

To this point in the questioning, Laura felt pride in knowing Judge Jones. She was able to find out a complete cross-section of his life. It seemed to her that those on the committee from the majority party had spent time together dividing Jones' life and career amongst themselves. This way, each of them would only have to investigate a portion of his entire life, and also it made for a very thorough overview of his career as a judge.

Senator Garr had asked questions about the judge's early life as a child. Laura had laughed with the entire crowd when Garr had asked him why there was the note made on his report card by his third grade teacher that included the name of a certain young lady with whom the judge constantly talked. Jones had answered, "She had red hair, blue eyes, all her teeth, and we planned on getting married that summer. We talked in class because that is the only way Mrs. Collins would keep us both in for recess."

Senator Grimes covered the questioning about Jones' formal education, asking questions about his high school awards and activities, which were more than his two sons had accomplished. Also, she had questions about his undergraduate years at Villanova University in Philadelphia, and his law school training at the University of Michigan.

Senator Ireland covered the career in private practice, leading up to Jones being elected as a judge. Included in this line of questioning were his beliefs and philosophies in jurisprudence early in his days on the bench. The judge's conservative stand for right was clear to all, especially from his hard line approach to sentencing convicted criminals. The senator had asked him how it was to sentence a man to death. The judge replied, "Much, much harder than it was for the criminal to sentence a woman and her two babies to death, Senator."

There were very few questions from Senator Vorbach, but much was said. Vorbach was elected from the district where the Jones' lived, and knew the family quite well. He gave a moving speech of the judge's character as a man, and how he had worked with him for many years, without noticing a flaw. He declared his friend to not only be a great judge, but also a true friend, and a wonderful husband and father. He said personal words about each on in the family, noting their accomplishments and their benefit to the community. The speech was concluded with the words, "I count this one of the greatest honors in my years of being a Senator, to be able to confirm not a politician, but a Statesman, not just a man of law, but a man of compassion, not a stranger, but my friend: Judge Randall Patrick Jones, the next Supreme Court Justice of the State of Indiana."

Senator Roger Parrish stated that he, having the role of chairman, was needed to move the committee on to its goal, and declined to ask any questions of the nominee, but said he would go with the Governor's choice.

Senator Patricia Milton assured the people that for all intents and purposes, the main questions had been asked, and, barring some unforeseen difficulty, her mind had been made up to vote for the man the Governor wanted.

Laura thought to herself, *At least Senators Parrish and Milton aren't lying. Sure you'll vote for the Governor's choice; the next man he nominates.*

Senator Winiger, seated directly to the right of Pat Milton, turned to Senator Betty Snodgrass on his right, as if to remind her that he was to be skipped.

Ms. Snodgrass looked into the file folder which lay open on the table in front of her. Looking down upon the nominee, she removed her glasses and held them with her right hand. Except for the hardened face, this forty-eight year old woman looked very much like the school teacher she used to be. Spending fifteen years in the public high schools, she moved up the administrative ranks of the Indiana State Teacher's Association, which supported her election as a State Senator six years back. Now she was the ideal of the liberal women in the Senate. She was tagged as hard-nosed, but intelligent, and a force to be reckoned with.

"Judge Jones," came the business-like, alto voice, "I have sat here for almost two hours and heard nothing but plaudits for you as a person, and nothing but verbal bouquets strewn all around this room in your honor... Your Honor. I asked myself if it was possible for a person to attain such heights in our society today, and found that I was almost caught up in the emotional rhetoric myself. But, reality must come about in everyone's life. Surely you do not count yourself as highly as you have been built up by my colleagues. Do you Mr. Jones?"

"Senator Snodgrass, I was called here to answer the questions of this esteemed committee. Answering questions is all I have done here today. To see an overview of anyone's life in a short time period would give people a certain perspective. It is, however, quite impossible to invite everyone in this place to view each moment of my life as it happened. I choose to let others view me by my record, and let that be their opinion of me."

"I see that your friends can add humility to your list of attributes."

