

Senator KENNEDY. You recognize, though, the emerging consciousness and interest among women and their role in the society. In many respects, I believe this interest has been reflected in the support for the equal rights amendment. I am just wondering whether on that basis you feel that you would support it?

Judge STEVENS. I really wonder if it is appropriate for me to support or oppose the equal rights amendment. I did have a case that involved the question of procedure, as to whether the amendment had been duly ratified in Illinois. But our consideration of that case had nothing to do with our views as to the merits of the amendment, because the issue would be the same regardless of what the subject matter of the amendment might be.

I just have not, frankly, taken a position on the equal rights amendment, and I am not in the habit of expressing opinions about something that I have not really thought through. I think it has symbolic importance; but as far as its legal importance, I am just not really sure of its significance.

Chairman EASTLAND. We will recess now until 2:30.

[Whereupon, at 12:35 p.m., the committee recessed, to reconvene at 2:30 p.m. the same day.]

#### AFTERNOON SESSION

Chairman EASTLAND. The committee will come to order.

Judge Stevens, I will ask you to stand aside temporarily while we take the testimony of Mr. Warren Christopher.

Mr. Christopher, please identify yourself for the record.

#### TESTIMONY OF WARREN CHRISTOPHER, CHAIRMAN, AMERICAN BAR ASSOCIATION STANDING COMMITTEE ON THE FEDERAL JUDICIARY

Mr. CHRISTOPHER. My name is Warren Christopher. I am a practicing lawyer in Los Angeles, Calif. I am chairman of the American Bar Association's Standing Committee on the Federal Judiciary, and it is in the latter capacity that I appear here today.

Chairman EASTLAND. You were Deputy Attorney General of the United States, were you not?

Mr. CHRISTOPHER. Yes; I was in 1967 and 1968.

Chairman EASTLAND. Proceed.

Mr. CHRISTOPHER. Mr. Chairman and members of the committee, may I first thank you on behalf of the ABA and our committee for this opportunity to appear here. We value it and we appreciate it.

Our committee investigated Judge Stevens in 1970 at the time that he was nominated for the Seventh Circuit Court of Appeals. At that time, Mr. Chairman and members of the committee, we found Judge Stevens to be well qualified for the appointment.

At the time of his nomination and in the weeks preceding it, we conducted an entirely new inquiry regarding him in connection with this nomination that is now before the committee. Our new investigation and our new evaluation involved a consideration of all of his opinions on the court of appeals, interviews with all the judges on the seventh circuit, and with a large number of other judges in that circuit and around the country, interviews with judges and lawyers not only in

the Chicago area but around the country, interviews with law deans and law professors throughout the country, and finally, Mr. Chairman and members of the committee, an interview with Judge Stevens himself.

I have filed with the committee a letter summarizing the results of our investigation, and I shall not repeat it in detail here.

[The letter referred to follows:]

AMERICAN BAR ASSOCIATION,  
Chicago, Ill., December 8, 1975.

HON. JAMES O. EASTLAND,  
Chairman, Senate Committee on the Judiciary,  
New Senate Office Building,  
Washington, D.C.

DEAR MR. CHAIRMAN: This letter is submitted in response to your invitation to the Standing Committee on Federal Judiciary of the American Bar Association to submit its opinion regarding Honorable John Paul Stevens of Illinois who has been nominated to be an Associate Justice of the Supreme Court of the United States.

Our Committee is of the opinion, based upon the investigation described below, that Judge Stevens meets high standards of professional competence, judicial temperament and integrity—the Committee's highest evaluation for potential nominees for the Supreme Court. To the Committee, this means that from the viewpoint of professional qualifications, Judge Stevens is one of the best persons available for appointment to the Supreme Court. It should be noted that the Committee does not attempt to comment on political or ideological matters.

Our Committee investigated Judge Stevens' qualifications in 1970 when he was appointed to the United States Court of Appeals for the Seventh Circuit and we then reported that Judge Stevens was Well Qualified for appointment to that judicial position. Our Committee's current inquiry regarding Judge Stevens included the following:

(i) Surveys of Judge Stevens' opinions were made for our Committee by practicing attorneys and by professors of law.

(ii) All of the members of the Seventh Circuit Court of Appeals were interviewed. In addition, the Chief Judge of each of the District Courts within the Seventh Circuit was interviewed as were a number of other federal and state court judges within the Seventh Circuit.

(iii) More than fifty lawyers within the Seventh Circuit who are in active practice and who would be most likely to be familiar with Judge Stevens' reputation and work were interviewed.

(iv) A number of judges and lawyers outside the Seventh Circuit were interviewed.

(v) The deans or members of the faculties of law schools in the Seventh Circuit who were most likely to know or be familiar with Judge Stevens' work were interviewed. In addition, deans and professors of law in law schools outside the Seventh Circuit were interviewed.

(vi) A member of our Committee interviewed Judge Stevens.

#### PROFESSIONAL BACKGROUND

Judge Stevens has a distinguished record as a student, a practicing lawyer, and as a judge. He received his B.A. from the University of Chicago in 1941, graduating Phi Beta Kappa. Following service in the Navy, he attended Northwestern School of Law, where he received a J.D. in 1947. He was first in his law school class, co-editor of the *Law Review*, and a member of the Order of the Coif. After graduating, he served as a law clerk for one year to Mr. Justice Rutledge on the United States Supreme Court.

From September 1948 to March 1951, Judge Stevens was associated with the law firm of Poppenhusen, Johnston, Thompson and Raymond (now Jenner & Block) in Chicago. Then, from March 1951 to January 1952, he was Associate Counsel to the Subcommittee on the Study of Monopoly Power of the Committee on the Judiciary of the United States House of Representatives in Washington, D.C. Thereafter, he organized and became a member of the firm of Rothschild, Stevens and Barry when it was formed on July 1, 1952, and remained with that firm until appointed to be a judge for the United States Court of Appeals for the Seventh Circuit in 1970.