



Annual Report 2021

Illinois Supreme Court
Historic Preservation Commission

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ILLINOIS SUPREME COURT HISTORIC PRESERVATION COMMISSION

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www.IllinoisCourtHistory.org

January 19, 2022

Hon. Anne M. Burke, Chief Justice
Supreme Court of Illinois
200 East Capitol Avenue
Springfield, IL 62701

Hon. JB Pritzker, Governor
State of Illinois
207 Capitol Building
Springfield, IL 62706-1150

Hon. Don Harmon, President
Illinois Senate
327 Capitol Building
Springfield, IL 62706

Hon. Emanuel Chris Welch, Speaker
Illinois House of Representatives
300 Capitol Building
Springfield, IL 62706

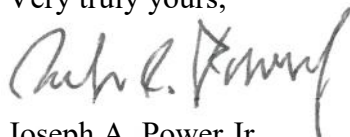
Dear Chief Justice Burke, Governor Pritzker, President Harmon, and Speaker Welch:

Enclosed is the Annual Report of the Supreme Court Historic Preservation Commission (Commission) filed in accordance with Section 25 of the Supreme Court Historic Preservation Act (705 ILCS 17). The Annual Report reflects the activities undertaken by the Commission in calendar year 2021 to further its mission as articulated in the Supreme Court Historic Preservation Act.

While COVID-19 continued to cause some activity postponements, the Commission began to see somewhat of a return to normalcy with the resumption of Supreme Court Building tours, in-person speaking engagements, and beginning long overdue projects. The staff was able to expand with the addition of Dr. Samuel Wheeler, a respected historian of Illinois history, and Jason Blohm, an archival conservator. Dr. Wheeler is leading the effort to create a Learning Center in the Supreme Court Building, and Mr. Blohm has begun the herculean task of cleaning and repairing Supreme Court case files housed at the Illinois State Archives.

Looking forward to 2022, the Commission is planning to open the Learning Center and make it available for school group visits, to obtain a federal grant to digitize Supreme Court case files, and to continue planning for the next History on Trial program concerning the 1919 Chicago White Sox.

Very truly yours,



Joseph A. Power Jr.
Chair

MISSION

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

assist and advise the [Illinois Supreme] 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.



ADMINISTRATIVE

Commissioners

Joseph A. Power Jr., Chair
Hon. Vincent F. Cornelius
Hon. Kirk W. Dillard
Pauline Montgomery
James M. Morphey (resigned Feb. 16, 2021)
J. William Roberts
Dr. David M. Sokol
Marcia M. Meis, *ex officio*,
Director, Administrative Office of the Illinois Courts



Joseph A. Power Jr.

Supreme Court of Illinois Liaisons



*Hon. Anne M. Burke,
Chief Justice,
Illinois Supreme Court*



*Hon. Rita B. Garman
Justice,
Illinois Supreme Court*

Associate Commissioners

The Associate Commissioners serve as the operational body, in support of the Commission, which serves as the governing body. Associate Commissioners attend meetings and provide input into the Commission's programmatic activities.

Hon. Joy V. Cunningham, Chair
Matthew R. Carter
Hon. Neil H. Cohen
Hon. Margarita Kulys-Hoffman (ret.)
Hon. Margaret McBride
Hon. Aurelia Pucinski
Scott J. Szala



*Hon. Joy V. Cunningham
Justice,
Illinois Appellate Court*

Staff

John Lupton, Executive Director
Matt Burns, Director of Administration, Director of Outreach
Dr. Samuel Wheeler, Director of History Programs
Virginia Geiger, Administrative Assistant
Jason Blohm, Conservator
Benjamin Belzer, Collections, Oral History, and Research
Mason Seggebruch, Research Assistant



John Lupton

New Staff

Dr. Samuel Wheeler became the Director of History Programs in March 2021. Wheeler received his Ph.D. in American History from Southern Illinois University Carbondale and had previously worked as the Illinois State Historian at the Abraham Lincoln Presidential Library and Museum and on the Papers of Abraham Lincoln documentary editing project.

Jason Blohm became the Conservator in July 2021. Blohm has a Master's degree in Fine Arts from Southern Illinois University Carbondale. He previously worked as a library preservationist repairing book spines, maps, and documents at SIUC's Morris Library preservation lab.

