

Seymour Simon
1915 ~ 2006

An independent political mind

Chicagoan was true to his beliefs in a career in politics and law that spanned nearly 70 years

By Trevor Jensen and Joseph Sjoström
Tribune staff reporters

Seymour Simon was a Chicago Democrat with an independent streak who sparred with everyone from Mayor Richard J. Daley to his fellow Illinois Supreme Court justices during a political career that took him through all three branches of government.

Simon, 91, died Tuesday of cancer in Northwestern Memorial Hospital, said his son, John.

Simon made far more friends than enemies during his lengthy life in politics, but his repeated refusal to toe the party line kept him in the middle of numerous political dustups. At

the time of his death, he was working on his memoirs with Chicago writer Lester Munson. The working title: "It Wasn't Camelot."

"He always had this penchant for exercising independence," said former congressman and retired federal judge Abner Mikva, a longtime friend. "He was no Go-Along-Joe, and he made a difference."

Simon served two stints as an alderman for the 40th Ward on the Northwest Side, from 1955 to 1961, and then from 1967 until 1974, when he joined the Illinois Appellate Court. In between he was on the Cook County Board, serving as president from 1962 to 1966.

"He was a great lawyer and great politician before he be-



Tribune file photo by Bill Hogan

Seymour Simon served as a justice of the Illinois Supreme Court from 1980 to 1988.

came judge," said former Gov. James Thompson. "He's old school. He was admired by everybody in the legal community and everybody in the political

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He dissented on all cases of death penalty

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community too. They don't make many like Seymour."

Mayor Richard M. Daley noted that Simon's career was marked with "countless honors and awards."

"This giant of the legal profession dedicated his life to public service, and we will miss his many contributions and tremendous leadership," Daley said in a statement.

"He was a giant of Chicago politics who worked in all three branches of government and whose persona was larger than life," Ald. Edward Burke (14th), who served in the City Council with Simon, said in a statement.

As a state Supreme Court justice in the 1980s, Simon became an automatic dissent in all death penalty cases, arguing the death penalty was unconstitutional because it could never be applied fairly.

"He was true to himself, and what he knew to be right," said Rob Warden, executive director of the Center on Wrongful Convictions at Northwestern University School of Law. "Politics would not enter into a decision Seymour made in a criminal case."

A working lawyer for most of his life, he was a partner with DLA Piper in Chicago at the time of his death.

"He liked politics, he loved people," John Simon said. "He enjoyed being part of the community. That was his great interest when I think of it."

Simon, who was born on Aug. 10, 1915, grew up in Albany Park, the son of a lawyer. He was a graduate of Roosevelt High School and Northwestern University, where he attended law school and graduated first in his class in 1938. He served in the Navy during World War II. In 1954, he married a widow with three children, Roslyn Biel, and the family lived for many years in the Hollywood Park neighborhood.

In his early years on the City Council, Simon was a Democratic machine loyalist who served as a lieutenant to Ald. Thomas E. Keane, Mayor



Mayor Richard J. Daley (left) congratulates Seymour Simon on his ascent to president of the Cook County Board in 1962.

Seymour Simon

Born: Aug. 10, 1915, in Chicago.

Education: Northwestern University, bachelor of science, 1935; law degree, 1938.

Political résumé: Alderman, 40th Ward, 1955-61, 1967-74.

Cook County Board commissioner, 1961-62; president, 1962-66.

Illinois Appellate Court judge, 1974-80.

Illinois Supreme Court judge, 1980-88.

Legal practice: Attorney for the U.S. Department of Justice, 1938-42; attorney in Chicago, 1946-74; partner, law firm of Rudnick & Wolfe, now DLA Piper, 1988-2006.



Tribune file photo

Then-Ald. Seymour Simon in a dispute during a 1973 Chicago City Council meeting.

Richard J. Daley's City Council floor leader. His party fealty won him appointment to fill a vacancy on the Cook County Board in 1961. In July 1962, again with Daley and Keane's approval, he took over as board president.

He began to display an independent streak that the mayor and other party chiefs found intolerable. He crossed Keane by refusing to order the rezoning of 186 acres in North

field Township for use as a garbage dump at the alderman's request.

"Keane insisted, 'It's Seymour or me,'" said Leon Despres, the council's most outspoken independent and the first Mayor Daley's longtime nemesis. "Daley couldn't afford to make Keane a mortal enemy."

In 1966, Daley saw to it that Simon was not re-elected by the Democrats for County Board president. Still a committee member in the 40th Ward, he was able to win election as alderman and return to the City Council in 1967.

"That incident really made Seymour into a man," Despres said of Simon's faceoff with Keane. "When he came back, he was a different man." While not totally breaking from the party, Simon "frequently opposed Daley, and criticized him," Despres said.

Bucking Daley was a somewhat quixotic mission. Arguing that the mayor would pack the City Council gallery with supportive city workers, Simon in-

duced a resolution directing the mayor to send the employees back to their jobs. It was defeated 34-6. But he also had some success during his second go-round as alderman, leading fights to eliminate pay toilets at O'Hare International Airport and to keep fees down in the city's parking garages.

Simon left the City Council for the state Appellate Court and then in 1980 defeated Appellate Judge Francis Lorenz, the Democratic Party's choice, in a primary for a seat on the Supreme Court.

During his tenure with the high court, he wrote nearly 300 majority opinions. They included a landmark 1984 decision upholding Morton Grove's ban on handguns and a 1996 decision that ruled invalid a proposed referendum aimed at unseating Mayor Harold Washington by conducting Chicago's mayoral election on a nonpartisan basis.

In 1982 he again angered Democratic loyalists when he joined with three Republican justices to provide the majority in rul-

ing the state's recant statute unconstitutional, giving Thompson a third term by a 5.074-vote advantage over Adlai E. Stevenson III.

Stevenson, a former U.S. senator, told the Tribune in a November 2000 interview that he felt Simon's vote was retribution for not helping him secure a federal judgeship when Stevenson was a U.S. senator. Simon called Stevenson's comments "nonsense."

Simon was also the author of some 175 dissents. He was the court's lone dissenter in 1987 when the court denied Ed Loss, a former fugitive and drug addict, a license to practice law. Simon started a public furor when he said the full court violated its own rules in the case and may have turned the entire licensing process into "a sham."

Simon resigned from the court with three years left on his term, although he said at the time that the cancer over his dissent in the Loss case had nothing to do with his decision.

"I stand up and speak my own mind and march to my own drumbeat," Simon told the Tribune.

In 1988, Simon joined Richard M. Daley's campaign for mayor, a move that provoked surprise because of Simon's sometimes fractious relationship with Daley's father.

"Things change, times change," Simon told the Tribune. "The son doesn't have to be like the father in all respects. There are many respects in which I know he will be like the father, and that will benefit the city."

He also continued his fight against the death penalty. On a frigid December day a few years ago, Mikva said he found himself next to Simon at an anti-death penalty rally at Daley Plaza. As the speeches dragged on, Mikva leaned over to Simon and said, "Don't you think we've done enough of this?"

"No," Simon replied. "You've got to keep doing it, or you forget how."

Simon is survived by his wife, Roslyn, two sons, John Simon and Anthony Biel; a daughter, Nancy Simon Cooper; 10 grand-children; 13 great-grandchildren; and a sister, Muriel Miller.

Services are set for 11 a.m. Friday in Chicago's Sinai Congregation, 15 W. Delaware Pl.

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