



# Historical Society News

*The present is the living sum-total of the whole past - Thomas Carlyle*

## The Historical Society of the United States Courts in the Eighth Circuit

Volume Nine 2003

### Historical Society Moves to Strengthen Funding and Structure

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The Executive Committee of the Historical Society of the United States Courts in the Eighth Circuit has begun a process that is hoped will strengthen the Society. It consists of two parts.

First, for consideration by the Board of Directors in July of 2003, will be a proposal designed to create and insure a consistent income stream for the Society's branches. Essentially, the plan calls for each of the courts to contribute \$3,000 per year from their attorney admission fund to the branch which serves that particular court. It is hoped that a consistent income stream will allow the branches to become more consistently active.

Second, various revisions to the Bylaws and Articles of Incorporation will be presented to the Board of Directors in July of 2003. These revisions are intended to improve the functioning of the Society by making various structural changes. Among the most important structural changes proposed for consideration, is one which would allow a branch to become "inactive," yet allow the particular court and the geographic region served by that "inactive" branch to be represented on the Board of Directors of the Society.

In summary, the meeting of the Society's Board of Directors on Thursday, July 17, 2003, at 2:00 P.M., during the Eighth Circuit Judicial Conference, promises to be one of the most important meetings in the history of the Society. Members of the Board of Directors, and others interested in the work of the Society, are strongly encouraged to attend.

*Richard G. Kopf  
Chief United States District Judge, District of  
Nebraska and President of The Historical Society of  
the United States Courts in the Eighth Circuit*

## North Dakota Court History

### *Patronage: Histories and Biographies of North Dakota's Federal Judges*

Ardeell Tharaldson, former long-time law clerk to North Dakota's U.S. District Judge Patrick Conmy, authored a book on the history of North Dakota's federal district judges. The book conveys the history of the District of North Dakota through a chronological series of detailed biographical sketches of the state's ten federal district judges, from Judge Alfred Thomas to Judge Rodney Webb. In addition, the federal judges serving the Dakota Territory are included, giving the book a span from 1861 to 2001. North Dakota's federal judges have made significant contributions to the law, and these are discussed in the biographies.

Tharaldson's book provides not only an in-depth look at the lives of North Dakota's federal judges but keen insight into the politics of the federal judicial nomination and appointment process. U.S. Court of Appeals Judge Richard S. Arnold wrote the book's foreword and states, "This insight...is his project's most significant contribution." The book is hailed as a meticulously researched, important piece of scholarship on a neglected part of North Dakota's judicial and political history. In an August 12 *Fargo Forum* book review, Janell Cole describes the book as a "thorough compendium of the who and how of North Dakota's federal judicial appointments" and



*Patronage: Histories and Biographies of North Dakota's Federal Judges* was published in 2002 by Northern Lights ND Press, in cooperation with the

says that the book, "seems bound to become an instant reference for historians and followers of politics and law." In addition, the cover has won a national award.

North Dakota Branch of the Historical Society. The book sells for \$17, including shipping. After recouping costs, Mr. Tharaldson will generously donate profits from sale of the book to the North Dakota Branch. 🍀

## History Contests

### John F. Dillon Essay Award

*Thomas Boyd, Court of Appeals Branch*



Aracely Munoz Contreas is the recipient of this year's John F. Dillon Award for her paper, *The Maquiladora Murders: Eradicating Child Labor Beyond the Factory Walls*.

The Dillon Award was established four years ago at the University of Iowa College of Law by the Court of Appeals Branch of the Historical Society for the United States Courts of the Eighth Circuit. The purpose of the essay competition is to encourage scholarship in areas that include, but are not necessarily limited to, legal history.

Since it was established by the Court of Appeals Branch, the Dillon Award has been presented each year to an Iowa law student as part of the spring commencement awards. The recipient is featured in the spring commencement program. Past awards have been presented to Kyle T. Murray for *Looking for Lochner in All the Wrong Places: The Iowa Supreme Court and Substantive Due Process Review*; Matthew D. Spohn for *Understanding America's Scenic Parks as Cultural Property*; and Evan Simone for *Judicial Mindfulness*.

