



U.S. Government Property
Federal Judicial Center
Information Services
1520 H Street, N.W.
Washington, D.C. 20005

The Court Historian

The Federal Judicial Center, 1520 H Street, N.W., Washington, D.C. 20005

July 1992

Published by the Federal Judicial History Office

Number 5

The Federal Judicial History Office has been notified of the following new programs, publications and projects.

Court History Programs

Michigan, E.D.: The U.S. District Court for the Eastern District of Michigan formally incorporated a court historical society on January 2, 1992. Its five-year plan includes encouraging the preservation of judges' chambers papers; oral history interviews; publications; films; and exhibits. Contact: Judy Christie, Administrative Manager, U.S. District Court for the Eastern District of Michigan, 133 U.S. Court House, 231 W. Lafayette Blvd., Detroit, MI 48226; tel. 313-226-7802.

Ninth Judicial Circuit Historical Society: Bradley Williams has assumed the position of director, succeeding Chet Orloff, who has accepted the post of director of the Oregon Historical Society. The new address for the Society, and the journal *Western Legal History*, is 125 South Grand Avenue, Pasadena, CA 91105; tel. 818-405-7059.

Virgin Islands: The U.S. District Court for the Virgin Islands inaugurated a court history program in 1991. Its program includes an oral history project; the preparation of a pamphlet on the history of the court; and the collection of historically valuable photographs. Contact: Orinn Arnold, Clerk, U.S. District Court for the Virgin Islands, P.O. Box 720, Charlotte Amalie, St. Thomas, VI 00801; tel. 809-774-0640.

Personal papers of U.S. Federal Judges

Senior District Judge **Marion J. Callister, U.S. District of Idaho**, has designated the Harold B. Lee Library of Brigham Young University as the repository for his personal and professional papers.

The papers of **J. Braxton Craven** (1918-1977), judge for the Western District of North Carolina and the Court of Appeals for the Fourth Circuit, have become available for research after the expiration of a 15-year restriction. The papers are held by the Special Collections Department, Duke University Archives. The collection contains research material relating to litigation in, and administration of, the Fourth Circuit Court of Appeals. The collection consists of 270 boxes.

Publications

California, N.D.: Griffith, Michael. *The Federal Courts: Yesterday, Today, and Tomorrow: A Symposium Commemorating the Bicentennial of the Federal Courts, 1789-1989*. San Francisco: U.S. District Court for the Northern District of California Historical Society, 1990. 86 pp. \$5.00. Available from the U.S. District Court for the Northern District of California Historical Society, P.O. Box 36112, San Francisco CA 94102; tel. 415-556-2790.

Speeches by the Hon. A. Leon Higginbotham, Jr., Gerald Gunther, Leon Silverman, Russell R. Wheeler, along with a panel discussion. The symposium was moderated by the Hon. William W. Schwarzer.

Iowa: Peterson, Richard W. *The Court Moves West: A Study of the U.S. Supreme Court Decisions of Appeals from the U.S. Circuit and District Court of Iowa, 1846-1882*. Council Bluffs, Iowa: South Side Press of the Midlands, 1988. 58 pp. Available from Richard W. Peterson, P.O. Box 1661, Council Bluffs, IA 51502; tel. 712-323-5880.

Maryland: Lewis, H.H. Walker, and Schneider, James F. *A Bicentennial History of the U.S. District Court for the District of Maryland, 1790-1990*. Baltimore: Maryland Chapter of the Federal Bar Association, 1990. 165 pp. \$5.00. Available from Joseph A. Haas, Clerk, U.S. District Court for the District of Maryland, 101 West Lombard St., Baltimore, MD 21201; tel. 301-962-2600.

The Hon. James F. Schneider is the U.S. Bankruptcy Judge for the District of Maryland. An earlier edition of this work by H.H. Walker Lewis was published in 1977.

South Dakota: Teslow, Peggy J. *History of the U.S. District Court for the District of South Dakota*. Sioux Falls, South Dakota: West Publishing Co., 1991. 125 pp. \$10.00. Available from Peggy J. Teslow, Chambers of Hon. John B. Jones, U.S. Courthouse & Federal Building, Room # 2, 400 South Phillips, Sioux Falls, SD 57102; tel. 605-339-9860.

