

Our client, Mrs. Ivie Clay, wishes to issue the following statement with regard to the disclosure yesterday of the filing of a petition for dissolution of her marriage and the sealing of the file to the public:

First, she was extremely disappointed that, despite the prior communications between the parties attorneys, including the customary request by the Hais Law Firm that Congressman Clay's attorney forward a copy of the petition upon filing, this was not done, so that Mrs. Clay found out by reading it in the press.

“I and my children are devastated and embarrassed that my husband let us find out from the children’s friends and the media that he had filed for divorce, and mostly that he still has not contacted our children. I would have wanted to prepare the children. I have been a loving, supportive wife throughout our 17-year marriage. I have raised the children and held down the fort so that my husband could work 4 days a week, first in Jefferson City and now in Washington, DC, travel overseas, and do everything required to fulfill the duties of his elected office – all while working my own full-time job. I want to thank the public for their phone calls, e-mails, cards and other expressions of love and concern,” said Mrs. Clay.

Second, that the file was sealed--not through the procedure mandated by the case law and rules of court of this state--but by the intercession of the Circuit Clerk of the City, taking it upon himself to affirmatively contact one party in this case--Mr. Clay's attorney--to warn him and coach him, apparently, concerning the sealing of the file, in an improper ex parte manner, to the detriment of Mrs. Clay, the press, and the public.

Mrs. Clay was then confronted with the fait accompli, undertaken by a City Judge, also acting with absolutely no notice of a hearing or opportunity for the Respondent to be heard on the matter, of the motion to seal the file simply being granted without affording Mrs. Clay any right to appear and contest the motion.

It certainly suggests that a venue where the circuit clerk take sides by calling a party to a lawsuit "to make sure a motion has been filed" without consulting the other side, and then having that motion simply granted with no notice and no hearing, has already demonstrated amply why we have a Supreme Court Rule on Change of Venue.

It also begs the question, "Is it conceivable to try a case in a Circuit where at least half of the Judges have been appointed to the bench in part or whole because of the ‘good offices’ of the Petitioner Congressman?”

Mrs. Clay wishes to be afforded the same rights of due process of any litigant in the circumstances and expects that, having thus responded to the surprising and unfortunate events mentioned in this statement that counsel will respect both parties rights as well as responsibilities to maintain a level playing field in this matter until a resolution, hopefully speedily, is reached.

Susan M. Hais