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Correspondence Between John A. Slevin and Edward L. Wright Regarding Honorable Frank Gray, Jr. and Judicial Ethics, 1970 October 22 - 1970 October 28

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Esquire

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American Bar Association

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AMERICAN BAR ASSOCIATION

OFFICE OF THE PRESIDENT
EDWARD L. WRIGHT
AMERICAN BAR CENTER
CHICAGO, ILLINOIS 60637
TELEPHONE (312) 493-0533

PLEASE REPLY TO:
2200 WORTHEN BANK BUILDING
LITTLE ROCK, ARKANSAS 72201
TELEPHONE (501) 375-6483

October 28, 1970

John A. Slevin, Esquire
305 Security Savings Building
Peoria, Illinois 61602

Dear Mr. Slevin:

Your letter of October 22 with clipping from The Wall Street Journal of October 20 on Judge Frank Gray, Jr., of Nashville, Tennessee, was on my desk when I arrived from an absence from the office.

First let me say that I do not know Judge Gray and I have no information whatever about the bankruptcy proceedings involving Whale, Inc., which is the subject of the Wall Street Journal's story. You request my response to your question, "Does the American Bar Association intend to conduct any investigation and take any further steps in the matter of the Honorable Frank Gray, Jr.?"

As you are no doubt aware, the American Bar Association is a voluntary association composed of approximately one hundred and fifty thousand lawyers in the United States. It has no jurisdiction or control over members of the judiciary, state or federal. In 1924 the American Bar Association formulated the Code of Judicial Ethics, which has been adopted, in whole or in part, by courts throughout the nation. At the present time a Special Committee of the American Bar Association, under the Chairmanship of the Honorable Roger J. Traynor, who retired last year as Chief Justice of the Supreme Court of California, is engaged in developing Standards of Judicial Conduct and it is hoped that the final draft will be ready for submission to the House of Delegates of the Association next summer. I think it is reasonable to assume

C O P Y

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that, in view of the widespread distribution of the working drafts of the Standards and the high quality of the work of the Committee, the House of Delegates will vote favorably on the Standards. When the Standards are promulgated the American Bar Association will urge their adoption by the courts of the nation.

As you are also no doubt aware, the respective Judicial Conferences of the Circuits generally have jurisdiction over the assignments of judges. I am not aware as to what steps, if any, have been made to disqualify Judge Gray in the bankruptcy case involving Whale, Inc., but this is certainly a matter in which a litigant has formal recourse if the facts justify action.

Without sitting in judgment on any person based solely on a story in the press, it is a fact that the present Canons of Judicial Ethics and the new Code of Professional Responsibility (which relates to lawyers) provide that judges and lawyers should avoid even the appearance of professional impropriety.

With every good wish, I am

Sincerely,



Edward L. Wright

ELW:js

bcc: Honorable Roger J. Traynor
E. Wayne Thode, Esquire
Bert H. Early, Esquire
David Hayes, Jr., Esquire
H. William Allen, Esquire
Walter P. Armstrong, Jr., Esquire

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TELEPHONE
676-8986
AREA CODE 309

October 22, 1970

Mr. Edward L. Wright
2200 Worthen Building
Little Rock, Arkansas 72201

RE: American Bar Association

Dear Mr. Wright:

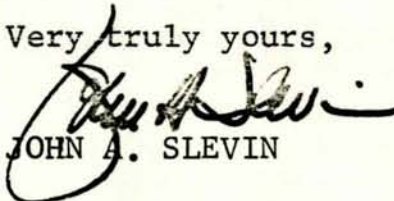
I am certain that the enclosed article published in the Wall Street Journal on Tuesday, October 20, 1970 has been called to your attention.

It is attitudes such as the one reported in this story that make it, in my opinion, so difficult for the younger generation to have an appreciation and respect for the laws and the judicial process of this country.

Does the American Bar Association intend to conduct any investigation and take any further steps in the matter of the Honorable Frank Gray, Jr?

I would greatly appreciate your response on this.

Very truly yours,



JOHN A. SLEVIN

JAS/mjs
Enc.