

## MINUTES

Historical Society of the United States Courts in the Eighth Circuit

Executive Committee Conference Call

June 4, 2002

1:00-1:30 p.m.

### **Officers present:**

Hon. Richard G. Kopf, President

Frances Ross, Vice-President

### **Others present:**

Hon. Richard W. Peterson, Past-President

Joan Stevens, Library Staff

President of the Historical Society Judge Kopf initiated the conference call, roll was taken, and Judge Kopf conveyed that Tom Boyd would dial in if possible as he was not available at the time of the 1:00 call. Joan Stevens, Archives/Reference Librarian at the U.S. Courts Library, participated for the vacationing Secretary-Treasurer Ann Fessenden.

Judge Kopf began by requesting a report from Joan Stevens on responses to his letters sent pursuant to the Executive Committee's last conference call on March 13, 2002.

### Letter Regarding Judges' Papers

[In a March 20, 2002, letter, Judge Kopf asked Chief Circuit Judge Hansen to send a letter to all circuit, district, bankruptcy and magistrate judges in the 8<sup>th</sup> Circuit reminding them of the importance of preserving their chambers papers and donating them to an archival institution for historical purposes.]

Joan Stevens reported that in response to this matter, the U.S. Courts Library received several inquiries about judges' papers and requests for copies of the FJC's *A Guide to the Preservation of Federal Judges' Papers*.

In addition, Judge Filippine, U.S. District Judge for the Eastern District of Missouri, responded quite appropriately by donating his papers to the Missouri Historical Society.

Having read *A Guide to the Preservation of Federal Judges' Papers* in preparation for his donation, Judge Filippine realized that preservation and donation of chambers papers isn't something best handled only at the end of one's career; it's much better to have an idea from the

beginning of one's judgeship as to what types of material may be historically significant so they can be preserved. Judge Filippine told Joan Stevens he wanted to convey this to the other judges and proposed setting up a process for Eastern District of Missouri judges in which the judges would clean out their files each year, perhaps in February, and hand over inactive files to an agreed upon archival repository. This would not only preserve history but create additional file space for the judges during their careers. Judge Filippine also wanted to convey that it would be preferable if at least the good majority of the judges had an arrangement with the same repository since having like collections in the same location greatly facilitates researchers' work. The Judge said it would be understandable, however, if some judges preferred to donate to other repositories, such as that of their alma maters. Judge Filippine planned to speak to the judges at their next meeting about his proposal. All participating in the call were very pleased to hear of Judge Filippine's chambers papers donation, proposed process, and plan to speak with the other judges.

Judges Kopf and Peterson inquired as to where the judges would be donating their papers, and Joan replied that to her knowledge, an arrangement had not been made with a particular repository.

There was some discussion as to likely repositories for judges' papers. Judge Peterson mentioned that the Clerk of Court in Des Moines considered starting up a collection of chambers papers, but there is a problem of space. Judge Kopf pointed out that some institutions are not able to accept collections because they either don't have space, time, or the proper resources to preserve manuscript collections. Judge Peterson reported that Judge William C. Stuart donated his papers to the University of Iowa Law School. Judge Peterson also read the section from page 21 of *A Guide to the Preservation of Federal Judges' Papers* in which it states that court libraries are not really equipped to handle judges' papers but can be an excellent source of information as to which institutions judges may donate their chambers papers. Joan Stevens mentioned that she had taken information from the FJC's *Directory of Manuscript Collections Related to Federal Judges, 1789-1997* to compile a list of the locations of the Eastern District of Missouri judges' collections in order to help Judge Filippine determine where to donate his papers. Judge Peterson noted that the National Archives & Records Administration's Central Plains Region facility in Kansas City is simply overwhelmed and unlikely to accept donations.

Judge Kopf mentioned that the Nebraska branch is handing over Judge Richard E. Robinson's papers to the Nebraska State Historical Society. Their appraisal of the papers was carried out by means of a photographic inventory.

