or Appellate Court.

9 It had to do with the last gentlemen's  
10 club in the City of Chicago and this one has been  
11 pending for a long time, too.

12 If I get into the details, I may be here  
13 for 14 hours, but --

14 JUDGE FLANNERY: You have whet our appetite,  
15 believe me.

16 JUDGE JAFFE: But what happened in that case is  
17 that according to the ordinance, you cannot have  
18 nude dancing in an establishment that has liquor.

19 So in order to get around that, the City  
20 of Chicago has written an ordinance that describes  
21 what the -- and, you know, what the dancers must  
22 have covered in order to be within the right  
23 parameters and if you read the statute I think it  
24 will bring a smile to your lips, but the funny part

1 of the case was the trying of the case itself and I  
2 have asked one of the lawyers if they have a copy  
3 of the transcript because I think this transcript  
4 was just, it was the funniest case I have ever,  
5 ever tried and everyone, you know, all the lawyers  
6 and everyone else just enjoyed this case  
7 tremendously.

8 I held that the ordinance was improper and  
9 unconstitutional and it's up in the upper courts  
10 right now, but the one, one thing that it taught me  
11 was that if you hear testimony which conflicts  
12 between the vice officer and the stripper, believe  
13 the stripper every time.

14 It was just hysterical that case. Let me  
15 tell you why I say that because I just don't want  
16 to leave the record in that shape, but there was a  
17 -- the City of Chicago must have spent a fortune  
18 in prosecuting this case which in my mind is sort  
19 of a nothing case, but they had vice officers who  
20 came to this gentlemen's club and primarily this  
21 gentlemen's club was for visitors, you know, to the  
22 City of Chicago.

23 They sent them with cameras in their ties  
24 and the vice officers were taking these pictures

1 with the camera in their tie, you know, and you --  
2 it was very, very funny and shall I give you just a  
3 little bit of what I recall.

4 Bits of it may not be totally accurate,  
5 but --

6 JUDGE HENRY: Don't let that stand in the way  
7 of a good story.

8 JUDGE JAFFE: Okay, but the officer testified  
9 that the dancer came to him at the table.

10 The dancer would do dances at the table  
11 for extra money, not lap dances as they are called,  
12 but just dances and he maintained that this dancer  
13 came to his table and she had long hair and she  
14 threw her hair over his head and nibbled on his  
15 ears or something like that and the City attorney  
16 -- this is not what you expect in an oral history,  
17 right, but okay, and he said --

18 JUDGE HENRY: Never mind.

19 JUDGE JAFFE: And he said, and the question was  
20 asked, "Did you find that dance erotic?" And the  
21 officer said, "Yes, I found it erotic."

22 Okay, and so in cross-examination the  
23 other attorney said, "You say that you found it  
24 erotic, is that correct? And when you felt erotic,



1 how did that feel?"

2 He said, "Well what do you mean, how did  
3 it feel?" He said, "Well, did you have any feelings  
4 about it being erotic?"

5 He said, "No, I didn't have any feeling."

6 He said, "But you said it was erotic. You said,  
7 'Yes, it was erotic,' and you had no feelings?"

8 He said, "Of course not. I am a vice  
9 officer."

10 It was very funny, but the testimony with  
11 that was similar to that, but I can tell you  
12 stories about that case forever, but it was a very,  
13 very funny case.

14 Not one of the great monumental cases that  
15 will go down in history, but that was a funny case  
16 for me.

17 JUDGE HENRY: We will have to wait to read the  
18 Appellate Court opinion. It may be a monumental  
19 case.

20 JUDGE JAFFE: Well, maybe, but I do like cases  
21 with constitutional questions. I do like that.

22 JUDGE HENRY: Does another one pop into your  
23 head?

24 JUDGE JAFFE: I am just trying to think of --

1 JUDGE HENRY: Just the stories you remember.

2 Do you have any tax cases, school funding  
3 cases, anything with major implications on a  
4 statewide basis, the cases where you ruled  
5 unconstitutional, an act, because it violated the  
6 single subject matter?

7 JUDGE JAFFE: Subject matter?

8 JUDGE HENRY: Yes. Did you consider that a  
9 significant case?

10 JUDGE JAFFE: Oh, yes, it was significant  
11 because of the fact that the legislature which is  
12 sometimes -- well, let me back up and say, the  
13 legislature sort of has a love-hate relationship  
14 with the bench.

15 They know that the bench rules on what  
16 they say and the legislature always is angry at the  
17 judges for some reason.

18 I never quite understood it, but they are,  
19 each part of the government is sort of antagonistic  
20 to the other part of government and I, actually the  
21 legislature is antagonistic to the judicial because  
22 they realize that we have the power to say, okay,  
23 what is unconstitutional.

