IN MEMORIAM

WHEREAS, death has removed from our midst the Honorable Alexander J. Napoli, Judge of the United States District Court for the Northern District of Illinois, and

WHEREAS, the Judicial Conference of the Federal Judges of the Seventh Judicial Circuit is desirous of paying tribute to his memory, this memorial is offered.

Judge Alexander J. Napoli was born in Chicago on October 7, 1905. He attended primary and preparatory schools in Chicago, and in 1927 received a Bachelor of Philosophy Degree from the School of Commerce of the University of Chicago.

In 1929, he received his Juris Doctor from the University Law School and was admitted to the Bar of Illinois on October 10, 1929.

It is an anomaly that Judge Napoli, from his chambers at the northwest corner of Plymouth Court and Jackson Boulevard, could look out of the window of his chambers, three blocks south, to Plymouth Court and Harrison Street, and see the property where he was born 66 years ago.

He engaged in the general practice of law until

January, 1933, when he was appointed an Assistant State's Attorney of Cook County. Then began one of the most distinguished prosecutive careers in the history of the State's Attorney's Office.

From 1933 through 1950, he served principally in the criminal trial courts. He tried literally thousands of non-jury matters and hundreds of jury cases.

The records of the State's Attorney's Office show that a great number of the most important and sensitive criminal matters which arose during the seventeen year period of his service were assigned to him for prosecution. In truth, he compiled a prosecutive record in that office which has never been surpassed.

In addition to his trial work, he handled appeals before the Supreme Court of Illinois and the Appellate Court of Illinois, and appeared in federal courts to represent the people of Cook County.

He was also given major administrative responsibilities in the office, and frequently served as the First Assistant State's Attorney.

On May 16, 1967, Judge Napoli's son Richard was admitted to the Bar of Illinois. The Supreme Court of Illinois had asked the judge to honor the candidates for admission, and to honor the court by moving for the admission of the new class of lawyers. His remarks on that happy occasion epitomized his own credo of the responsibilities undertaken by the legal profession. He said:

> "The office of lawyer exists to serve the people. In his dealings with clients, he must be held to the highest standard of the fiduciary, not merely to the rules applicable to the ordinary citizen. The very heart and soul of the administration of justice lie in a bar and bench of the highest ethical standards."

His friends and associates know that his life time of service to the profession admirably fulfilled those high standards he enjoined the new members of the bar to meet.

Judge Napoli was genuinely a man of humility who would have found any extravagant praise or, for that matter, any praise embarrassing. One has an obligation at a moment as this to comment fairly and properly on the

qualities we all found and admired in him as a man, as a lawyer, as a judge.

He was in the best sense of the word always a professional. He was kind, he was sensitive, and he knew and understood people from the greatest to the least. He was a direct man, and utterly without pomp or pretense of any kind.

All of us will recall fondly his quiet engaging manner, his reflective air, his deliberate speech, but he was no bland person. He was a man passionately concerned with his profession and with the administration of justice. He was forthright, and there are a thousand witnesses to his strength and courage. He was one of the most admirable public servants I have ever had the honor to know.

More than forty years ago, he, and I, and Judge Lynch stood side by side in the office of the State's Attorney of Cook County and took the oath of office as Assistant State's Attorneys. At this time, our personal relationship commenced, supplemented by our many trials together as a team in the State's Attorney's Office. I, thus, was privileged to know the judge intimately for nearly forty years. His death on July 12, 1972 ended a

career devoted to public service for that length of time.

The judge had many firsts in his career. When women were first permitted to serve on jurys in the early '40's, he impanelled the first mixed jury in Illinois, and shortly thereafter the first mixed jury qualified to inflict the death penalty if in their opinion it was a proper case to do so. Again, his powers of persuasion were evidenced by the fact that this jury, after only two hours of deliberation, returned with three death penalty verdicts arising out of a murder in a tavern. That was subsequently affirmed by the Supreme Court.

In another case involving an alleged suicide pact, the survivor was found guilty of murder and the death penalty was imposed, the first such penalty in that type of homicide.

