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# Robson Counter

# - Attack

# ...Skolnick Kerner

BY BOB SELTZNER

(Of The Daily Calumet Staff)

A complete breakdown of communication and bitterness to the level of mania were inevitable between Southeast side legal researcher Sherman Skolnick and all categories of the judiciary in Chicago. It has been brewing for a half dozen years.

Skolnick's activities over the years in the courts, fortified by an unusual, and on occasion an uncanny self-education in the legal processes, have angered

even the lawyers who make their living there—though there are no few of them who privately have envied his apparent immunity to retaliation and the professionalism of his work.

However, hand in hand with Skolnick's continuing citizen's role in demanding action by the courts on such issues as legislative apportionment of Illinois' political boundaries, has been a tatoon of attacks on the performances of certain judges. And here Skolnick has run the risk of finally painting himself into a corner. The judiciary, from the

Supreme Court on down through the lowest ranks of the local Circuit Court

## Dateline:

ultimately had to revolt and put Skolnick in his place, so to speak.

United States District Court judge Edwin Robson on December 9 of this

## Case 'Limbo'

year became the instrument of all the courts to do just that. Judge Robson hit

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Skolnick with a scathing broadside which made a considerable dent in the ironclad hide of the previously indefatigable Skolnick.

Skolnick, who over the years has attracted enough volunteer helpers to legitimately form a group known as the Citizens Committee to Clean Up the Courts, is the first to admit that Judge Robson's counter attack found its mark, even though only momentarily. As a matter of fact, Skolnick in late November and early December admitted to this columnist that this particular project of his was in trouble.

Though hardly a gambler in the

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normal sense, Skolnick was not immune to taking calculated risks in his lifetime dedication to force the judiciary to admit that it is all too human.

His highly successful campaign last summer to open up the state Supreme Court to public view on the premise that it was not conducting itself "beyond reproach" as he and many others believe it must, was without a doubt a high water mark for him.

Justices Solfsburg and Klingbiel were left no alternative but to resign following the public hearings which resulted. The effort would have earned any ordinary human a year or more of rest. But not Skolnick or his followers.

Motivated by the most basically honest goals any citizen of the country—not money nor public attention, but honest to goodness ideals—can seek to attain, the Solfsburg-Klingbiel scandal only wetted Skolnick's appetite. He set out, hardly with time to catch his breath, immediately after former Illinois governor, now federal judge Otto Kerner. He charged Kerner took a bribe.

As a non-lawyer, Skolnick has been knocked about with disdain in the courts before. Without court-level legal status, Skolnick has always risked being discounted as not competent to approach the bench—except for a couple allies. Skolnick's ability to prepare paperwork in the judiciary's own language, and his hard-fought respect by much of the press have kept him going beyond where any other ordinary citizen has ever gone before.

It wasn't easy. The ranks of the non-believers, and particularly among the press, have long and remain to this day in far greater numbers than the believers.

Today, however, Skolnick's entire movement is in a no-man's land, a limbo still not totally accredited, but far from discredited.

Despite the public regret of Chicago news commentator John Madigan of WBBM, and some other newsmen for having helped the Skolnick movement, in the wake of Judge Robson's citation of Skolnick, Skolnick is far from having been laid away. His next move is equally important.

Madigan and the others were reacting to Judge Robson's sharp criticism of the press in its provision of exposure for Skolnick, and calling upon the press to join the judiciary in seeking a common goal.

Judge Robson's statement followed a three-part appeal by Skolnick entered in a case in Judge Robson's federal

district court, since last spring against Agran vs. Civic Center Bank. Agran, a minority stockholder, had brought suit against the majority stockholders of Civic Center Bank over the majority stockholders' efforts to stop the merger of Civic Center with Southeast National Bank. Agran charged that there was subterfuge by the majority stockholders in this merger, and Skolnick seized upon the occasion to bring charges against Judge Kerner, a stockholder in Civic Capital Corporation, the parent company of Civic Center Bank.