24 As a result of that I find very often the

1 judicial is somewhat intimidated by the legislature  
2 and will bend over, will do anything that they  
3 possibly can to uphold whatever the legislature  
4 does no matter how bad it is.

5 Now, constitutions favor Illinois, says  
6 that all bills shall be single-subject matter bills  
7 and at the end of each session and I think this  
8 goes to your prior question, what did -- what did I  
9 learn from the legislature and I think this is a  
10 case where the legislature did help.

11 I did understand that there are several  
12 bills that legislative leaders hold back which are  
13 known as your dealer bills and I don't mean that in  
14 a bad sense.

15 The time when they hold all important  
16 matters, the vacancies matter and sort of negotiate  
17 them all at one time which by itself could be a  
18 good process, but that's when they make their deals  
19 on all these bills and very often what they would  
20 do is lump them into one bill so that everybody  
21 votes for it and their thing is accomplished.

22 Well, the bill that I am talking about  
23 started off as a two-page bill on probation  
24 officers.

1 When it wound up it was a 300-page bill  
2 that dealt with underground storage tanks for  
3 gasoline, wiretapping.

4 It dealt with just dozens of issues and it  
5 was all in one bill.

6 Now what happens when the legislature  
7 amends those bills is they will change the title of  
8 the bill.

9 This is an act of probation officers.

10 Well, you can widen the title sometimes.

11 You can say, well this is an act dealing  
12 with the crime or something else to that effect,

13 but I actually, I don't remember what the title was  
14 of the bill, but it was, there was nothing that  
15 could cover all of these things and they came to me  
16 and I ruled on the bill.

17 I ruled the bill was unconstitutional and  
18 I ruled that they had to adhere to the constitution  
19 to have single subject matter, you know, bills, and  
20 to my mind that was the first time someone had  
21 enforced that portion of the constitution.

22 JUDGE HENRY: Was that a portion of the  
23 constitution prior to 1970 or was that something  
24 that was first included then? Do you know by any

1 branch of government that is the most responsive to  
2 the people because it gives their reasoning in  
3 writing."

4 JUDGE JAFFE: That's right.

5 JUDGE HENRY: And we are talking about the  
6 appellate level and I know many of the judges in  
7 the chancery level give written opinions as to --  
8 judges in motion calls here in the Law Division, so  
9 you don't have to speculate about why they decided  
10 a case. They tell you why.

11 JUDGE JAFFE: Yes. Whenever I hear a trial or  
12 a contested motion I do write something.

13 Well, I would tell you that I talked about  
14 the Roosevelt case. I issued a very thick report  
15 on that, on that case, you know, going down item  
16 for item for item for item.

17 It was, also most of my cases, the  
18 Roosevelt case was also very interesting as well.

19 I heard a great many people who came forth  
20 to testify who were very notable in the City of  
21 Chicago and most of them were at least 90 years  
22 old, to give you an example.

23 Nicholas is it, Revlon?

24 JUDGE HENRY: Helene Curtis.

1           JUDGE JAFFE: He came out. He was 90 years old,  
2 just as sharp as he could be and he sat there and  
3 they asked him a question.

4           They said, "What is your name?" He said  
5 what his business was. They said, "Well, well,  
6 what do you do?" He said, "I am retired."

7           They said, "Well, what did you do before  
8 you retired?" He said, "Well, I did a lot of  
9 things."

10           He said, "But mostly," now we are talking  
11 about Helene Curtis, this big corporation, "But  
12 mostly I was in the toilet goods business."

13           Now you haven't heard that term for a few  
14 years. Now nobody, well, Helene Curtis in the  
15 toilet goods business, but that's what he called it  
16 and he told how he sold, you know, these items  
17 initially with his father and brother and how they  
18 eventually went into business together.

19           It was just fascinating. I had a case  
20 that dealt with the Weinstein Funeral Home in which  
21 one of the people got up and gave me the whole  
22 history of the funeral business in the Jewish  
23 community.

24           It was just fascinating stuff. There is

1       -- my father was as I told you was a tailor from  
2 Poland always told me listen to everybody.

3               There's something to learn from everybody,  
4 you know. Talk to everybody and listen to  
5 everybody and be respectful of everybody and that  
6 was -- that was great advice because if you listen,  
7 you hear amazing stories sometimes.

8       JUDGE HENRY: Did you find out why there was an  
9 original Weinstein?

10       JUDGE JAFFE: Oh, sure, sure.

11               As a matter of fact, as a matter of fact  
12 they started out in the livery business and then it  
13 developed because they had the equipment, they  
14 could do funerals, you see, and that's how it  
15 started out.