The Honorable John F. Dillon began his career in Iowa in the mid-1800s as a lawyer, trial judge, and justice of the Iowa Supreme Court. He later served ten years on the Eighth Circuit before leaving Iowa

to enter private practice in New York City and devote more time to scholarship in a wide variety of areas. Judge Dillon earned national prominence as a noted scholar and president of the American Bar Association, and was considered one of the greatest lawyers of his day.

The selection committee for the Dillon Award has been made up of the Honorable Donald P. Lay of the Eighth Circuit; Professor Mark Killenbach of the University of Arkansas Law School; Ted Breckenfelder of the John F. Dillon Inn of Court; and Tom Boyd of the Court of Appeals Branch. 🍷

## Van Pelt History Prize and Nebraska History Day

*Mary Hewitt Jones, Nebraska Branch President*

In 2002, the Nebraska Branch of the Eighth Circuit Historical Society established the Van Pelt History Prize for the best paper on a matter of legal significance submitted by an undergraduate or law student at any of Nebraska's colleges, universities or law schools. The prize is only awarded at the discretion of the Branch, and in 2002 such discretion was not exercised.

In 2003 however, at its annual meeting, the officers of the Branch expanded the reach of the prize to include high school students participating in the state finals of "Nebraska History Day," which is the state competition in the National History Day contest. Winners of the four state district history day tournaments converge on the Nebraska Wesleyan University campus in Lincoln for the state competition in mid-April every year. The competition includes submissions in various categories, including papers, presentations and video documentaries. The top two finishers in each category at the state competition proceed to the national competition which will be held this year at the University of Maryland in June.



This time there was a winner. In the category of video documentary Megan Berg of Lincoln was awarded first prize and the Van Pelt Prize for the Best Presentation with a Legal Theme. The award was presented by James W. Hewitt, J.D., Ph.D., member of the Nebraska Branch and a Wesleyan faculty member in the History Department. Ms. Berg's video documentary was entitled *Sterilization in America*, and concerned the forced sterilization of patients at the Beatrice (Nebraska) State Mental Institution. Ms. Berg interviewed the lawyers involved in the case of *State v. Cavitt*, 182 Neb. 712, *rehearing den.* 183 Neb. 243 (1968) (statute requiring sterilization of "mentally deficient persons" as condition precedent to parole or discharge from "State Mental Institution for Mentally Defective Persons" was a valid exercise of police power and did not violate equal protection), including Vince Dowding of Grand Island who was successful in persuading the United States Supreme Court to take *certiorari*. Following the Supreme Court's decision in the case, the Nebraska legislature acted to end involuntary sterilization. In making the award Hewitt expressed congratulations on behalf of the Nebraska Branch, and reported "after two trips to the awards podium Ms. Berg seemed to grasp the significance of her contribution to legal and historical scholarship. It was a cinematic marvel as well. I expect her to do well at the national competition." The Nebraska Branch will of course follow the outcome closely. 🍷

## Thank You Survey Participants

The Historical Society of the United States Courts in the Eighth Circuit wishes to thank those who participated in our surveys on funding and structure of historical societies and programs. The results of our February 2002 surveys are available on the Historical Society's website at:

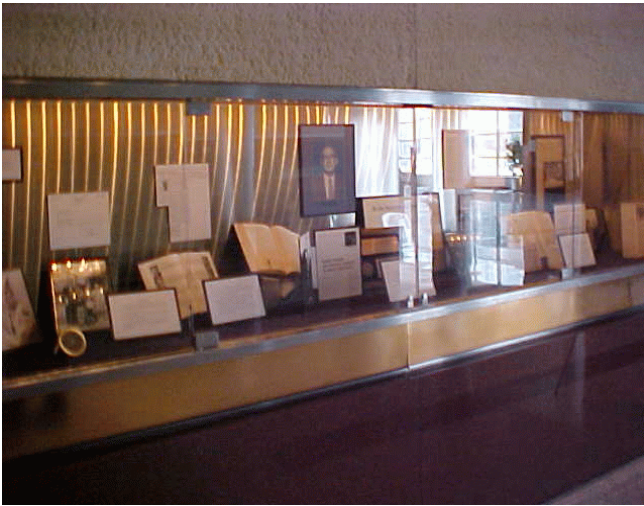
[http://www.ca8.uscourts.gov/library/hist\\_society.html](http://www.ca8.uscourts.gov/library/hist_society.html)