"Does the lady senator wish to ask me a question?" There was a pause, while both smiled at each other a polite half-smile.

"My first question is one that deals with how you feel about yourself, Mr. Jones. We have heard about the wonderful judge, but what do you feel are some of your shortcomings which would hinder your workings on the Supreme Court?"

The judge could feel his wife's fingernails driving into the palm of his right hand, as this question was asked. He knew she did this instinctively whenever she felt frustrated but could not show her frustration. He had often wondered why that whenever his wife was frustrated by someone else, she ended up taking it out on him, and usually with her fingernails. The pain did give him an idea, not only how to answer the question, but also how to eliminate the present pain of his palm.

"I believe I will allow my wife, Nancy, to answer that question." Jones sat back in his chair and looked at his wife as she looked wide-eyed back at him.

"Roger," The senator said, looking down the table at the chairman, "the nominee cannot do that, can he?"

Parrish raised his shoulders in the I-don't-know position and turned to face the committee's Parliamentarian, Senator Vorbach.

"Mr. Chairman, I know of nothing in the rules of parliamentary procedure which forbids a wife from answering for her husband. We regularly allow attorneys who represent a witness at hearings to speak in behalf of their client, and I would declare that a wife is a closer confidant than a lawyer. Also, according to the common law, a husband and wife are considered to be one." Senator Vorbach leaned forward in his chair, looked down the table to the woman senator, and added, "This Parliamentarian finds that Mrs. Jones may answer the question for Judge Jones."

Senator Snodgrass stared back at the Parliamentarian with hard eyes of revenge, and then looked over to the Chairman. "Roger, Mr. Chairman, this is an outrage. I asked the nominee the question, not his wife."

Parrish's face reddened as he spoke down the table to the woman. "I'm afraid the Parliamentarian has already ruled, Senator. You may withdraw the question, or restate the question, if you wish."

Nancy Jones sat up confidently in her chair. The extra few minutes of committee discussion had enabled her to receive assurance from her husband that she indeed had wanted the chance to speak her mind, and now she was being given that chance. This housewife and mother certainly did not have the education of her counterpart, but the experience of reasoning with her children and numerous discussions with her husband gave her a level of understanding beyond her four years in a liberal arts college.

"What was your question, Mrs. Snodgrass?" The "Mrs." Was only slightly emphasized, so that only the woman senator and Nancy knew the battle had begun. If her husband had used that tone, she knew he would be accused of chauvinism.

"I, uh, wanted the judge, your husband to explain some of his shortcomings which he felt could be detrimental to any future political aspirations. You know, how he views women in general, for example."

"Well, Mrs. Snodgrass," came the pleasant reply, "I believe that is not of your business. My husband's faults are not for public display. ...Whether or not he places his dirty socks in a hamper or throws them on the floor is no concern of yours. You are supposed to be confirming him for the Supreme Court, not choosing a future husband. Also, I only allow my husband to view one woman, and that is me."

A full three seconds of silence was followed by an echoing "Amen" from somewhere in the chamber. Then applause swept the lower floor, spilling over to the second level, lasting thirty seconds before the gavel started sounding to restore order.

During the applause, Randy turned to his brother on his left. "You couldn't have thrown a better pass to Steve Ridley."

"Touchdown," Brad whispered back, with his two index fingers pointing upwards.

The woman senator knew the questioning on a personal level was a dead end. She then looked at the questions before her that dealt with the judge's political beliefs, so that he would be the only one who could answer.

"Judge Jones, I would like to move the questioning to your beliefs about Women's Rights, namely equality for women and abortion. First, what would you feel about another Equal Rights Amendment being proposed to be added to the Constitution?"

"Senator, I have been on the Bench for sixteen years. In those sixteen years I have learned several qualities a judge must have to remain impartial to any future cases which may come before him. Therefore, as I am sure you can understand, I cannot make political statements about a policy which is only a thought for the future in the minds of a political group of people, no matter how large or small the group. To ask a judge a question like that is like asking him who he voted for in the last election. Some beliefs a judge has to keep private, so as to not compromise himself should a case such as that comes before him. Until an equal rights case comes before me, and I write an unbiased opinion on the case, I am afraid I cannot comment on your question."