Perhaps the case in which he achieved his greatest fame was the William Heirens case which resulted in three convictions of murder, the sentences running consecutively, and resulting in Heirens still being incarcerated after twenty-five years.

Judge Napoli was first elected a judge of the state court in 1950. At that time the Chicago Bar Association had this to say of him:

"He is well fitted for judicial office. He is honest, capable, industrious, courteous, fairminded, possesses good judicial temperament and is qualified for office."

At his first reelection, the Chicago Bar Association stated:

"In the years that he has served on the bench, he has demonstrated that he is qualified for the office."

At the time of his second reelection, the Chicago Bar Association had this to say about his ability:

"In his years of service, he has demonstrated his fitness for office. In the questionnaire of the vote of the members' evaluation of the twelve sitting judges whose terms are expiring he received the highest percentage, 89.28. On the basis of character, ability and experience, he is well qualified for the office of judge."

At the time of his next reelection, they had this to say:

"In his years of service, he has demonstrated superior judicial fitness. He scored a very high

percentage on both the questionnaire votes of the members' evaluation of sitting judges. On the basis of his character, experience and ability, he is well qualified for Judge of the Superior Court."

At his last reelection as a state court judge, he again received the highest Chicago Bar Association rating of all incumbent judges seeking retention.

At the time of his appointment by President Johnson to the federal bench in 1966, he drew this editorial accolade from the press:

"He will bring to the elegant solemnity of the new United States courtrooms a rich experience with human frailty. The respect Judge Napoli has earned within his profession may be inferred from his endorsement by the Chicago Bar Association. In 1958 he was the top vote getter among incumbent judges in its poll of Chicago lawyers. As a candidate in 1960, he received more votes than any other candidate for the Superior or Circuit Courts. Chicagoans should welcome the nomination of Judge Napoli because of his abilities and his knowledge of the human condition which

ought to enrich the federal bench."

And it did.

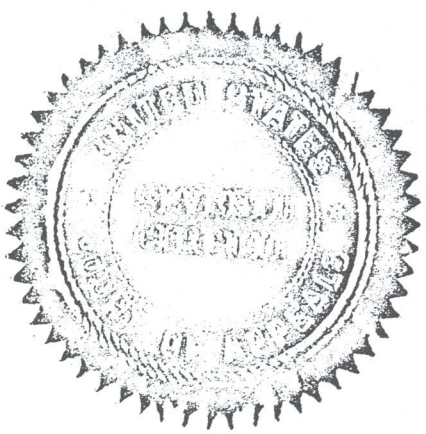
Prior to his death the Chicago Council of Lawyers, a Bar Association, took a poll among those who practice in the Federal Court to determine the qualitifications of those sitting on the federal bench. These results were published after his death. To no one's surprise, Judge Napoli, as he had on other bar polls, finished near the top of the list.

On the basis of figures recently released by the Clerk of the District Court for the Northern District of Illinois, regarding the affirmance record in the Court of Appeals of all of the district judges, Judge Napoli was in the upper third.*

I am happy to be able to demonstrate that my appraisal of Judge Napoli's ability has been corroborated by the opinion of the members of the bar of the community in which he lived and does not stand as merely the biased opinion of an intimate friend of more than forty years standing.

To close, let me say that those of us who knew him at the professional level are aware that he was a magnificient lawyer, a truly great judge, wise, patient, with impeccable credentials. He will be missed and he will be mourned for many years to come. However, we have this solace. We were privileged to share and benefit from his many talents. We are better persons by having known him, and this community is a better place in which to live by virtue of his forty years of dedicated public service.

NOW, THEREFORE, BE IT RESOLVED by the Annual Conference of the Seventh Judicial Circuit, at a session held on May 16, 1973, at Chicago, Illinois, that this tribute of esteem and affection for the Honorable Alexander J. Napoli be spread upon the records of this Conference and that a copy thereof be sent to his family.



A True Copy:
Teste:

Kenneth J. Farrick

Clerk of the United States Court of Appeals for the Seventh Circuit and Secretary of the Judicial Conference of the Seventh Circuit.