## Historical Displays

### Judge Robert G. Renner Display

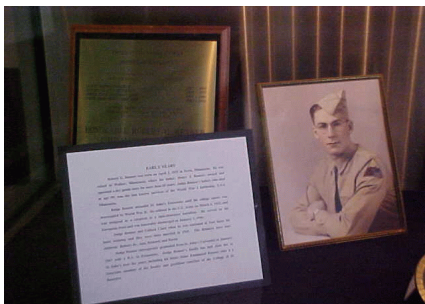
*Anita Terry, former law clerk to Judge Renner*



The display case in the lobby of the Minneapolis courthouse houses a display dedicated to the career of the Honorable Robert G. Renner, Senior U.S. District Judge. As noted in the display, Judge Renner is the only person to have been appointed to be a U.S. Attorney, U.S. Magistrate Judge, and U.S. District Judge.

The display depicts Judge Renner's career in public service, beginning with his service in the United States Army during World War II. After the war, he returned to his hometown of Walker, Minnesota, where he began a private law practice. He later was elected to the Minnesota House of Representatives, and served in the legislature until he was appointed

the U.S. Attorney for the District of Minnesota in 1969. He was chosen to be a Magistrate Judge in 1977. In 1980, he and now Eighth Circuit Court of



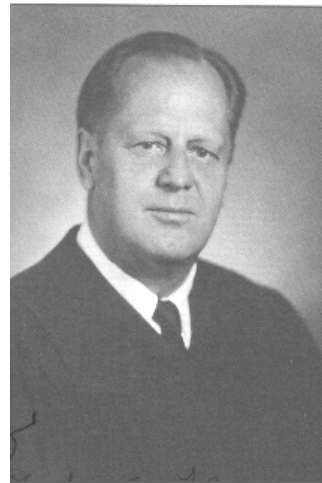
Appeals Judge Diana E. Murphy were sworn in on the same day to the position of U.S. District Judge for the District of Minnesota. Judge Renner assumed senior status in 1992.

The display attempts to capture Judge Renner's varied career using photographs, artifacts, and newspaper clippings. These items were gathered by Tom Boyd of the Minnesota Branch of the Historical Society, Joyce Larson Schampel, Minneapolis Librarian for the U.S. Courts, and Anita Terry, former law clerk to Judge Renner. 🐼

### Judge Earl R. Larson Display

*Cheryl Heilman, former law clerk to Judge Larson*

In July, the Minnesota Branch will unveil its latest exhibit for the Minneapolis federal courthouse—a display honoring Judge Earl R. Larson. The display combines text and pictures to tell the story of Larson's career and the impact of some of his significant cases as a judge.



Judge Earl R. Larson

Born in 1911, Earl Larson was the oldest son of Swedish immigrants. He graduated *cum laude* from the University of

Minnesota in 1935, and early in his career as a lawyer, served as Assistant U.S. Attorney for Minnesota. After serving in the U.S. Navy during World War II, Larson helped form a law firm and found the Minnesota Civil Liberties Union.

In 1961 President John F. Kennedy appointed Larson to the federal bench, where he joined colleagues Gunnar H. Nordbye, Chief Judge Edward J. Devitt, and Dennis W. Donovan. As a judge, Larson presided over many notable cases, including school



desegregation, litigation leading to the deinstitutionalization of persons with mental retardation, and a lengthy trial concerning the invention of the modern computer.