16               It was a small group of people actually  
17 and they branched out and they really -- now the  
18 sad part of it is that most of the funeral chapels  
19 and most of the cemeteries are not individually  
20 owned at all.

21               There are very few that are. Most of them  
22 are now under the umbrella of different  
23 corporations and -- but that was, you know, but you  
24 if you sit and you listen and businesses come

1 before you and people come before you when you  
2 listen to them, I mean it's a great deal of fun  
3 because you learn and when I was in high school, I  
4 had a friend whose name was David Kaplan and David  
5 was the smartest guy in the school.

6 He was smarter than the teachers, but he  
7 was not a guy who wound up at the top of the class  
8 because it was learning that was important to him,  
9 but not the grades, and I was someone who was  
10 always sort of having a good time and goofing  
11 around and he said to me on one occasion, he said,  
12 "You know you have to get more serious and you  
13 have to settle down and you have to start studying  
14 a little bit," and I said to him, I said, "David I  
15 don't have to do that. I am having so much fun,"  
16 and he said because it is fun and I think he  
17 convinced me that it's fun to learn and I think  
18 that, you know, when you are in a position of being  
19 a judge and you are sitting on a bench and you are  
20 listening to all these people and most good people  
21 that come before us are, you know, are basically  
22 good people trying to do the best that they can.

23 You do get some bad apples, but you hear  
24 their stories.



1           I have a little old lady who comes in to  
2 see me who happened to be a homeless lady and she  
3 at the present time has a suit against the City of  
4 Chicago, the library, because they do not permit  
5 her to use the facility in the library because they  
6 maintain that she bathes in the library and so on  
7 and so forth.

8           She comes in with her cart carrying all of  
9 her possessions with her and she tells me this.  
10 She went to law school and was a law clerk and I  
11 believe her.

12           She is polite. She is nice. She is a  
13 delight to listen to.

14           She respects me and I respect her and as a  
15 matter of fact I tried to settle the case by saying  
16 to the City of Chicago, "You have places you could  
17 place this lady. Why is she out on the street? Why  
18 don't you see?"

19           And the City went out and tried to place  
20 her and they came back and they said, "Well, we do  
21 have a place for her and she refuses to take it,"  
22 because of the fact that she is so fearful.

23           She feels more comfortable on the street  
24 than she does in a house because she is afraid that

1 looking back, Aaron, just two questions really.

2 Has the practice of law changed  
3 substantially since you got out of law school until  
4 now? From your perspective from the bench has it  
5 changed a lot for better or worse?

6 That's one question and what  
7 recommendations would you make for the next 50  
8 years that would help the practice of law, serve  
9 the public better if you don't think it's serving  
10 it well now?

11 We can have you back again, Aaron.

12 JUDGE JAFFE: Well, first let me talk about the  
13 practice of law.

14 I think the practice of law has changed  
15 dramatically and I think it's due to a lot of  
16 things really and it's due to the attitude of  
17 society.

18 Our society has voted for a computer  
19 society and now I think we are really a mean  
20 consumer society.

21 We have so much technology at us from  
22 every place, you know.

23 Every family has to have 18 cars and 24  
24 television sets and so on and so forth and we have

1       become so materialistic in this country that I  
2       think that we have lost some of our human values  
3       and education is too expensive in this country.

4               Kids, you know, I don't think that any kid  
5       that wants to go to school should be deprived of  
6       school, but let's face it, schools are so expensive  
7       today.

8               I don't know if I were coming out of, if I  
9       were coming out of high school and were going into  
10      college, I would have never been able to afford the  
11      college education that kids are required to have  
12      today and I think that all of that impacts upon the  
13      practice of law and the practice when I left law  
14      school everybody dreamt about coming out of law  
15      school and being like Clarence Darrow and helping  
16      out, you know, humanity and doing things that were  
17      good for society.

18              Of course, everyone needs a certain amount  
19      of money to live on. I am not saying don't pay  
20      lawyers.

21              I, you know, lawyers have to be paid and  
22      they should be paid, but everything today has  
23      become billable hours and I sit in that courtroom  
24      and I see people coming into courtroom who really

1 don't know their client.

2 As a lawyer I never charged anybody for a  
3 phone call. As a matter of fact when my client  
4 would leave me I would say to them if there's  
5 something bothering you give me a call and we will  
6 talk about it, and I will tell you about whether or  
7 not you should be worried and I would take five  
8 minutes if they called.