Biographies of each of the 13 judges appointed to the South Dakota District Court since 1889.

Ninth Circuit: Hicke, Carole. *Saving Yesterday Today for Tomorrow: A Guide to Oral History for the Bench and*

Bar. Portland, Oregon: Ninth Judicial Circuit Historical Society, 1992. 28 pp. \$2.00. Available from the Ninth Judicial Circuit Historical Society, 125 South Grand Avenue, Pasadena, CA 91105; tel. 818-405-7059.

Saving Yesterday Today for Tomorrow: A Guide to Oral History for the Bench and Bar offers advice about instituting oral history programs and conducting the interviews and includes outlines, sample copyright contracts, and checklists.

Ninth Circuit: The U.S. Court of Appeals for the Ninth Circuit is preparing a history of the court's first fifty years to commemorate the court's centennial. David Frederick will write the work, under the supervision of Senior Circuit Judge Joseph T. Sneed.

Eleventh Circuit: Hall, Kermit L., and Rise, Eric W. *From Local Courts to National Tribunals: The Federal District Courts of Florida, 1821-1990*. New York: Carlson Publishing Inc., 1991. 262 pp. \$50.00. Available from Carlson Publishing Inc., P.O. Box 023350, Brooklyn, N.Y. 023350; tel. 718-875-7460.

The first of a series of histories of the districts courts within the Eleventh Circuit, to be followed by a history of the circuit court.

Preserving the Papers of Federal Judges

The Federal Judicial History Office will assist any court interested in locating a repository for the chambers files of a judge on the court. Such collections are valuable resources for scholarly research, but decisions about disposition must be made by the judge. Judges may make arrangements for the deposit of their papers while still serving, even if the papers will not be available to scholars until such later date as the judge deems appropriate. Many repositories are willing to provide both storage and advice, freeing chambers space and at the same time preserving the record. For additional information, call Emily Van Tassel, Associate Historian/Archivist, Federal Judicial History Office, 202-633-9655.

News of the Federal Judicial History Office

The Federal Judicial History Office has the following projects under way:

Oral History

- An oral history program, undertaken jointly with the Supreme Court Historical Society, to conduct interviews with the retired Justices;
- A database of oral histories related to the judicial branch, conducted by oral history programs nationwide;
- Revision of an oral history procedures manual for judicial branch oral history programs; and
- A limited oral history program related to Center history and judicial administration.

Judicial Branch Records

- A joint effort with the AO to work with the National Archives on preserving the records of the courts, including electronic and audiovisual records; and
- An initiative to encourage the preservation by private repositories of the chambers papers of federal judges.

Reference

- Creation of a directory to judges' papers already in manuscript repositories; and
- Creation and maintenance of a database of biographical information about federal judges from 1789 to the present.

Publications

- Proceedings of the federal court history seminar (forthcoming);
- A volume commemorating the twenty-fifth anniversary of the Center's establishment (forthcoming); and
- *A Directory of Oral History Interviews Related to the Federal Courts*, May 1992.

The History Office has completed its directory of oral history related to the U.S. federal courts. The directory describes some 900 oral interviews including 102 oral histories with federal district judges, 41 with judges on the federal circuit court of appeals, and 13 with Supreme Court justices.

- A manual for Article III judges to assist them in organizing and maintaining their chambers papers as historical records.

History Office staff:

Cynthia Harrison, Chief
Emily Van Tassel, Associate Historian/Archivist
Beverly Wirtz, Research Assistant
Adam Land, Research Assistant.

Emily Van Tassel, Associate Historian/Archivist, joined the history office staff April 6, 1992. She comes to the Federal Judicial Center with a master's degree in history and archives administration from Case Western Reserve University and a J.D. from the University of Wisconsin. She is completing a Ph.D. in legal history from the University of Chicago. In 1990-1991, Van Tassel was a fellow with a subcommittee of the U.S. Senate Committee on the Judiciary. She was an adjunct professor of law at Georgetown University Law Center for four years and before that served as an associate editor on the Documentary History of the Supreme Court of the United States. She served as the curator and processor of the papers of Senator Robert F. Wagner and processor of the papers of Zalmon Fitch, Esq., among others.