Judge Larson took senior status in 1977, though he continued to hear civil cases and to sit by designation on the Eighth Circuit Court of Appeals for many years thereafter, and died at age 89 in 2001. Upon his death, it was said "every day in his courtroom, justice was done." 🍷

## Learning Centers

### Eastern District of Missouri Learning Center

*Ann Buckley, Eastern District of Missouri Branch*



One of the projects of great interest to the Eastern District of Missouri Branch is the development of the Learning Center for the Thomas F. Eagleton Courthouse in St. Louis. A Missouri not-for-profit corporation has been formed by Missouri attorneys to raise a private endowment for operating

and equipping the Center. The Center will be a circuit-wide venture, and the corporation's board will be expanded to include attorneys and lay people throughout the circuit. When completed, the Learning Center will include memorabilia and information concerning historical matters, including important cases decided in the Eighth Circuit, which has more Native American cases than any other circuit, and articles and information concerning the judges who have sat in the Eighth Circuit at all levels, including those who have gone from the Eighth Circuit to the Supreme Court of the United States. Present plans also call for the inclusion of

educational displays on topics such as federal court jurisdiction, how cases are filed, the progress of a case through the court, how juries are selected, and how judges are chosen. We are looking forward to the further development of the Learning Center. 🍷

### Western District of Missouri Learning Center

*Paul Donnelly, Western District of  
Missouri Branch Vice President*

The Western District of Missouri Branch is planning a part interactive and part traditional museum to be established in a large ceremonial room



on the second public floor of the Charles Evans Whittaker Courthouse in Kansas City.

Several proposed architectural renderings have been completed, and the Branch has formed

two fund-raising committees to begin raising the \$350,000 to \$400,000 it will take to fund and maintain the project. A "special gifts" committee will be headed up by two attorneys, Landon Rowland, the former president of Kansas City Southern and the Stilwell Corporation, and Judith Heeter, a partner at Shughart, Thomson & Kilroy, P.C., who work exclusively for the Major League Baseball Players Association. The "special gifts" committee will focus its efforts on foundations, the various bar associations and a handful of individuals. A "lawyers committee" will be made up of three attorneys who regularly practice before the Court: Charles German, Pat McLarney and Gary Robb. This committee will be charged with going to individual firms and seeking contributions or commitments to contribute over a four to five year period. The Branch is finalizing plans to finance these fund-raising efforts. 🍷

## Court History Program: U. S. Bankruptcy Court, Eastern District of Missouri

*Dana McWay, Clerk of U.S. Bankruptcy Court,  
Eastern District of Missouri*



Change seems to be the one constant in the Judiciary during the past few years. Courts have moved into newly constructed buildings and launched new initiatives such as FAST, PACS-ECM, and

CM/ECF. We have changed the way we have conducted business internally and externally, engaging in ever increasing training and outreach efforts with the Bar and the public. With all of this change surrounding us, it becomes important to take the time to look back at where we have been. The Bankruptcy Court for the Eastern District of Missouri took such an approach when it prepared to move into the Thomas F. Eagleton Courthouse.

In developing a Historical Program, the Court focused on four efforts. First, we developed a space near the door to the public lobby area of the Clerk's Office to display historical artifacts and pictures of prior and current locations where the Court has held business. We chose this area because of its high traffic pattern, hoping to maximize exposure of the historical artifacts to the public. Second, we developed written materials describing the Court's history, current and past judges, and historical artifacts. We have created these in portable



document file (PDF) format for future placement on the website and in printed format for distribution upon request. Our third effort was to create space on the website

devoted to historical issues. We plan to add this feature to our website shortly. Finally, we plan to create a Memory Wall to recognize retired employees and former employees who died while in service. This Memory Wall will be located in nonpublic space and updated on a regular basis.

Our efforts have already borne fruit as we have received considerable praise from our practicing Bar on our public display. Some of our senior practitioners have chuckled that we consider a reel-to-reel audiotape as a historical artifact because they recall the use of these tapes in the not too distant past. They recognize, however, that the advent of digital technology has brought audiotapes to an artifact status. As time passes and technology develops further, we recognize the need to further augment our Historical Program. 🎧

## St. Louis Librarian To Specialize in Archives and History Duties

In recent years, the U.S. Courts Library's responsibilities in the areas of archives and history have grown steadily. In order to fulfill these responsibilities, one of the St. Louis librarians, Joan Stevens, was reassigned to new duties as the Archives/Reference Librarian in February 2002.