“What do you say about the fact that the Indiana chapter of the National Organization for Women has come out against your confirmation? Do you not feel that these women have a cause to keep you off the Bench?”

“I have not read the papers to see who is for me or against me. Is the Chairman of the Indiana chapter of NOW here so I may question her?” Judge Jones turned to face the people and scanned the room. People seated behind the judge naturally looked back over their shoulders, followed by those who saw them, until most of those seated on the ground floor were looking toward the back, expecting someone to stand and come forward.

“She is not here today, Judge Jones,” continued the woman, “but I am a member of both the state and national organizations. I feel I can represent their concerns.”

The judge turned back to the front.

“So, are you questioning me as a member of a political action group, or are you questioning me as a member of this Senate committee?”

Again the woman senator felt cornered. She could not question Jones as a member of an interest group. No group had a right to question his beliefs, only a member of the Senate Judiciary Committee had that right. She was a committee member first, and as a result, could not represent other interests. The only thought in her mind was to quickly retreat.

“I can see I am getting nowhere with my questions to the nominee. He keeps dodging these issues that are very important to many people in this state. I am going to vote against this man because he is against the ideals that I stand for.”

Lee Jackson turned to his new friend and whispered, “You can pick the places for all our dates from now on. This choice was great.”

“And what makes you think there will be any more dates?”

“Number one, you haven’t heard all my jokes. Number two, I really need your help in legal research. And number three, you said you would get me back for embarrassing you, and I’m quite willing to be gotten if you’re still willing to do the getting.”

Her eyes squinted at him. “Well, number one, I’ve already heard your good joke. Number two, read a legal research book for yourself. And number three, you can probably already realize that I’ve started getting you back with numbers one and two.”

“Ah, then the question remains, when will you be satisfied that you have gotten me back enough to suffice?”

“Believe me; I’ll know when you have suffered enough.”

She wrote her phone number down at the bottom of her notebook and tore the paper, handing the piece to Lee.

“Call me tonight between ten and eleven. I’ll have a date for you with some law books bright and early in the morning.”

He looked at the number, placed the paper in his shirt pocket and said it to himself enough times to have it memorized. Already he was playing acrostic games to see what he could make the number spell out alphabetically to help him remember.

Senator Allen looked poised as a cobra as he stared at the judge. He knew that he already had the vote stacked against Jones, so whatever he said only had to seem bad enough to cast doubt on the minds of the committee members. In his mind, Snodgrass had blown her opportunity to help him discredit the judge. Now it was up to him. He

knew if the nominee were turned down by the committee, he would get the credit. Doing this favor for the special interests groups who were against this confirmation could very easily catapult him into the race for Governor. Certainly, with his name, the political clout his father had wielded, and these groups behind him, he could be looking very good by the May primaries. What started out as just another opportunity to destroy a conservative judge turned out to be a personal vendetta which could get him elected to the state's highest office.

Certainly he was the darling boy of the liberal party. His jet-black hair was never out of place. Even the time he had scratched his head earlier, he had used the blunt end of his gold Cross pen, but not messing up his hair or his fingernails. His mode of dress, dark tan, and dreamy blue eyes revealed further manicured mannerisms. Only his flares of anger showed any outward flaws to his associates. This they attributed to his being spoiled and favored as he grew up. Only those who did perfectly in his presence had not received the scolding of their lives. Even earlier in the hearing, he rebuked a House Page for touching the lip of the pitcher to the side of his glass as his water was being poured.

"Judge Jones," he said in a cool, smooth, and rich baritone voice. "I am no going to take up very much time. I have a lot of questions I would like to ask you, a lot of questions. However, there are only four questions, or categories I wish to cover in the time remaining.

