

**Annual Report to the
Illinois General Assembly
the Governor of Illinois
and the Supreme Court of Illinois**

2015

Submitted by:

The Illinois Supreme Court Historic Preservation Commission

January 2016

INTRODUCTION

The Supreme Court Historic Preservation Commission was created in 2007 by an Act of the General Assembly (705 ILCS 17) with the stated purpose to:

“...assist and advise the Court in regard to the acquisition, collection, documentation, preservation, cataloging, and related matters with respect to historic aspects of buildings, objects, artifacts, documents, and information, regardless of form, relating to the Illinois judiciary.”

The Commission fulfilled its mission in 2015 by preserving and disseminating the judicial history of Illinois to the legal community and to the public at large. The Commission partnered and collaborated with multiple institutions to facilitate the creation of entertaining and substantive programs, outreach, and publications that fostered a greater awareness and appreciation of Illinois’s legal history and the importance of the judicial branch of government. In partnering with other entities—federal, state, local, and private—the Commission maximized state resources to operate at a cost-efficient level.

Included among the partnerships were the Abraham Lincoln Presidential Library and Museum, Abraham Lincoln Presidential Library Foundation, Chicago Bar Association, Illinois Attorney General, Illinois State Bar Association, Lewis and Clark Community College, and the Theatre School at DePaul University.

ADMINISTRATIVE

Commissioners

Hon. James R. Thompson, Chair

Hon. Kirk W. Dillard

Kim B. Fox

Hon. Michael F. McClain

Pauline Montgomery

Joseph A. Power Jr.

William J. Quinlan

Jane Hayes Rader

Michael J. Tardy, *ex officio*, Director, Administrative Office of the Illinois Courts

Staff

John Lupton, Executive Director and Director of History Programs

Matt Burns, Director of Administration and Director of Outreach

Christina Rum, Collections Manager

Virginia Geiger, Administrative Assistant

Justin Law, Oral History

Benjamin Belzer, Research

Judy Shearon, Outreach

Christina Rum, the Collections Manager resigned her position in May 2015. Her responsibilities have been capably filled by Benjamin Belzer, a part-time employee. Belzer was an Illinois College intern with the Commission two years ago.

The Commission employed three part-time contractual workers during 2015. The Commission utilized contractual researchers to perform research, writing, and collections management tasks to further its goal of disseminating information on the judicial history of Illinois to the public and legal community.

Meetings

The Commission met four times in 2015 on February 23, June 8, August 31, and December 7.

Office

In 2014, the Commission moved to new and less expensive office space in Springfield. The staff occupies the second and third floors of the Booth-McCosker Building at Sixth and Monroe Streets. Utilization of the space includes a full library, a collections room, a conservation/preservation room, and space to exhibit artifacts.



Exhibit space at Commission offices

SUPREME COURT BUILDING

The Supreme Court Building was constructed from 1906 to 1908. When it closed for restoration in 2013, the Commission assisted the Court, the Administrative Office of the Illinois Courts, and the Building architects to provide advice, knowledge, and support of the restoration. After the Building reopened in September 2014, the Commission continued to provide expertise in 2015 in interpreting and preserving the Building.

The Supreme Court Library notified the Commission that it possessed a number of old law books and statute books that had some damage. The Commission's collection manager inspected the books and began a treatment program to mitigate the damage to preserve the books for many years.



The old DuPage County Courthouse in Wheaton illustrates the Richardsonian Romanesque architectural style

The Commission also constructed and installed permanent exhibits in the Supreme Court Building. The third floor contained generic wall pictures of pastoral settings. The Court asked the Commission to provide wall hangings that showcased the state's judicial history. The Commission created two separate themes. First was the "Homes of the Court," which includes historic photos of all of the buildings in the State of Illinois that housed the Supreme Court during its nearly 200-year history. Second was the "Architectural History of Illinois Courthouses," which features historic photos and post cards of approximately 30 Illinois county courthouses illustrating changes in architectural styles and designs from log cabins to post-modernism.