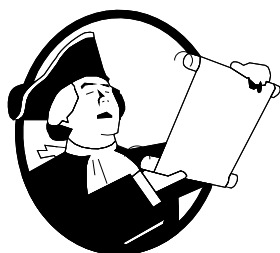


The library serves as the repository for the Eighth Circuit's court archives, and Joan sees to this work. She collects, preserves and organizes material related to the Eighth Circuit's history, deals with requests for archival and historical information, serves as liaison to other historical and archival organizations, prepares historical displays, and compiles lists of judges' papers, oral histories and other materials documenting court history. In addition, Joan assists Circuit Librarian Ann Fessenden with her duties as Secretary/Treasurer of the Historical Society of the United States Courts in the Eighth Circuit, prepares the Society's newsletter and maintains its web page.

Joan holds an M.A. in Library Science from the University of Missouri, where her course work included classes in archives and records administration. She has been a member of the Eighth Circuit library staff since 1989 working in a variety of capacities, including cataloger and reference librarian. 🐼

## State and Federal Court Historical Societies' Annual Meeting

*Thomas Boyd, Court of Appeals Branch*



The fifth annual meeting of State and Federal Court Historical Societies took place last fall in Portland, Oregon, on September 26-28, 2002. As always, the conference provided a wonderful

opportunity for representatives of the various state and federal court history societies to come together and exchange information and materials relating to their own unique programs, organizations, and activities.

The conference, which was held in conjunction with the Annual Meeting of the American Association for State and Local History (AASLH), covered a variety of subjects, including programs focusing on archival collections, courthouse architecture, gift shops and web gift sales, and the staging of historic mock trials.

Tom Boyd represented the Historical Society of the United States Courts in the Eighth Circuit on a panel that addressed the organization and development of court historical societies around the country. This program was moderated by Bruce Ragsdale, Chief Historian of the Federal Judicial Center, and also included Michael E. Kunz, who is the Clerk of Court of the U.S. District Court for the Eastern District of Pennsylvania, and John Dise, Vice President of the Historical Society for the U.S. District Court for the Eastern District of Michigan.

This year's conference will take place in Providence, Rhode Island, at the AASLH's Annual Meeting on September 19-20, 2003. Further information can be obtained by contacting Bruce Ragsdale at [bragsdal@fjc.gov](mailto:bragsdal@fjc.gov). 🐼

## Historic Reenactment Highlights Gangster Era in St. Paul

*Thomas Boyd, Court of Appeals Branch*

In January of this year, St. Paul's Landmark Center was the site of a dramatic reenactment of the gangster era. This event, which was staged as part of the Centennial Legal Series, was based on a proceeding that took place before the Honorable Gunnar H. Nordbye in 1954 and is reported at *Davis v. United States*, 123 F. Supp. 407 (D. Minn. 1954), *aff'd*, 210 F.2d 118 (8th Cir. 1954). The 45-minute program was enjoyed by a standing-room-only crowd and was later replayed on Twin Cities Public Television.

Formerly the United States Courthouse and Post Office, Landmark Center is a National Historic Landmark and one of Saint Paul's most beautiful buildings. During its 100 year history, the building's halls have been graced by such luminaries as U.S. Supreme Court Chief Justice Warren Burger and Justice Harry Blackmun, who clerked in the building, and local federal judges Walter and John Sanborn, Edward Devitt, and Nordbye.

The petitioner, Volney Davis, had been a member of the Barker gang who was implicated in and eventually pleaded guilty to the 1934

kidnapping of banker Edward G. Bremer. He sought relief from his conviction in the early 1950s, claiming he had been deprived of counsel and coerced into entering his guilty plea. Davis was transported from Alcatraz, where he was serving a life sentence, to the old federal courthouse in St. Paul for the hearing on his petition.





