

HISTORICAL SOCIETY OF THE UNITED STATES COURTS IN THE EIGHTH CIRCUIT 2005 Annual Report

President: **Frances Ross**

At the 2005 Judicial Conference in Colorado Springs, Colorado, the Historical Society sponsored an exhibit and distributed its tenth newsletter. The display, called "Court Family: the Eighth and Tenth Circuits," conveyed that the Tenth Circuit was born of a division of the existing Eighth Circuit in 1929.

During the board meeting at the Conference, officers were elected for the 2005-2007 term: Chairman of the Board Judge Richard G. Kopf, President Frances Ross, Vice President Richard Lyford, Secretary Ann Fessenden, and Treasurer Sheila Greenbaum.

In 2005, the Historical Society restructured its governance in response to the Administrative Office of the U.S. Courts' Advisory Opinion Number 104. The Society's executive committee interpreted the Advisory Opinion, dealing with issues of judicial and staff involvement in historical societies and learning centers, to mean that a historical society should not be controlled, or appear to be controlled, by the related courts, judges or staff. Therefore, at the October 2005 biennial meeting, the board of directors approved amendments to the Society's bylaws to effect the following:

- dilute the voting power of judges on the board of directors such that judges who are board members will not have actual or effective voting control, though each branch will continue to be required to have a judge serve as a director;
- preclude judges from serving as officers of the Society, except for the position of chairman of the board, whose duties are ceremonial;
- preclude court employees from serving as officers of the Society, except for the position of secretary; as director of the Society; or as officers of any branch, including, but not limited to, the office of branch treasurer;
- add a strong disclaimer on the web site emphasizing the independence of the Society, though the Society will continue to use the Court of Appeals' site;
- change the Society's mailing address to a post-office box independent of the courts.

Court of Appeals

The Appeals branch is nearing completion of its project to publish a written history of the Eighth Circuit. The manuscript has been completed, and the branch anticipates publication by the University of Minnesota Press sometime in 2006. The book is tentatively entitled, *Establishing Justice in Middle America*, and is made up of seven chapters that cover various eras of the Court. The Honorable William H. Webster will write the forward to the book. In order to complete this project, the Court of Appeals' branch is still in the process of raising additional funds. Toward this end, it has been seeking support from law firms located in the various states throughout the Circuit. The author, Professor Jeffrey Morris, attended the parent Society's 2005 board meeting to discuss his work on the history.

Arkansas Eastern and Western

The Eastern and Western Districts continue work on the biographical essay project.

Iowa Southern

The DVD oral history interviews of Magistrate Judge Richard Peterson and Bankruptcy Judges Russell Hill and Richard Stageman have been completed. Branch President Richard Lyford has worked with Judge Hill to get his portrait completed. Lyford and Marc Harding are assisting the Friends of the Iowa Judiciary in the oral history interviews of former Chief Justices W. Ward Reynoldson and Arthur A. McGiverin, and Justices K. David Harris and Louis W. Schultz. The inventory of the District's history book *No Person is Above the Law* is running low, and Judge Richard W. Peterson, Court Historian for the Southern District of Iowa, wants to add reviews of current judges to the book.

Missouri Eastern

The branch has been very active with several subcommittees working on various projects. The Book Subcommittee is in search of an author to write and publish the history of the Eastern District of Missouri. The Subcommittee To Prepare Oral Histories of Senior and Retired Judges has circulated questionnaires to senior and retired judges that will be used to prepare for the oral video taping. A potential resource to film the oral histories was contacted, but arrangements have not been formalized. The Subcommittee on the Most Notable Cases is preparing a list of the 20 most notable cases decided in the Eastern District of Missouri. The cases will be assigned and researched. Videos will be made of the person presenting the research, and a written summary of each case will be prepared. Photographs of former courthouses in Cape Girardeau and Hannibal have been secured by the Subcommittee on Architecture. The National Archives has been contacted, and this Subcommittee has received a long list of documents pertaining to the Eastern District of Missouri. A list of notable personalities who have made contributions to the Eastern District is being prepared. For surviving personalities, videos will be made, and for deceased persons regarded as notable personalities, videos of friends or acquaintances will be prepared. In some cases, research may be conducted, and the person preparing the research will present the material on video. All of this material will be available for use in interactive presentations in the Learning Center and will be archived for research purposes.

South Dakota

The branch is investigating conducting oral history interviews with Judges Andrew Bogue, John Jones, and Richard Battey in conjunction with the University of South Dakota. Their oral history spans a 35-year period of the history of the court. In addition, the branch continues to sell paperweight replicas of the historic Sioux Falls courthouse.

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