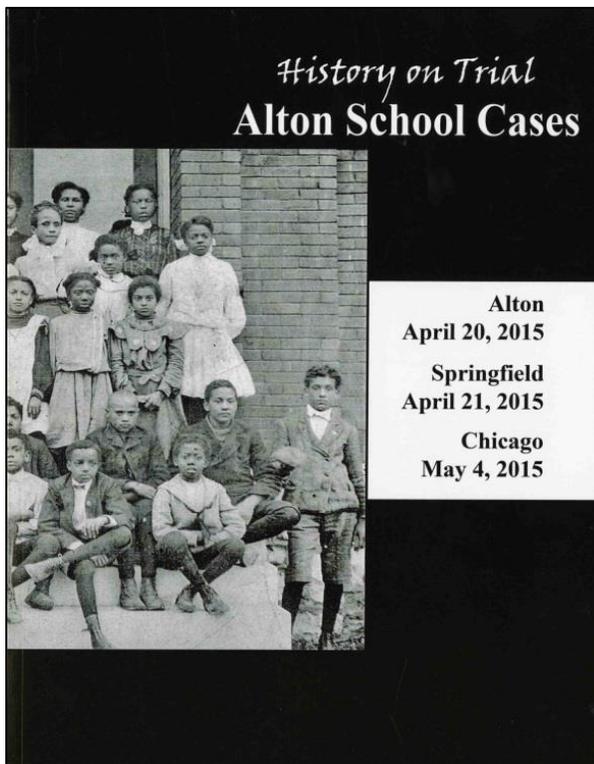
The Commission also assisted the marshal's office with framing historic photos of the Supreme Court's first marshal, Warren C. Murray.

Future projects in the Supreme Court Building include an interactive experience in the Attorney's Room and a marker to commemorate a bust of John D. Caton, a nineteenth-century justice of the Court. Before the Building reopened in 2014, the Commission reframed and rehung 107 portraits of former justices in the Attorney's Room. For 2016, the Commission is planning to provide an iPad station in the Attorney's Room to provide additional details about the justices and the history of the Illinois Courts. The bust of John D. Caton resides on the landing of the main staircase. The Commission plans to provide additional interpretation of the bust, including its history as well as information about Caton.

EVENTS

History on Trial: Alton School Cases

The fourth installment in the History on Trial series occurred in 2015 with an examination of a series of Illinois cases from 1897 to 1908 documenting the struggles of Scott Bibb, an African American fireman at the Alton Glass Works factory, who attempted to send his two children to a close neighborhood school in Alton rather than a segregated all-black school a mile away. Bibb lost the case in the Madison County Circuit Court but appealed to the Illinois Supreme Court, which validated an 1874 Illinois statute that schools not be segregated by race. The Alton officials failed to implement the order, and the Supreme Court repeatedly made the order. After five jury trials, two hung juries, and five appeals to the Supreme Court, the Court finally ordered the children to be accepted at the school. The city officials narrowly interpreted the Court's order, and Scott Bibb removed the children, now 21 and 18, from the elementary school that they tried to enter eleven years prior. Alton remained a segregated elementary school community until the 1950s.



Lewis and Clark Community College and the Theatre School at DePaul University partnered with the Commission to bring these cases to life. On April 20, Lewis and Clark Community College hosted the performance in Alton; on April 21, the Abraham Lincoln Presidential Library and Museum hosted the performance in Springfield; and on May 4, the Spertus Institute hosted the performance in Chicago. Scott Szala, a Commission Advisory Board member, assembled and led a panel discussion at each of the venues to discuss historical and modern topics related to segregated schools.

The events were recorded by Lewis and Clark Community College (<https://vimeo.com/127120122>) and by the Illinois Channel (https://www.youtube.com/watch?v=57_Nlg2tI_c).

Comments about the program were very positive.

- *The play brought to life some of the legal issues regarding education and it allowed the audience to see how segregation and integration transformed an educational system.*
- *Entertaining as well as educational*
- *A lot of historical and substantive information was presented in a delightful way*
- *Tremendous skill by the actors in presenting the history of the litigation – more of a well-choreographed dance*
- *It brought history to life, reminding me the same issues repeat throughout time and the effect of public opinion on the interpretation of the law*
- *The handout is exceptional. It provides outstanding background information. The actors were fantastic. The two elements together are outstanding*
- *Great for condensing years of trial history – made it easy to remember details and take something away from the program*
- *The theatrical presentation was well done. Interesting way to handle dense material. The actors were great.*



History on Trial: Alton School Cases performance at Lewis and Clark Community College in Alton, Illinois on April 20, 2015

George N. Leighton Building Photography Exhibit

On February 2, the Circuit Court of Cook County hosted an unveiling of a permanent photographic exhibit in the entrance of the George N. Leighton Criminal Court Building in Chicago. John Lupton was one of the featured speakers along with Cook County Circuit Court Chief Judge Timothy Evans, Criminal Division Presiding Judge Paul Biebel, and Cook County Board President Toni Preckwinkle. The exhibit was funded by the Commission from the fundraising efforts of Jenner & Block partner Jeffrey Colman, who raised money for the dedication of the renaming of the Leighton Building in 2012.