"My first question to you, Mr. Jones, is in the category of your past educational experiences. I received a call from a previous professor of your from Villanova, a Doctor Malden. He states that when you were going through on of his classes, he noticed strange, Satanic symbols written on papers you handed in to him. He also noticed the same symbols on your notebooks. When he looked into this matter, he found that you were with a group who sacrificed animals to Satan. How much of this is true?"

The transcript was taken by a young man and delivered to the nominee's table. Judge Jones read what was on the paper very carefully. Whispers could be heard all over the chamber, causing Senator Parrish to sound his gavel.

"This is only a partial transcript of the conversation," the judge stated. "Is there a way I may view the entire transcript?"

"What you have are the pertinent portions of our conversation. Would you please answer my question?"

"I object, Mr. Chairman!" The voice was Randy's. "This is absolutely the worst case of innuendo and injustice in the history of anything to do with law!"

"Judge Jones, your son is out of order," stated the chairman, pointing the gavel at Randy.

"I am not out of order, Mr. Chairman. Senator Vorbach stated earlier that an attorney can represent a client at a hearing. I am going into my final year at law school, and I'll not sit here with my mouth closed and let anyone get away with throwing justice out the window."

"One more outburst and I'll--"

Senator Vorbach broke in. "Mr. Chairman, young Randall is correct in his assumption. Anyone may represent a nominee, and not just a member of the Bar Association; especially a fourth year law student. I would hate for it to get back to the law school that this committee has a low regard for how it trains its students in law. According to procedure, a counsel may object to a line of questioning. In the words of

another attorney representing a client at a hearing, Mr. Jones, Jr. is more that just a 'potted plant'."

Senator Parrish, again stopped by the Parliamentarian, conceded once more, allowing the young law student to speak.

"What is your objection, Mr. Jones?"

"If Senator Allen refuses to withdraw this line of questioning, we will request a recess, long enough to subpoena this Dr. Malden to appear before this committee so that we may cross-examine him ourselves."

Senator Grimes added while skimming her research, "I do not see Dr. Malden's name as having taught any of Judge Jones' classes at the university. I would be interested in knowing his relationship to Judge Jones."

"I withdraw my line of questioning, Mr. Chairman, in deference to this committee's time. However, if the judge refuses to make any answers at all, I choose to believe there is something to all of this." Allen knew that even though the accusations could not be proved, neither could they be disproved.

"I will answer the accusation, Mr. Chairman." Turning to Senator Allen he continued. "I did know a Virgil Malden in my senior year at the college. He was in a few of my classes, as a fellow student at the college. We had our differences. The main difference was the fact that he believed in cheating on exams and I was the one who figured out ho. At the time, he was expelled from the university. All this is on record with the Registrar there."

Randy added, "Therefore, if Malden were here, we would have to declare him a hostile witness. I trust some of the media here today will investigate this attempt to discredit the nominee."

Allen remained cool. "I am offended by young Mr. Jones accusation of my trying to discredit his father. Nothing could be further from the truth. I could have received some misinformation, but I needed to ask the question. After all, the nominee should have nothing to hide. Do you not agree, Mr. Jones?"

The judge sat still, ignoring the question unless pressed by the senator into answering. He was not.

"Let me move on to my next category. This category I call ethical violations. Do you consider yourself a man of ethics, Mr. Jones?"

The judge answered the only way he could. "Yes, Senator..."

"Mr. Jones, I have before me the phone bill records from your office phone from the last year. If need be I can check back further in time. Also, I have the phone bills for your residential phone for the same time period. I wish to call your attention to some calls placed to your home phone, and returned from your office phone. I need your explanation of these calls if you can explain. I wish to remind you that you are under oath to tell this committee the complete truth."

"May I see a copy of those bills, please?" Copies were delivered to the judge and the other members of the committee.

"Mr. Jones, I call your attention to five phone calls made to a number in Missouri on your last month's office bill. Also, tow calls from this same number were placed to your home phone shortly before the other calls were made. Were you the receiver of these calls at your home?"

"Yes, sir..."