The reenactment offered a colorful resurrection of the gangster days in St. Paul. Davis, Nordbye, prosecution and defense counsel, and the witnesses were played by a cast of notables, including bankruptcy judge Robert Kressel, state court judges Mickey Greenberg, Jim Dickinson, and Larry Cohen, retired supreme court justice Esther Tomljanovich, and author Paul Nelson. St. Paul Mayor Randy Kelly guest-starred as FBI agent Melvin Purvis.

These types of trial reenactments have become an increasingly popular method for communicating court histories. The reenactment of another legal proceeding is planned for Landmark Center later this fall.

The Centennial Legal Series is supported by William Mitchell College of Law, the Minnesota Chapter of the Federal Bar Association, the U.S. District Court, the Minnesota Humanities Commission, and the Ramsey County Historical Society. 🍷

## Courthouse Dedications

### Little Rock Courthouse Named for Judge Richard S. Arnold



Judge Richard S. Arnold

As a part of the omnibus Appropriation bill signed by President Bush on February 20, 2003, the United States Courthouse in Little Rock, Arkansas, was designated as the "Richard Sheppard Arnold United States Courthouse." The bill was introduced by Arkansas' four U.S. representatives. Rep. Vic

Snyder commented, "This is going to be a great facility. It should be named for a great American."

Judge Arnold first joined the federal courts in 1978 as a District Judge for the Eastern and Western

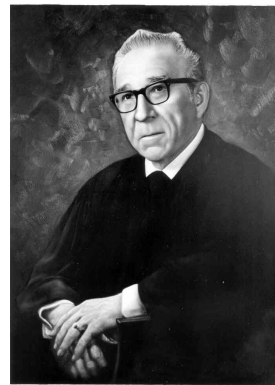
Districts of Arkansas. In 1980, he was appointed to the U.S. Court of Appeals for the Eighth Circuit, where he served as Chief Judge from 1992 to 1998. He assumed senior status on April 1, 2001.

During his time on the bench, Judge Arnold has developed a reputation as a brilliant jurist and legal scholar. In 1999 he received the Edward J. Devitt Distinguished Service to Justice Award. He is highly-regarded and well-loved by his colleagues in this circuit and elsewhere throughout the legal community. 🍷

### North Dakota Courthouse Dedications

*Suzanne Morrison, Fargo Librarian for the U.S. Courts*

North Dakota renamed and dedicated two federal courthouses in honor of two distinguished federal judges.



Judge Ronald N. Davies

The Grand Forks Federal Building was renamed the Judge Ronald N. Davies Federal Building and Courthouse to honor the late Judge Ronald Davies on August 6, 2001. Judge Davies was the U.S. District Judge temporarily assigned to the Eastern District of Arkansas who ordered the Little Rock School Board to desegregate

their schools in 1957. This decision was made in the face of personal threats and an Arkansas Governor who sent in the National Guard to thwart desegregation. President Dwight Eisenhower had to order in the 101<sup>st</sup> Airborne Division to monitor the mobs and demonstrators. The U.S. Supreme Court met in a special session to uphold Davies' decision. *The New York Times* called the ruling the "landmark decision on racial integration in our nation." He was hailed as a man of courage, logic, and integrity. Judge Davies always maintained that he was "just doing his job."

## The Bruce Van Sickle Federal Building and United



Judge Bruce Van Sickle with wife outside courthouse named for him.

States Courthouse in Minot, North Dakota, was dedicated on August 12, 2002, with Judge Van Sickle and his family present. The newly refurbished courthouse was

packed with guests and dignitaries. Van Sickle is known for his 1982 ruling that overhauled the state system of caring for mentally retarded people and moved many out of institutions. In *Coleman vs. Block* he ruled in favor of farmers fighting against government foreclosure in the 1980s. Congress later implemented Van Sickle's protections into federal law. Judge Van Sickle accepted the accolades of all with typical humility and charm. "I am very, very lucky. It has been a privilege to have been a lawyer first and then a judge." 🐾

## Portrait Ceremonies

### Hon. Richard S. Arnold

*Crata Castleberry, Little Rock Librarian  
for the U.S. Courts*

On June 28, 2002, 300 people gathered to dedicate two portraits of U. S. Circuit Judge Richard Sheppard Arnold. Judge David Hansen, then Chief Judge of the Eighth Circuit Court of Appeals, presided and opened the ceremony by saying "We're all here today to hang Judge Arnold. Not in effigy, but in fond admiration."