Eastland Disaster Trial

The *Eastland* Disaster was one of the worst maritime accidents in American history, when the *SS Eastland* capsized in the Chicago River in July 1915, killing nearly 850 people.

While not a direct sponsor of the *Eastland* Disaster Historical Society's "Trial that Never Was," the Commission contributed its experience and expertise of past retrials to assist the Society. Commission Advisory Board member Scott Szala helped immensely with the development of the script. Matt Burns supervised the stage set-up. John Lupton served on the retrial executive committee and helped to solicit attorneys Dan Webb of Winston & Strawn and Robert Clifford of Clifford Law Offices, as well as the trial judge, Hon. Anne Burke of the Illinois Supreme Court. The event took place at the Harold Washington Library in Chicago on June 18, 2015 to a large crowd, which also served as the jury and

voted on the outcome. The trial involved the charges of involuntary manslaughter against the president, vice president and secretary of the St. Joseph-Chicago Steamship Company with Clifford prosecuting and Webb defending the corporate leaders. The audience voted 58 percent not guilty, 29 percent guilty, and 13 percent “some guilty.”

OUTREACH

Website

The Commission’s website, www.illinoiscourthistory.org, contains considerable judicial history material that is of interest to attorneys, historians, and the general public. The Commission also has a Facebook page that is primarily used to direct users to the website, where more detailed information is available. Matt Burns monitors and updates the website and Facebook page.

The website has become one of the Commission’s primary methods of locating and communicating with persons interested in legal history. The Commission continues to add material on individual Supreme Court Justices and on county courthouses and their histories.

The Commission launched a new website, historyontrial.org, which focuses on the History on Trial series and includes information about each of the retrials and presentations as well as educational materials created by the Illinois State Board of Education.

History on Trial: Illinois Historic Cases Project

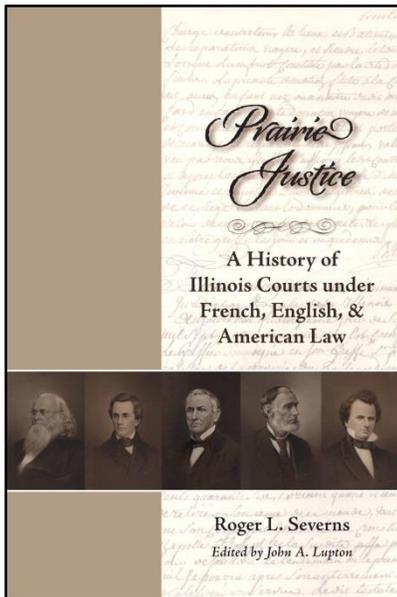
In preparation for the 200th anniversary of the creation of the state’s judicial system, the Commission has contacted all 102 circuit clerks in the state of Illinois for assistance in locating famous, interesting, and representative cases. Commission Advisory Board member, Appellate Justice, and former Cook County Circuit Clerk Aurelia Pucinski has assisted the project greatly with her experience as a former circuit clerk. Many clerks have responded positively to the request and are assembling committees to research court cases in their respective counties. There are three anticipated outcomes to coincide with the state’s bicentennial. First is a database of the cases with scans of the documents published on the Internet. The St. Louis Circuit Court Historical Records Project is an excellent model (<http://stlcourtrecords.wustl.edu/>). Second is highlighting more famous cases or cases involving significant individuals. The Cook County Circuit Court Archives has posted some its most famous cases (http://www.cookcountyclerkofcourt.org/?section=RecArchivePage&RecArchivePage=famous_cases), and the Commission would use it as a model as well as the Famous Trials website (<http://law2.umkc.edu/faculty/projects/ftrials/ftrials.htm>). Third, the Commission will create a guidebook for those organizations or individuals who wish to present their famous or interesting cases to a larger public audience. With four years of History on Trial as experience, the Commission is well-suited to offer assistance to a statewide and national audience.

Public Presentations

In 2015, the Commission continued to raise awareness of the history of the judiciary by offering its staff as speakers for annual dinners, monthly meetings, and school groups. Staff members spoke to bar associations, law schools, elementary and middle schools, and Road Scholar groups.