Mason Seggebruch began in her paid internship in May 2021. She is currently completing a Master's degree in History at the University of Illinois Springfield. She received her Bachelor's degree in History and Political Science at Eureka College.

Meetings

The Commission met four times in 2021 on March 5, June 4, September 10, and December 3. Meeting agendas and minutes are available upon request to the Executive Director.

Office

The Commission is located on the second and third floors of the Booth-McCosker Building at 231 South Sixth Street at the northwest corner of Sixth and Monroe Streets in Springfield. Utilization of the 4,800 square feet of space includes staff offices, library, collections room, and a conservation/preservation room.

SUPREME COURT OF ILLINOIS

The Commission continues to work closely with the Supreme Court of Illinois to preserve its history and to make that history easily accessible to the public.

Learning Center

The Supreme Court of Illinois approved the Commission's plan to create a learning center in the old Appellate Court conference room in the Supreme Court Building. Roughly 15 x 40 feet, the former conference room will be ideal space for displaying permanent exhibits, interactive components, and rotating tower exhibits to tell the story of the Illinois Supreme Court and the judicial branch of government.

Dr. Samuel Wheeler has met with officials of the Michigan Supreme Court and Ohio Supreme Court to learn about learning center best practices. Wheeler has also discussed the planning with the Illinois State Board of Education regarding current guidelines for civic education. Wheeler and John Lupton also met with high school and middle school teachers to discuss how a day-long field trip would fit in with their curriculum.

The Commission's larger plan is to create an Illinois government field trip for middle and high school students, coordinating with the Governor's Mansion and the Illinois Capitol. Teachers and students would be able to visit all three

branches of government in one trip to Springfield



Sam Wheeler visits with Sara Stiffler, Manager of Civic Education, on a tour of the Ohio Supreme Court's Visitor Education Center.

Several state supreme courts across the country have created learning centers in recent years to assist in educating the public about the role of the judicial branch in state government. With the addition of Wheeler to the staff, the Commission now has an experienced historian with significant exhibit experience. Dr. Wheeler curated the Chicago Cubs/St. Louis Cardinals exhibit at the Abraham Lincoln Presidential Library and Museum, among others.

Supreme Court Case File Conservation

In 2020, the Supreme Court of Illinois approved a project to conserve the Court's case files that are housed at the Illinois State Archives. In July 2021, the Commission hired conservator Jason Blohm to hydrate, flat-file, repair, clean, and deacidify documents.

The Illinois State Archives is the caretaker for approximately 7,400 cubic feet of Supreme Court case files, dating from 1818 to 1974. To give a real-world perspective of the quantity, this is roughly 3,700 filing cabinet drawers. Conservation work took place decades ago on case files from 1820 to 1869, mainly to prepare Abraham Lincoln-era documents for research, but the great majority of the case files are still tri-folded and coated with soot and coal dust. After the work is completed, case files will be more easily accessible for research and eventual digitization.

Preservation of the Illinois Supreme Court's work is important because its records provide valuable information about the development of Illinois for historical research. In addition, with easier access to court records, public historians in museums and historical societies can use legal records by incorporating them in exhibits, educational materials, or other programming to educate patrons about any period of time in Illinois. Within the cases, researchers can uncover information that details businesses, personal lives, community life, and family relationships, making the Supreme Court cases an important research avenue for academic and public historians, genealogists, sociologists, and constitutional and legal scholars.

In September 2021, the Illinois Supreme Court justices toured the Illinois State Archives to get a first-hand look at the work Blohm is doing and to see some important documents, such as Illinois's first Constitution, the Illinois Supreme Court case file of Myra Bradwell's failed attempt to be licensed as an attorney, and an 1833 plat of Chicago in which nothing but swamp land existed east of State Street. To see these documents and more, visit the Archives's online exhibit, "100 Most Valuable Documents at the Illinois State Archives," https://www.ilsos.gov/departments/archives/online_exhibits/100_documents/home.html.



Commission Conservator Jason Blohm repairs Illinois Supreme Court case files at the Illinois State Archives.