Master of ceremonies Phil Anderson described the event as "the largest assemblage of circuit judges ever in Little Rock." Among those in attendance were eleven judges on the Eighth Circuit's U.S. Court of Appeals; Arkansas' district, magistrate and

bankruptcy judges from the Eastern and Western Districts; several Arkansas Supreme Court justices; Public Service Commissioner Lavenski Smith, whose nomination to the federal appellate court in succession to Judge Arnold's seat had been approved the day before; and former and current law clerks. Price Marshall, a former law clerk who organized the ceremony, said "We've come from New York, California, Maine, Arizona and everywhere in between because we love and admire you, judge, and you are a special judge."

Former U. S. Senator Dale Bumpers remarked that Judge Arnold had "enriched and ennobled" the lives of those present, and Chief Judge Hansen spoke of Judge Arnold's "exceptional intellect" and "unfailing courteous demeanor." He said the late U.S. Supreme Court Justice William J. Brennan, Jr., once described Arnold as "one of the most gifted members of the federal judiciary."

Family members including his wife, Kay Kelley Arnold, daughter Janet Arnold Hart with grandson Evan Antonio Hart of San Carlos, California, and daughter Lydia Arnold Turnipseed of Washington, D.C. unveiled the portraits.

One of the portraits, in which Judge Arnold is seated, hangs in the lobby of the Little Rock courthouse. The other portrait, in which he is



Portrait of Judge Arnold in Little Rock

standing, resides on the 27<sup>th</sup> floor of the Thomas F. Eagleton U. S. Courthouse in St. Louis. It hangs outside the southwest courtroom of the Court of Appeals, just off of the hallway honoring Eighth Circuit judges appointed to the Supreme Court. The portraits depict Judge Arnold in his black robe, gray suit, and trademark bow tie. The jurist holds a red



Portrait of Judge Arnold in St. Louis

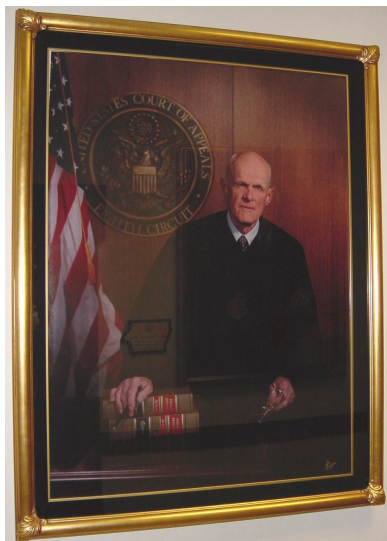
brief in one pose and a blue one in the other, symbolizing the Judge's familiarity with each side of an issue in the appellate process.

The portraits were commissioned by Judge Arnold's family, including his brother, Judge Morris Sheppard Arnold, and past and present law clerks, and were painted by

Jason Bouldin, of Oxford, Mississippi. Mr. Bouldin has attained international recognition as a portrait painter and recently won grand prize in the international portrait competition sponsored by the Portrait Society of America.

Judge George Howard accepted the portrait on behalf of the court for the Eastern District of Arkansas, and Chief Judge David Hansen accepted the portrait on behalf of the U.S. Court of Appeals for the Eighth Circuit. ☛

## Hon. George G. Fagg



Judge Fagg's portrait

U.S. Court of Appeals Judge George G. Fagg took senior status on May 1, 1999, after more than 16 years of service as Circuit Judge. Judge Fagg chose to have a portrait done but hung without a ceremony. His portrait was painted by Tom Apgar of Apgar Photography

Studios and was officially hung on October 25, 2001. It hangs in the first floor hallway of the Des Moines courthouse, near the main courtroom and next to the portraits of his predecessor, the late U.S. Court of Appeals Judge Roy L. Stephenson, and the senior judges of the Southern District of Iowa. ☛

## Hon. Paul A. Magnuson

*Anita Terry, law clerk to Judge Magnuson*

On October 8, 2002, the District of Minnesota celebrated the unveiling of the portrait of the



Judge Magnuson's portrait unveiled

Honorable Paul A. Magnuson. The portrait was unveiled in Courtroom One of the Warren E. Burger Federal Building and U.S.