In May, the Commission gave a \$100 award at the Illinois History Fair to the exhibit that best portrayed a judicial history topic. Thousands of middle and high school students participated by creating exhibits that were then judged. Matt Burns presented the award to students from Whitney Young Academic Center in Chicago for their display entitled “Legacy of a Lawsuit: The Gautreaux Case and the Transformation of Public Housing in Chicago.”

Publications



Southern Illinois University Press has published the long-awaited *Prairie Justice: A History of Illinois Courts under French, English, and American Law*. A concise legal history of Illinois through the end of the nineteenth century, *Prairie Justice* covers the region’s progression from French to British to early American legal systems, resulting in a unique body of Illinois law that has influenced other jurisdictions. The publication is a culmination of sixty years of effort by the Illinois State Bar Association, the now-defunct Illinois Supreme Court Historical Society, and the Commission. Roger Severns authored the book in the 1950s, and John Lupton edited the manuscript for publication. The book sells for \$34.50 and can be purchased at <http://siupress.com/product/Prairie-Justice,6087.aspx>. Royalties from the sale of the book will be directed to the Commission. Lupton participated in a kick-off book signing at Barnes and Noble in Springfield on March 5. Dozens of people were on hand to hear about the history behind the history and about the history itself. In addition, Lupton was available in several locations across the state to sign

purchased books and answer questions.

The Commission continues to publish biographies of all 116 justices who have sat on the Illinois Supreme Court. As of the end of the year, 103 have been completed and published on the Commission’s website (<http://illinoiscourthistory.org/justices>). The remaining 13 are in the process of final editing. The Commission has begun discussions with several university presses to publish the biographies into a book.

John Lupton published “Hall of Justice...and Judicial Art: Illinois Supreme Court Building reopens after extensive renovation” in the March/April 2015 issue of *Illinois Heritage*.

Collections

With the resignation of Christina Rum, the Commission’s full-time collection’s manager, Ben Belzer, a part-time staff member and former intern with the Commission, stepped in to assume the responsibilities of managing the collections. Rum entered the collection into PastPerfect, an archival management software, assigning accession numbers and recording important information about the artifacts. When Belzer took over those duties, he physically



One section of the Collections Room of the Supreme Court Historic Preservation Commission

organized the materials in the Commission's Collections Room with proper shelving and guides for each of the units of storage. The Commission's artifacts are now organized, both physically and electronically, and stored in proper acid-free containers to preserve the materials long-term.

Oral History

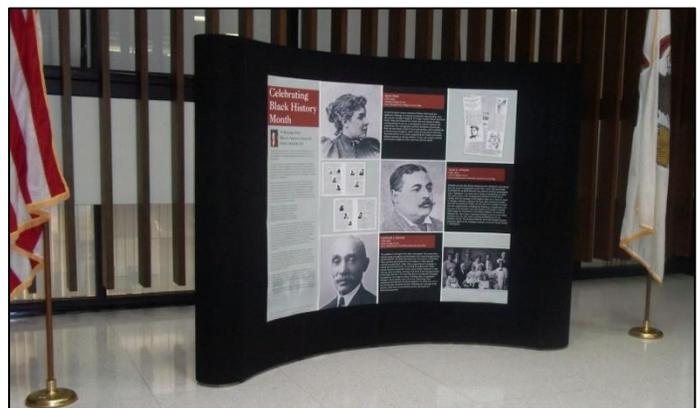
The Commission continues to obtain oral histories of judges, lawyers, and court personnel across Illinois. Justin Law, a contractual oral historian, has increased visibility of the oral history program resulting in new interviews. In 2015, the Commission began work on 21 oral histories, consisting of six lawyers and fifteen judges. The 21 oral histories are in varying stages of completion: two are completed and published, six are undergoing final review; seven have additional interviews to complete; and six have completed the preliminary meetings. Law has arranged oral histories by obtaining references from Supreme Court Justices, by reaching out to circuit court chief judges, and by identifying lawyers with more than fifty years of service to the legal profession. One example of an interesting anecdote comes from a retired judge who was part of a project to test nuclear weapons and recollected President Richard Nixon's visit to his community. The significance of these oral histories is not simply important cases or the evolution of the legal profession and judiciary but in the personal stories the interviewees have shared about their lived experiences. Each oral history offers personal vignettes about life and historic events in the twentieth century from the perspective of an Illinoisan.