“Was your wife privy to these particular calls?”

“Neither my wife, nor my children knew of these calls.”

“Well, we’ll come back to that in just a minute. Did you return these calls from your office phone, placing them to several different numbers?”

The judge looked down at the numbers in front of him. “Yes, I placed them.”

“First, I want to discuss the ethics of placing personal phone calls from a phone provided for by the county, from taxpayers’ pockets. Would you call this unethical Mr. Jones?”

“Senator, the payment for each of these calls was reimbursed to the county by me. It is a practice many city and county officials have, of which nothing is ever said as long as the money is paid for these calls.”

“But, Mr. Jones, others are not being considered as a nominee for the Supreme Court. You certainly wouldn’t use the excuse that because others are going over the speed limit that you may go over the speed limit would you?”

Senator broke in. “Everyone on this committee has used our phone for personal calls, even calling our wives to tell them we will be a-“

The gavel sounded a sharp whack. “Senator Vorbach, as your chairman, I am going to have to call you out of line. You have had your opportunity to question the nominee. Unless we have a question of parliamentary procedure, please refrain from making other comments. Proceed with your answer, Mr. Jones.”

“No, Senator Allen.... I would not justify speeding or misuse of my telephone.”

“And certainly you would not wish us to believe that a wealthy person may speed simply because he reimburses the state if his is caught, would you?”

“No, Senator.”

“Then I return us all to my original question. Are you an ethical man, Mr. Jones?”

The judge took a deep breath. “From the perspective of making personal, long-distance calls from my office phone, no, I am not.”

“Let the record show that Mr. Jones admits ethics violations. Now I’m a very forgiving person about these small violations, as I am sure this committee is, also. The problem I have is this – if Mr. Jones so easily dismisses small infractions, how much more easily does he permit larger infractions? This leads me to my next set of questions. This is in the category of morality. Mr. Jones, does the name Carol Crenshaw mean anything to you?”

“Yes, Senator.... She is a friend of mine.”

“How long has this friendship lasted?” An obvious tone of mocking rang with the word *friendship*.

“For over twenty-three years.”

“Was there ever a time when the two of you were more than just friends?”

“When we were undergraduates at Villanova, we were engaged to be married.”

The young senator wrinkled his brow seriously. “When the two of you were engaged, were you physically involved?”

“I object!” Both Randy and Senator Vorbach simultaneously called out. Vorbach continued. “Mr. Chairman, I strongly urge the Senator to cease this kind of questioning. What may or may not have happened when Judge Jones was a young man two decades ago has absolutely nothing to do with his nomination today.”

Allen rebutted. "Mr. Chairman, if my esteemed colleague will be patient for a few moments I will show the relevancy of my questions."

"Do so quickly, Gary," shot back Senator Vorbach, "or I'll call for an Executive Hearing." Vorbach knew that a hearing closed to the public and the press would stop the grandstanding Allen.

"You'll not be able to protect him much longer, Steve. I've only just started revealing the type of man you want to place on the Supreme Court."

Vorbach continued to wonder why the chairman sitting next to him had not already called them both down for this argumentative display. He knew Roger Parrish to be one of the most experienced chairmen of all the Standing Committees in the Senate.

"I trust you'll be able to present hard evidence to back up these allegations, Gary."

Senator Snodgrass had waited for an opening. "Mr. Chairman, doesn't everyone see what is occurring here? Mr. Jones is causing two dignified state senators to be at each other's throats. Why is Senator Vorbach protecting him?"

Finally, the gavel sounded. "Senator Vorbach, the Chair finds you out of order for your outbursts. Senator Allen, continue your questioning but quickly get to your point."

"Thank you, Mr. Chairman." Senator Allen sounded calmer.

Vorbach whispered under his breath to the chairman sitting next to him. "Roger, what gives? What are you trying to pull? You could cut Allen off if you wanted to."

The chairman seemingly ignored the whisper and continued looking straight ahead toward the nominee.

"Mr. Jones, who were these unethical calls placed to last month?"