Courthouse in St. Paul, Minnesota, and now hangs in Courtroom One along with portraits of Chief Justice Burger, former Chief Judge Edward J. Devitt, and Senior Judge Donald D. Alsop.

Chief Judge James M. Rosenbaum presided over the ceremony. In attendance were Judge Magnuson's wife of 42 years, Sharon, their three living children, three of their four grandchildren, and one of Judge Magnuson's two sisters. Also attending were judges of both the District Court and the Court of Appeals, members of the state judiciary, and many of Judge Magnuson's former and current law clerks and staff.

Paul Anderson, Associate Justice of the Minnesota Supreme Court and a former colleague of Judge Magnuson's at the South St. Paul law firm of Levander, Gillen, Miller & Magnuson, spoke eloquently of Judge Magnuson's "absolute passion and desire to be involved in public service." Gregory Wilmes, Judge Magnuson's first law clerk,



offered his perspective as the founding member of the Lake Elmo Federal Bar Association. This association is dedicated to venerating members of the federal judiciary from Lake Elmo, Minnesota. Not coincidentally, Judge Magnuson is the only member of the federal judiciary living in Lake Elmo. Finally, the portrait artist, Cyd Wicker, spoke about Judge Magnuson's demeanor during the painting of the portrait, commenting that he has a "wonderful way of putting everyone at ease."

Sharon Magnuson and Ms. Wicker unveiled the portrait. The portrait reflects Judge Magnuson's judicial career. In the background is the bald eagle that has dominated the front of Courtroom One since Judge Devitt's tenure. Judge Magnuson has one hand on a globe, symbolizing his commitment to international issues as Chairman of the Judicial Conference's Committee on International Judicial Relations. The globe itself is from the one-room schoolhouse that Judge Magnuson attended as a boy in Carthage, South Dakota. In his other hand, Judge Magnuson holds a book, representing his life-long commitment to the rule of law. Judge Magnuson's smile reflects his genial nature on the bench and his respect for, and genuine enjoyment of, lawyers who practice before him.

Judge Magnuson concluded the ceremony with brief remarks. After the ceremony, the Federal Bar Association sponsored a reception in the Jury Assembly Room in the courthouse. 🍷

## Justice Warren E. Burger

A portrait of U.S. Supreme Court Justice Warren E. Burger was unveiled on August 16, 2002, in the St. Paul courthouse named for him by Congress in 1987. This is only the fourth portrait of Burger, a St. Paul native who served as Chief Justice for 17 years. The portrait was donated to the Minnesota U.S. District Court by the Faegre & Benson Foundation, the Dorsey & Whitney Foundation and the Kelly & Berens, P.A. law firm. Former law clerk James Volling unveiled the portrait which now hangs in Courtroom One. 🍷

## In Memoriam

### *U.S. Court of Appeals*

Hon. Floyd R. Gibson (October 4, 2001)

### *U.S. District Courts*

Arkansas, Eastern District

Hon. Henry Woods (March 14, 2002)

Arkansas, Western District

Hon. Franklin Waters (April 16, 2002)

Minnesota

Hon. Earl Larson (October 31, 2001)

Hon. John M. "Jack" Mason (June 8, 2002)

Missouri, Western District

Hon. Russell G. Clark (April 17, 2003)

South Dakota

Hon. Donald J. Porter (February 17, 2003)

### *U.S. Bankruptcy Courts*

South Dakota

Hon. Peder K. Ecker (January 31, 2002)

Missouri, Western District

Hon. Frank W. Koger (January 3, 2003)

*Memorial articles are in the  
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