Illinois Supreme Court justices visit the Illinois State Archives to learn about the Commission's conservation efforts. First row from left: Clerk Carolyn Grosboll, Justice Robert Carter, Justice David Overstreet, Justice Rita Garman, Archives Operations Supervisor Catheryne Popovitch, Justice Michael Burke, and Justice P. Scott Neville. Back row: Incoming Clerk Cynthia Grant, Commission Director John Lupton, Records Manager Bob Boots, Archivist Jim Ladd, Archivist Kristi Lear, Archives Director David Joens, Conservator Jason Blohm, and Conservator Alex Dixon

The Commission is working on this inter-agency conservation effort with David Joens, the Director of the State Archives and Carolyn Grosboll and Cynthia Grant, the former and current Clerk of the Supreme Court.

Oral Arguments

The Commission worked with the Supreme Court of Illinois to reach out to 174 school districts, 10 community colleges, and 1 law school in the 12-county Second Judicial District in northern Illinois. Students, teachers, and professors were able to watch the oral arguments on September 23, 2021 in *People v. Jones*, a criminal case concerning whether a defendant can seek relief under changes to juvenile sentencing laws, and *McDonald v. Symphony Bronzeville Park* concerning whether damages from improper biometric storage can be claimed under the Biometric Information Privacy Act or under the Worker's Compensation Act.

The Supreme Court has held oral arguments in other locations in Illinois to raise awareness of the judicial branch and of the important role the court system has in interpreting state laws. This outreach into various communities in Illinois has been a tremendous success, particularly with

high school students, who gain a better understanding of state civics and the role of the judiciary in interpreting laws. With a new emphasis on civics education, the Commission and the Court is uniquely positioned to continue to visit communities in Illinois to have oral arguments and instruct middle and high school students about the operation of the judicial branch.

In the past, the Court has met at Mt. Vernon in 2008, Ottawa in 2014, Lisle in 2016, Champaign in 2018, and Alton in 2019. Because COVID-19 prevented the gathering of large crowds in indoor auditoriums, the Court decided to have students attend the oral arguments virtually this year.