9 I would, I would talk to them on the  
10 phone. No big deal, but today and the clock is  
11 always running.

12 There is tremendous pressure on the  
13 students who come out, who go into practice because  
14 they all have tremendous loan bills to pay off.

15 The firms, especially the largest firms  
16 work them to death doing stuff that I don't think  
17 necessarily develops great lawyers, but it's stuff  
18 that will get them billable hours.

19 Now when that happens to a profession such  
20 as the law profession that's a national tragedy I  
21 think, because our profession should be attracting  
22 the idealistical people who want to do something  
23 for other people and did that.

24 That's not the case and this is so, this

1 isn't only the legal profession. I think there is  
2 very little respect given to almost any  
3 institution.

4 Medical professions were always held in  
5 high esteem. Today that's not the case. It's not  
6 the case and I think it's because of all these  
7 pressures.

8 You can't get to talk to the doctor. The  
9 doctor sees you. He is regulated as to what he can  
10 do for you, stuff like that.

11 I think that one of these days we are  
12 going to have to have a major change in the way we  
13 think and the way we do things.

14 JUDGE HENRY: What would you suggest? Is that a  
15 subject for, a subject for another day?

16 JUDGE JAFFE: I think it probably will be a  
17 subject for another day.

18 JUDGE HENRY: We will have you back. You think  
19 about that. We will have you back. Jim has one  
20 other final question to ask.

21 JUDGE FLANNERY: The only question was knowing  
22 that your children and grandchildren are going to  
23 be reading this and friends and family, what else  
24 would you want to say?

1                   Any message you want to give to your  
2 children and grandchildren or anything you want to  
3 say that you think they should know or they should  
4 hear?

5           JUDGE JAFFE: Well, you know, quite truthfully  
6 I spend a lot of time with my grandchildren and my  
7 children.

8           Let me tell you what I do with my, what I  
9 have done with the older grandchildren and what I  
10 am doing with one of them now.

11           I try to at least one Sunday per month to  
12 take them and go into different neighborhoods of  
13 the City to see how other people live because  
14 basically my kids, my grandkids are suburban kids,  
15 but to give you an idea, last Sunday I took my  
16 grandson, Esra, he is 15 now and able to do that  
17 and appreciate.

18           We went to Devon Avenue which as you know  
19 there, Devon Avenue is like an international city,  
20 but we went from Western Avenue to California and  
21 that area is basically East Indian and we went into  
22 all the stores and went into the grocery stores and  
23 bakeries and actually we didn't eat there, for one  
24 reason, I forgot, but we usually eat in the other

1 areas, but I try to take him into another, every  
2 area of the city so they can meet other people and  
3 see that there is something to be learned from  
4 their culture and basically people are all the same  
5 and that.

6 We go in and we talk. We talk to  
7 storekeepers. We talk to whoever we have to talk  
8 to and it's great fun and it's great fun and he  
9 loves to do it, you know.

10 Prior we were at Chinatown. We went to  
11 the Pilsen area and we will be going, you know,  
12 every place that we can possibly go and he looks  
13 forward to it and I love to.

14 I look forward to it because, you know,  
15 being with my grandson and exploring, nobody will  
16 do that for me, because I enjoy it perhaps more  
17 than he does, but he told me next time out he wants  
18 to go to Little Italy.

19 So we will go to Little Italy, but before  
20 we will try to get us into as many neighborhoods as  
21 we possibly can.

22 JUDGE HENRY: Take him down to Bridgeport and  
23 show him the throne where the mayor lives, the seat  
24 of all power.

1 JUDGE JAFFE: We will be everywhere we can be.

2 JUDGE HENRY: Thank you very much, Aaron, for  
3 your time.

4 You have been very interesting and I think  
5 this is going to be a worthwhile, worthwhile part of  
6 the history and these transcripts.

7 I will review them once, when you get it  
8 to me and give them all back, very few corrections  
9 and then I will talk to you again.

10 (WHICH WERE ALL THE PROCEEDINGS  
11 HAD IN THE ABOVE-ENTITLED CAUSE  
12 ON THIS DATE.)

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1 STATE OF ILLINOIS )  
2 ) SS:  
3 COUNTY OF C O O K )  
4

5 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
6 COUNTY DEPARTMENT - Law Division  
7

8 I, JOYCE LEDGER, Official Court Reporter  
9 of the Circuit Court of Cook County, County  
10 Department - Law Division, do hereby certify that I  
11 reported in stenotype the proceedings on this date;  
12 that I thereafter caused the foregoing to be  
13 transcribed into typewriting, which I certify to be  
14 a true and accurate transcript.

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Official Court Reporter

084-001292

Dated this 10th day  
of November 2004