Judge Robson's statement was entered as an official document in that case, utilizing more common citizen's language in the process than Skolnick's original three-part motion to become a

"friend of the court" for the purpose of opening up his charges against Kerner.

Following are a variety of excerpts from Judge Robson's seven-page statement which thoroughly establish the judge's furor, but which as we will see on its face settles very little.

"The Skolnick papers purport to relate to a case pending before this court."

"The Skolnick papers are totally irrelevant and not pertinent in any way to the above described issues pending before this court in the Agran case. Neither Skolnick nor Sherman are attorneys."

"Rather, the Skolnick papers set forth libelous accusations and innuendoes disparaging the character and professional ethics of the judges of the United States Court of Appeals for the Seventh Circuit, and a judge of the Appellate Court of Illinois, who Skolnick alleges are shareholders of the banks involved in this litigation."

"This is but another of a series of brazen and unfounded attempts by Skolnick to cause irreparable damage to the reputation of members of the judiciary and the legal profession."

"The record also indicates that any judge ruling against Skolnick is likely to be subjected thereafter to vilification in the news media and often becomes the target of spurious but harassing litigation initiated by Skolnick."

"Such conduct, comments, and libelous misrepresentations concerning pending litigation, including misrepresentations as to the very nature of that pending litigation, violate and Cannons of Ethics of the legal profession. Were Skolnick an attorney and as such an officer of this court, he

would be subject to discipline and sanctions for such totally irresponsible and prejudicial misbehavior. The Skolnick papers are prepared and addressed to the news media to generate publicity, and are not addressed to this court to present legal considerations. In neither form nor substance are the Skolnick papers as such proper documents. It is a gross misrepresentation to dignify the person responsible for these documents as a legal researcher."

"It is blatantly the product of a publicity-seeking informer, and self-styled chairman of a vigilante committee whose membership, if any, is secret and whose financial backing is equally shielded from public scrutiny."

"This request further demonstrates Skolnick's unscrupulous bombardment of this court and its judges with spurious, malicious, and libelous request which may provide national headlines, but which any reasonable student would recognize as improper."

"The judiciary and the news media have a common responsibility. Each in its way must and should protect the community from abuses by the legislative and the executive branches of government, from criminal activities, and have many other responsibilities too numerous to mention. There should and must be joint co-operation in carrying out these important duties. Each institution should therefore exercise the utmost discretion in seeing that completely irresponsible and unsubstantiated charges are neither entertained nor indiscriminately circulated."

"These papers, like so many of Skolnick's prior 'legal' forays, are an attempt to take advantage both of the news media and of the judiciary, to the ultimate detriment of the public interest."

In Skolnick's behalf, the Judge Robson counter-attack does not quite lay to rest the entire matter of Skolnick, the judiciary, and the press. Whether Judge Robson prepared his statement with great care or in an attitude of excited anger is not known, but in any event if his effort was to bury Skolnick he left a couple of loopholes.

Right in the midst of this lengthy chastisement of Skolnick, Judge Robson did appear to nullify it all by including the words, "The Skolnick accusations, whether true or not, have no possible bearing on the Agran case

(Page 4, lines 22 and 23)

Thus, with the words "whether true or not," Judge Robson plainly stated that Skolnick's charges against Judge Kerner may have weight, but he (Robson) didn't want them dealt with in his court.

We also find Judge Robson's reference to "the judiciary and the news media (having) a common responsibility" to "protect the community from abuses by the legislative and the executive branches" to be unusual language to say the least. One must assume that Judge Robson regards the judiciary as a branch of government somewhere beyond scrutiny.

We view this assumption as unfortunate, and certainly up to question, and we need only refer back to the June and July scandal in the Illinois Supreme Court.

The judiciary, as the legislative and executive, are branches of government, and as such must not be confused with the nation's press.

And, ultimately, Sherman Skolnick through all of this may have accomplished something which he never had in mind at all.

He has once and for all placed himself among the ranks of the public, and in which he is, with the very best and the press always, a citizen to the very 99 per cent of his fellow citizens.

Rather than villify him for his adventures with their risks, we should welcome him among us.