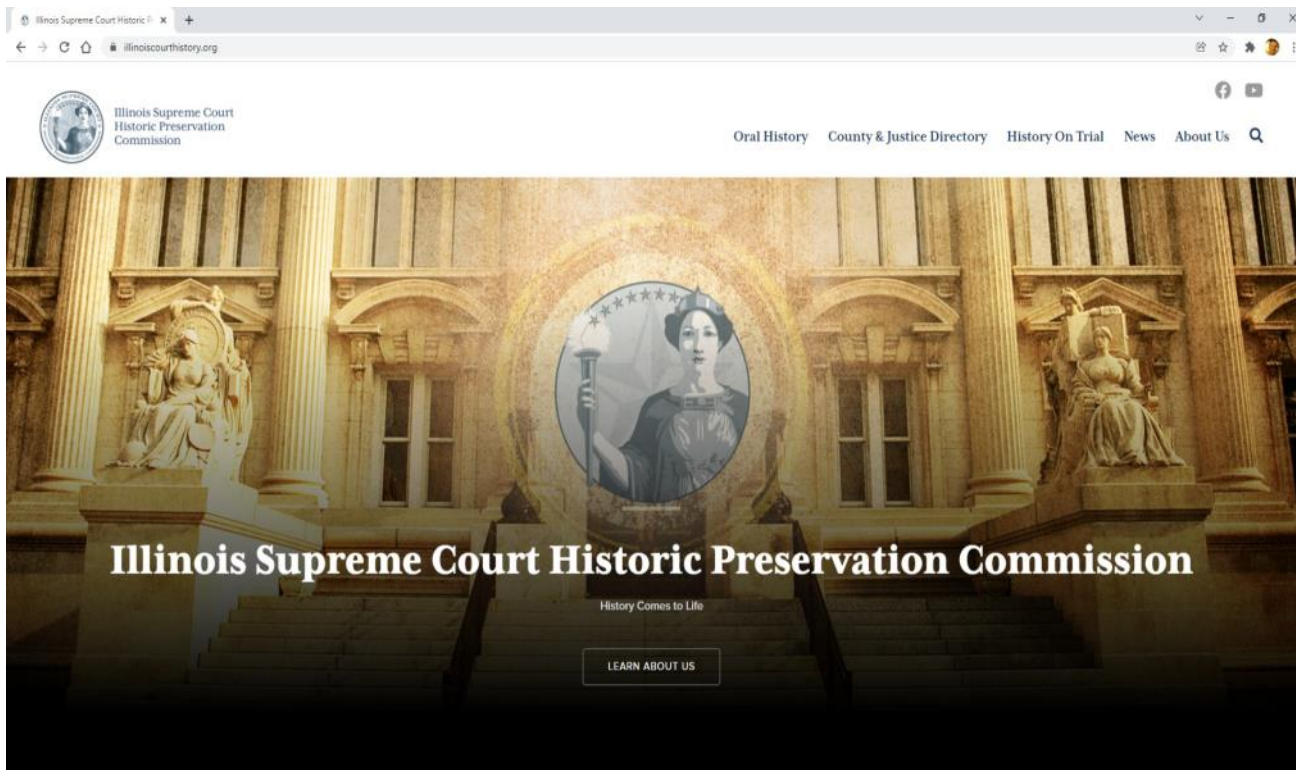


The Illinois Supreme Court heard oral arguments in two cases at Benedictine University in Lisle in 2016.

OUTREACH

Website & Social Media

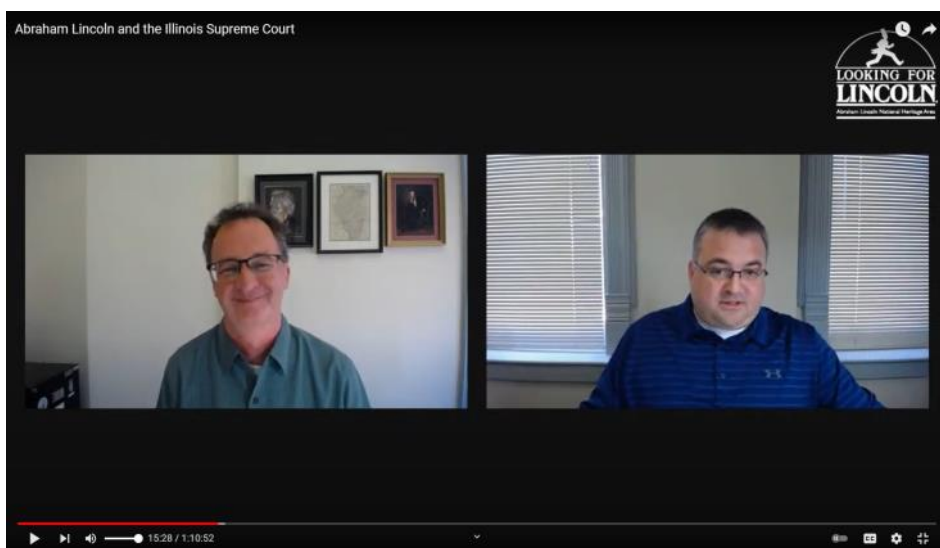
In 2021, the Commission completely overhauled its nearly ten-year-old website. The address remains www.illinoiscourthistory.org, and the Commission discarded two of its companion websites to integrate all of its material into one site. The new website was designed and hosted by Springfield technology firm Levi, Ray, and Shoup (LRS). Director of Administration Matt Burns coordinated with LRS and managed the entire project. The new website contains considerable judicial history material that is of interest to attorneys, historians, and the general public. The Commission better integrated its Facebook page (<https://www.facebook.com/judicialhistory/>) and Twitter page (<https://twitter.com/judicialhistory>) into the new website. The social media outlets are primarily used to make announcements and to direct users to the website, where more detailed information is available.



The redesigned website was one recommendation in a Communication Plan presented to the Commission by Georgetown University graduate student Grace Geiger. In the upcoming years, the Commission will continue to implement additional Communication Plan recommendations, including a greater social media presence. The website, however, remains the primary method of communicating with persons interested in Illinois legal history.

Public Presentations

The COVID-19 pandemic continued to affect public presentations with Commission staff leading some online webinars and some in-person talks. Staff of the Commission is frequently sought to speak at annual dinners and monthly meetings for civic organizations, bar associations, enrichment programs, and school groups. With the addition of Dr. Samuel Wheeler to the staff, public presentations will increase with greater visibility to the Commission.



