

# THE PROGRESSIVE FORUM

Great Minds, Great Answers

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For Release

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John Paul Stevens, Tuesday November 16,  
U.S. Supreme Court Justice

U.S. Supreme Court Justice John Paul Stevens will appear at The Progressive Forum Tuesday November 16, 2010, at the Wortham Center, Cullen Theater, at 7:30 PM. Stevens who retired officially June 28, 2010, is the third-longest serving justice in the Court's history and widely regarded as the leader of the liberal wing. He will sit in conversation with Progressive Forum president Randall Morton.

Tickets range from \$14 to \$54. A limited number of \$74 tickets are available which include a pre-event reception with Justice Stevens and center-front seating. Tickets are available at [www.progressiveforumhouston.org](http://www.progressiveforumhouston.org) or by calling 832-251-0706. There is no physical box office except at the theater on event night.

The event's exclusive sponsor is the leading law firm, Williams Kherkher. Managing partner, John Eddie Williams, Jr., founded the firm in 1983. Williams said, "It is an honor for our firm to be the exclusive sponsor of Justice Stevens' appearance, the first public, open ticketed event-appearance of a U.S. Supreme Court Justice in Houston."

John Paul Stevens, 90, was appointed to the Supreme Court by President Gerald Ford in 1975. Since then, Stevens has emerged as a voice of moderation as the Court has turned more conservative with appointments by Presidents Reagan and Bush I and II, including Chief Justice Roberts, Justice Antonin Scalia, Justice Clarence Thomas, and Justice Samuel Alito.

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Stevens served as senior associate justice which entitles him to speak second in conference after the Chief Justice and assign the writing of opinion when the Chief Justice is not in the majority, often a factor in building coalitions with swing justices. As senior associate justice, Stevens assumed administrative duties of the Court whenever the Chief Justice was vacant or unable to perform his duties. He has presided over oral arguments on a number of occasions when the Chief Justice was ill or recused.

A native of Chicago, his father, Ernest James Stevens, was a lawyer who later became a hotelier, owning the Stevens Hotel, then the world's largest with 3,000 rooms. His mother, Elizabeth Street Stevens, was a high school English teacher.

Stevens attended the University of Chicago. In 1941, he began work on a master's degree in English at the University of Chicago, but decided to enlist in the Navy where he earned a Bronze Star in World War II for his work on a code-breaking team in the Pacific theater.

After the war, he attended Northwestern Law School where he distinguished himself as editor of the law review, graduating with the highest grades in the law school's history at that time. During the 1947-48 term, he clerked for U.S. Supreme Court Justice Wiley Rutledge, the last of the Roosevelt appointees. According to the *Wall Street Journal* of June 30, 2010, as a law clerk, Stevens argued that segregation was unconstitutional years before the Court reached the same conclusion in *Brown v. Board of Education*.

He returned to Chicago and joined a prominent law firm before forming own law firm, Rothschild, Stevens, Barry & Myers. Much of his work focused on anti-trust litigation, an expertise which led to positions with special counsels to the House of Representatives and the U.S. Attorney General's office. He served as a lecturer on anti-trust law at the law schools of Northwestern and the University of Chicago.

In 1969, the Illinois Supreme Court appointed the Greenberg Commission to investigate corruption allegations of two justices. Stevens was appointed counsel and gained prominence in a prosecutorial role, forcing the two judges from office. In 1970, President Richard Nixon appointed him to the U.S. Court of Appeals for the Seventh Circuit. Five years later, President Gerald Ford appointed him to the U.S. Supreme Court, replacing Justice William O. Douglas. He took his seat December 19, 1975. President Barack Obama nominated Elena Kagan to succeed Stevens.

Court commentators say Stevens is a wily practitioner of coalition building, reaching out to swing justices like Sandra Day O'Connor and Anthony Kennedy. Rather than keeping history-making cases for himself to write, he often assigned the opinion to one of them, providing them pride of authorship, and ensuring they would find nothing objectionable in the Court's final opinion.

A strong and fast writer, Stevens was unique in writing his own first draft of opinions. He never joining the cert. pool, the arrangement under which the justices share their law clerks and have them produce a single memorandum making a recommendation about whether the court should hear each of the more than 7,000 appeals that reach it each year. He said he's not sure "the cert. pool is the best mechanism for the court." Justice Alito left the cert. pool in 2008.

He's a pilot, an amateur Shakespearean, and a baseball fan who saw Babe Ruth's "called shot" in the 1932 World Series . In 2005, he returned to Wrigley Field to throw out the first ball in a Cubs game. According to an article in the *Wall Street Journal*, April 18, 2009, Stevens investigated the authorship of Shakespeare's plays and believes the works were not written by Shakespeare of Stratford-upon-Avon, but by the 17<sup>th</sup> earl of Oxford, Edward de Vere, an Elizabethan courtier. Doing much of his work from his home in Florida, for years he

occasionally piloted his own plane between Washington, D.C. and Florida. He also loves tennis, golf, and bridge.