Adam Land has been with the History Office since September 1991. A graduate of the University of Chicago, Land has been responsible for compiling information concerning the location of manuscripts of federal judges. A first edition of the directory is expected to be ready this year. Land also prepared the *Directory of Oral History Interviews* for publication.

Beverly Wirtz joined the History Office staff in March 1992 after receiving a master's degree in history from George Mason University. Before coming to the Center, Wirtz helped coordinate George Mason University's Bill of Rights bicentennial programs. Her primary responsibilities include updating and maintaining the biographical database of federal judges.

RESTORED COURTHOUSE SERVES AUSTRALIA AS LAW MUSEUM

The Hon. Mr. Justice R. D. Nicholson of the Supreme Court of Western Australia, Convenor of the Board of the Francis Burt Law Center and the first Visiting Foreign Judicial Fellow at the Federal Judicial Center, March through May 1992

Set up in the 1836 Old Courthouse adjacent to the Supreme Court of Western Australia, the Law Museum collects and displays artifacts relating to the history of law in the Western portion of Australia. The museum is fortunate to have the custody of the oldest building in the city of Perth (the capital of the state of Western Australia), which it has restored to the way it looked when used as a courthouse at the turn of the century. Displays include an attorney's office and illustrations of the impact of law in the daily life of a family. A video room assists presentation of contemporary issues.

The museum is now part of the Francis Burt Law Center, which uses the exhibits and resources of the museum to provide legal education to school students and the public. The center and museum were established on the initiative of the Law Society of Western Australia, which provides substantial funds from the Law Society Public Purposes Trust. The center is named after the recently retired chief justice, who maintained that the citizens of the future could not be expected to understand the role of the courts in a democratic system of government if their education did not include anything relating to the operation of the legal system.

Approximately 7,000 students, mostly from secondary schools, participate annually in the programs of the Cen-

ter. A qualified teacher is located at the Center, funded by the Center and the State Department of Education. Events include conducted visits and assessments of trials in progress in the adjacent Supreme Court; students are asked to fill out questionnaires on the exhibits. The Center has recently been allocated the use of a nineteenth-century building in the former Fremantle Prison site to which it will expand its center and museum activities, commencing with featured displays on the impact of the legal system on Australian aborigines.

The Center would like to exchange information with equivalent institutions involved in the use of history for community legal education. It has been in touch with the Chairman of the proposed Museum of Law in England, who has recently visited the Center in Perth. Communications should be addressed to The Director, Francis Burt Law Education Center, G.P.O. Box A35, Perth, Western Australia 6001.

The Court Historian is published occasionally by the Federal Judicial History Office, which seeks information on publications and activities from history programs in the federal courts. News items and requests to receive *The Court Historian* may be sent to Cynthia Harrison, Federal Judicial History Office, Federal Judicial Center, 1520 H Street, N.W., Washington, D.C. 20005; 202-633-8447. Requests will be honored as resources permit.

Correction

The title of historian Charles Zelden's project was published incorrectly in the last issue of *The Court Historian*. The correct title is *The Interaction Between Circuit and District Courts and the Changing Functions of the Lower Federal Courts: The Fifth Circuit and the Southern District of Texas as a Case Study, 1960-1990*. The proposal received a grant last year from the Judicial Conference Committee on the Bicentennial of the Constitution.

Notice to readers

This issue is the fifth that the Federal Judicial History Office has published, and it bears the designation "Number 5." This numbering system, which we will follow in the future, departs from our earlier practice of labeling with both volume and number. The previous issues were Volume 1, Nos. 1, 2, and 3, and Volume 2, No. 1.

Western Legal History announces new address; calls for manuscripts

The Ninth Judicial Circuit Historical Society extends a call for manuscripts for *Western Legal History*, its biannual journal. Potential authors or subscribers can contact Bradley William, Director, Ninth Judicial Circuit Historical Society, 125 South Grand Avenue, Pasadena, CA 91105; tel. 818-405-7059.