The judge looked glassy-eyed as he responded.

"Mrs. Carol Hart."

"Hart is Miss Crenshaw's married name?"

"Yes."

"Mr. Jones: why did you not call you former fiancée from your home phone? Why did you return her calls from your office, unethically?"

"It is personal matter, and I would rather not say."

"Come now, Mr. Jones. You stay in contact with your ex-fiancée for almost twenty-five years, you contact her from a place away from your wife's knowledge, and you expect us to just let it go with your flimsy answer?"

Senator Winiger, looking much more awake than at any previous time during the hearing, wrote something down on scrap paper, rose from his chair, and left, heading in the direction of the rest rooms to the right of the chamber.

"Sure it's a personal matter, Mr. Jones. Anytime a married man has private conversations with another married woman, without his wife's knowledge, would make people assume it to be a highly personal matter. Mr. Jones, exactly what were these conversations about?"

"Those conversations are private and privileged, Senator Allen, and dealt with helping people through difficult times. Therefore, people would be affected adversely should I divulge the contents of those discussions."

"Will you tell this committee when the last time you met with Mrs. Hart?"

"No, I will not."

"Was it within the last two weeks?"

A silence resounded in the chamber.

"I request that silence be construed as an affirmative, Mr. Chairman."

The chairman spoke to the judge. "Judge Jones, will you please answer the questions?"

Randy intervened. "Mr. Chairman, my Father will answer questions when Senator Allen starts asking legitimate questions backed up by evidence."

Jones placed his left hand on his son's right arm.

"Mr. Chairman, I told Senator Allen that those conversations were privileged. That is all I am able to say at this time about the subject."

"As you wish.... It does make matters look worse for you, though."

"Senator Parrish, I will stand by my record. If that does not suffice, then you may vote accordingly."

"That we will do, Judge Jones.... Do you have any other questions, Senator Allen?"

"Thank you, Mr. Chairman. Just one more.... In the light of your alleged affair with Mrs. Hart that you refuse to discuss, Mr. Jones, you recently hired a person for your staff, did you not?"

Laura's heart went cold.

"Yes I did, Senator Allen."

"You hired a young paralegal graduate named Laura Stiley?"

"Yes, Senator...."

"Is there a reason why a judge at your level needs a full-time paralegal? Is she also a secretary?"

"I hired Miss Stiley temporarily, in order to assist me in researching for this hearing."

"Of all the experienced paralegals you could have chosen, what is your real reason for choosing a lovely young woman?"

Senator Allen stared into Laura's face as he asked the question. Her face was glowing red and her ears burned as she looked down at the floor in front of her.

Lee could not believe the crassness of this senator. Was there no shame in his heart that he would make these kinds of accusations? The sadness inside his heart was equally divided between his feelings for his new friend as it was for the times in which he was living, where people could ask accusatory questions and they be partially believed, without evidence.

"Mr. Jones, I cannot bring myself to vote for your confirmation. I believe you to be a deceitful man. Well, you may have others snowed as to your true character, but I can see right through you. You use and manipulate people, all the while seeming innocent. You use your popularity and your position to further your own selfish desires. I move we bring this hearing to a close, Mr. Chairman so that we may all vote our consciences. I would ask those on the committee to vote with me to defeat this man who would indeed be a strange voice for morality should he ascend to this state's highest court."

"The motion has been made..."

"I second."

"...and seconded by Senator Milton that we vote for or against whether to present Judge Randall Jones to the full Senate for confirmation to the Indiana Supreme Court. Mr. Jones, do you have a closing statement to make to this committee?"

“No, Mr. Chairman, I do not.” He knew he could have objected or called for a recess, but what purpose would that serve. *Just let them do what they feel they must*, he thought. *Be thankful you were nominated, and be thankful for all the people who came to give their support. Be thankful for a family that loves you.*

“All those in favor of Judge Jones, please signify by raising your hand. One... two... three... four.... As Chairman, I will vote in case of a tie.”