Information Source

The staff of the Commission has become experts in the fields of legal and judicial history. A number of outside entities frequently solicit the Commission for information on the history of courthouses, judicial buildings, justices, and court cases. The Commission began monitoring inquiries, and in 2015, the staff handled more than 100 queries about legal related topics, which translates into an inquiry every other day. One example is a recent Florida Supreme Court ruling that required only black robes to be worn by judges. The *Tampa Tribune* contacted John Lupton about the history of judges wearing robes. The article can be found at <http://www.orlandosentinel.com/news/breaking-news/os-florida-justices-black-rob-20151012-story.html>.

Exhibits

The Commission had exhibits at Illinois State Bar Association events, at schools, and at several smaller museums in Illinois. The Commission partnered with the Illinois Attorney General's office to create an exhibit on the first African American lawyers licensed to practice law in Illinois. The exhibit highlighted William Wheeler, the first African American to be licensed in 1869; Ferdinand Barnett, who had a long legal career in Chicago and also was the husband of famed anti-lynching crusader Ida B. Wells; and Ida Platt, the first African American woman licensed to practice law in 1894. The exhibit was located in the James R. Thompson Center in Chicago and in the Attorney General Building in Springfield for the month of February.



Staff

John Lupton completed his term as president of the Association for Documentary Editing, an organization that promotes the exchange of ideas and sets high professional standards of transcription accuracy, editorial method, and conceptual indexing. Lupton's presidential address compared the study of history and the work of documentary editors to time travel. The address will be published in the 2016 edition of *Scholarly Editing*.

John Lupton continues to serve on the Executive Committee of the Court and Legal History Affinity Group of the American Association for State and Local History. The Court and Legal History Affinity Group serves those working to preserve and promote legal and court history around the nation. It is composed of historians and librarians at state and federal courts.

CONCLUSION

The Commission continues to fulfill its mission to preserve and disseminate information concerning the Illinois judiciary with exhibits, publications, events, and presentations. The products created by the Commission have permanent value to the citizens of Illinois and beyond the state's borders. Its efforts to use historical court cases, personalities, and events to illustrate modern issues that affect everyday citizens have been enormously successful. The Commission will continue to build upon that success in 2016 by continuing to build partnerships with other entities.

FISCAL SUMMARY

Cash Balance

| Item | Debit | Credit | Balance |
|--|-----------|-------------|-------------|
| FY07 Lump Sum Transfer | | \$5,000,000 | \$5,000,000 |
| FY08 Interest and Receipts | | \$136,757 | \$5,136,757 |
| FY09 Expenditures | \$177,318 | | \$4,959,439 |
| FY09 Interest and Receipts | | \$129,162 | \$5,088,601 |
| FY10 Expenditures | \$805,392 | | \$4,283,209 |
| FY10 Interest and Receipts | | \$45,899 | \$4,329,108 |
| FY11 Expenditures | \$919,817 | | \$3,409,291 |
| FY11 Interest and Receipts | | \$37,403 | \$3,446,694 |
| FY12 Expenditures | \$579,341 | | \$2,867,353 |
| FY12 Interest and Receipts | | \$45,572 | \$2,912,925 |
| FY13 Expenditures | \$628,790 | | \$2,284,135 |
| FY13 Interest and Receipts | | \$12,926 | \$2,297,061 |
| FY14 Expenditures | \$598,148 | | \$1,698,913 |
| FY14 Interest and Receipts | | \$30,007 | \$1,728,920 |
| FY15 Expenditures | \$643,103 | | \$1,085,817 |
| FY15 Interest and Receipts | | \$46,043 | \$1,131,860 |
| FY16 Expenditures (estimated) | \$534,900 | | \$596,960 |
| FY16 Interest and Receipts (estimated) | | \$40,000 | \$636,960 |

FY15 Expenditure Detail (July 1, 2014-June 30, 2015)

| | |
|-----------------------------|------------------|
| Regular Positions | \$264,600 |
| Benefits | \$217,514 |
| Contractual Services | \$53,129 |
| Professional Services | \$53,110 |
| Lease | \$33,208 |
| Telecommunications | \$5,670 |
| Office and Library Supplies | \$5,214 |
| Travel | \$4,798 |
| Building Maintenance | \$2,980 |
| Printing | \$1,627 |
| Commodities | \$685 |
| Postage | \$568 |
| Total | \$643,103 |