Frances Ross suggested that the Historical Society send Eighth Circuit judges an annual reminder about the need to donate their papers. In addition, this reminder would provide a vehicle for updating the judges as to who has donated papers during the past year and where the papers are located. Everyone thought this was an excellent idea.

## Letter Requesting Action

[On March 19, 2002, Judge Kopf sent a letter to the Society's Board of Directors urging them to:

1. send corrections for the Board of Directors member and contact information list (a list was enclosed with letter) to Ann Fessenden
2. meet with their branches to plan a course of action that helps preserve Eighth Circuit history
3. submit "local flavor" branch information to Ann Fessenden for posting on the branch portions of the parent society web site. Specifically requested were:
  - a) names, titles, postal and email addresses for branch officers
  - b) a brief report on branch activity]

Joan Stevens reported that in response to Judge Kopf's letter, updated contact information was received for 5 members. As of the June 4 call, however, the Society was still lacking email addresses for almost half of the Board of Directors.

Joan also reported that only two branches, Nebraska and Southern District of Iowa, submitted information on branch officers and activities. The Nebraska branch, in addition, submitted several documents (mentioned in Web Page Updates below) on disk to Ann Fessenden for posting on the web.

Since the Society is still lacking email addresses for half of the Board as well as branch officer information for all but two branches, Judge Kopf suggested that Joan and/or Ann draft a letter for the Society as a follow up to the earlier request for this information.

## Web Page Updates

Joan Stevens added the following information to the Society's website:

- parent society annual reports (2000 & 2001)
- parent society minutes (Board of Directors meetings back to 1998; Executive Committee conference call for March 13, 2002)
- Board of Director member updates
- branch activities and other branch information

For a branch that had not submitted a current activity report, the branch's section in the parent society's 2001 annual report was posted on the branch page. Joan noted that three branches have extensive information on their pages:

- The Southern District of Iowa has branch officers and a report of its 2001-2002 activities (reception for guest lecturer, plan to display archival papers, Polk County Bar Association's Law Day Art and Poetry Contest, considering updating photos of former judges in the Des Moines Courthouse).

- The Nebraska branch page includes branch officers, a membership application, the 2000 branch annual report, current activities (branch history, the new Judge Robert Van Pelt History Prize, videotaped interviews with judges, archives project), and the branch's *Resolution for Preservation of Historically Significant Materials*.
- The Court of Appeals branch page contains the branch's mission statement, current activities (Eighth Circuit History Project, John F. Dillon Writing Competition, Judicial Bibliography) and *Short History of the U.S. Court of Appeals for the Eighth Circuit*.

#### Newsletters Received from other Historical Societies

Joan Stevens mentioned that Ann Fessenden occasionally receives newsletters from other historical societies, and the Executive Committee agreed that they would like to receive copies of these. It was noted that Judge Peterson is already on the mailing list for the Eastern District of Tennessee's *Historical Society Newsletter*.

#### Need for Full Board Conference Call Meeting

Judge Kopf brought up the need to set up the Board's annual meeting which will be held via conference call this non-Judicial Conference year. He noted that at least 60 days is needed to arrange such a call and asked that Ann Fessenden take care of it. The Judge suggested that the Executive Committee's quarterly meeting be combined with the Board's annual meeting, and proposed the date be set for September 4, 2002, from noon to 1:00. This was agreed upon by all present. He also asked that Ann draft a proposed agenda and submit it to the Executive Committee for comment. He said the Committee should be given a deadline by which to respond.

Judge Kopf then asked if anyone had anything further to add to the conference call.

#### Court Histories Updates

Judge Peterson reported for Tom Boyd that the initial review of the Eighth Circuit history has been completed by the University of Missouri Press. It is a massive piece of work, and the editorial staff is in the process of reducing its size.

Judge Kopf conveyed that Dr. Wunder was able to make great progress (approximately an additional 200 pages) on the branch's history of the District of Nebraska while also working as a visiting professor in New Mexico. Like the draft of the Eighth Circuit history, there is so much material that this text will likely also need to be reduced.

As there were no further comments, the meeting concluded at 1:30.