



Preservation of Judges' Papers

1. What are judges' papers?

Judges' papers consist of the materials generated by a judge in the course of personal life, in work on other professional activities, and during the execution of office. These are apart from the documents comprising the official court record, which are also held by clerk's offices and transferred to the National Archives for preservation. Examples of judges' papers include:

- Private correspondence, notes, diaries, appointment books, and calendars
- Awards, speeches, invitations to professional and community events
- Documents concerning participation on judicial committees or civic affairs
- Photographs, scrapbooks, and other memorabilia

Among the most valuable of a judge's papers are the chambers papers, which are the case-related documents and records of court governance distinct from the official record of the court. Examples of chambers papers include:

- Memoranda between judges
- Memoranda between judges and their law clerks
- Judge's notes on oral arguments, draft orders and opinions
- Letters from the public
- News clippings of a case

2. Why is it important to preserve judges' papers?

Judges' papers are an invaluable primary source of information on judicial biography and court history, providing insight not otherwise available. They constitute a veritable gold mine for legal scholars, biographers, and the general public. The papers of federal judges are helpful in three contexts:

- a) **Biographical studies:** Chambers papers constitute a critical source for scholars researching a judge's background, career, and activities.
- b) **Institutional histories:** Chambers papers provide a perspective on the development and operation of a particular court.
- c) **General studies of legal history:** Chambers papers help to explain the American judicial process by broadening the record and providing insight into the judge's psyche.

3. Should I send my judge's papers to a particular library?

Judges' papers are the personal property of the judge, so it is up to the judge to donate the papers to an archival repository of his or her choosing. While the Eighth Circuit Library manages the Court Archives documenting the history of the federal courts in the Eighth Circuit, it unfortunately does not have the space or resources required for judges' papers collections, which can be quite voluminous. Typical choices include:

- Law schools attended
- Local manuscript repositories

For assistance in identifying likely repositories, contact the Archives Librarian at (314) 244-2671, your librarian, or visit the [Eighth Circuit Historical Society web site](http://www.lb8.uscourts.gov/) for a list of judges in the Eighth Circuit who have donated their papers collections.

4. If my judge donates his/her papers to a repository, does that mean anybody can view and use them?

No, donating personal papers to a library does not mean anyone can view or use the documents. Usually, the donation of papers to a repository requires a deed of gift that specifies the circumstances of the transfer, including:

- Who receives the documents
- At what time
- Which conditions/restrictions apply: Judges may ask that their papers not be open until a specified number of years after a case is closed or stipulate that their papers be made available only upon their death.

5. How can I ensure that my judge save his/her notes, speeches, correspondence, etc.?

It is important to discuss the topic of preservation with your judge. Most judges understand the value of their personal correspondence, chambers documents, speeches, etc., and are more than willing to share these materials.

The Federal Judicial Center (FJC) published [*A Guide to the Preservation of Federal Judges' Papers*](#), 2nd edition, in 2009. This guide explains what papers to save, how to save them, and how to select a repository and also provides sample deeds of gift and deposit agreements. The Guide is available in [PDF format](#) on the [FJC web site](#). Contact your librarian if you would like a print copy.

Judges interested in donating their papers should contact their librarian or a manuscript repository early in their career to discuss options. Chambers staff should consider establishing a records management system to keep files orderly and facilitate their transfer to the repository.