At a forum at Fordham University in his honor in 2005, Stevens said, “Learning on the job is essential to the process of judging.” His views have evolved, displaying a striking open-mindedness. Among his first acts on the Court was voting to reinstate capital punishment in *Gregg v. Georgia* (1976). Yet over time he grew disillusioned and in 2008, he renounced his support for the death penalty in *Baze v. Rees*, saying that the premise the death penalty could be rational and fair had gone unfulfilled, that it was now time to reconsider. He also changed tack on affirmative action, opposing it in *Regents of the University of California v. Bakke* (1978), and later upholding the affirmative action program at the University of Michigan Law School in *Grutter v. Bollinger* (2003).

Justice Stevens led the Court in overturning the Bush administration’s efforts to evade legal restrictions by choosing Guantanamo Bay, Cuba, as a detention site in the belief that the military base was immune from federal habeas jurisdiction. Justice Stevens’ first majority opinion on the matter was *Rasul v. Bush* (2004), in which the Court held that the habeas statute covered Guantanamo. It rejected the Bush administration’s expansion of presidential power, ruling that military commissions established to try detainees were unauthorized, that the U.S. court system has the authority to decide whether foreign nationals held in Guantanamo Bay were wrongfully imprisoned.

On *Bush v. Gore* (2000), he said in a scathing dissenting opinion, “Although we may never know with complete certainty the identity of the winner of this year’s presidential election, the identity of the loser is perfectly clear. It is the nation’s confidence in the judge as an impartial guardian of the rule of law.”

In *Citizens United v. Federal Election Commission* (2010) which allowed corporations to spend freely in elections, Stevens said, “Essentially, five justices were unhappy with the limited nature of the case before us, so they changed the case to give themselves an opportunity to change the law.... While American democracy is imperfect, few outside the majority of this Court would have thought its flaws included a dearth of money in politics.”

In a landmark case which invalidated prohibitions against flag burning, *Texas v. Johnson* (1989), Stevens, a decorated veteran, argued in a dissenting opinion that the flag “...is more than a proud symbol of courage, the determination, and gifts of nature that transformed 13 fledgling colonies into a world power. It is a symbol of freedom, of equal opportunity, of religious tolerance, and of good will for other peoples who share our aspirations....”

*Roe v. Wade* (1973) was affirmed in *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1992). Stevens said, “Roe is an integral part of correct understanding of both the concept of liberty and the basic equality of men and women.”

Supporting religious freedom, in his opinion of the Court on *Wallace v. Jaffree* (1985), he wrote, “Just as the right to speak and the right to refrain from speaking are complementary components of a broader concept of individual freedom of mind, so also the individual's freedom to choose his own creed is the counterpoint of his right to refrain from accepting the creed established by the majority.”

The Progressive Forum is a nonprofit 501(C)(3) civic speaker organization presenting its events at The Wortham Center. It's the only civic speaker organization in America dedicated expressly to progressive values. Its purpose is to enrich our democracy and culture by striving to present the greatest minds from all the fields of human endeavor, the sciences and the humanities as well as politics and public affairs,

great minds it believes are advancing the success of individuals, our species, and life on the earth.

This year of 2010 marks the fifth anniversary of The Progressive Forum.

The Progressive Forum premiered on June 13, 2005, with Robert F. Kennedy, Jr. and Houston Mayor Bill White in a program called “Our Environmental Challenges.” Al Gore launched *An Inconvenient Truth* at The Progressive Forum June 7, 2006, his first U.S. book event for that title. On September 17, 2008, Gloria Steinem celebrated the 30<sup>th</sup> anniversary of the historic National Women’s Conference held in Houston. On March 27, 2008, Robert Redford introduced a film he produced and narrated, *Fighting Goliath: Texas Coal Wars*, a documentary about 32 Texas cities banding together opposing coal plant permits. Last year June 12, 2009, Nancy Pelosi became the first sitting U.S. House Speaker to make a public appearance in Houston in modern times. More recently, December 7, 2009, The Progressive Forum produced the national launch event for the first book by premier climatologist James Hansen of NASA, *Storms of My Grandchildren: The Truth about the Coming Climate Catastrophe and Our last Chance to Save Humanity*.

Other speakers have included Jared Diamond, Seymour Hersh, Molly Ivins, George Soros, Edward O. Wilson, Frank Rich, Garrison Keillor, Joe Klein, Tim Flannery, Anna Deavere Smith, Ken Burns, George Lakoff, Bill McKibben, Elizabeth Edwards, Larry Wilmore, T. Boone Pickens, Lester Brown, Brian Greene, and Karen Armstrong.

The Progressive Forum originated a new model in civic speaker organizations in

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Houston to deliver a larger audience and a higher quality experience in a theater rather than a hotel luncheon as with traditional speaker organizations. The Progressive Forum model is similar to a performing arts company by using the finest theaters, paying speaker fees to present the top intellectual stars, and marketing throughout the region. It offers convenient box office services through its website allowing ticket buyers to print tickets at their computer in addition to traditional phone sales.

Founder and president, Randall R. Morton has owned Randall Morton International, Inc. for 34 years, an advertising and public relations agency whose clients have included leading oil equipment in the U.S., Japan, Mexico, and Europe. Morton created, produced, and hosted the Oilfield Breakfast Forum from 1994 to 2003, a another speaker platform which is still the largest in the oil industry. While earning a degree in government from Georgetown University in Washington, D.C., he served as an issue writer for the Democratic National Committee.