Executive Director John Lupton and Director of History Programs Dr. Samuel Wheeler participated in a Looking For Lincoln conversation on Abraham Lincoln and his cases before the Illinois Supreme Court (photo at left). Lupton and Wheeler discussed

many of the myths related to Lincoln's law practice and how those myths related specifically to his appellate practice. The Looking for Lincoln conversation can be viewed at <https://www.youtube.com/watch?v=sz3WEFr-31w>.

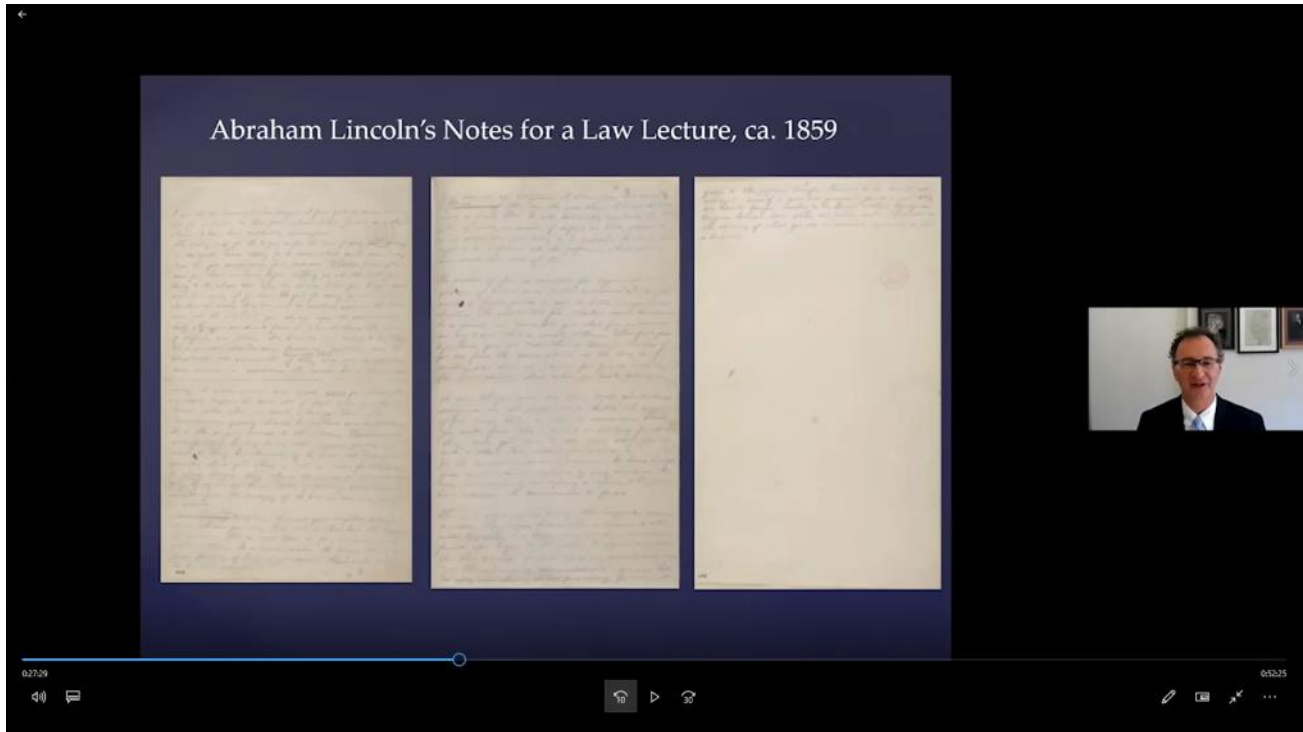
Wheeler was a speaker at a number of events, including the Jim Edgar Fellows Program at the University of Illinois Urbana-Champaign, the Civil War Symposium in Quincy, and the Lincoln Forum in Gettysburg, Pennsylvania. Wheeler was also one of the featured speakers at the Road Scholar weeklong-program on Lincoln hosted by Lincoln Land Community College.

Lupton also spoke at several events during the year, including the Road Scholar program, the Daughters of the American Revolution, the Illinois State Bar Association, and the Gilder-Lehrman Teacher's Institute. Lupton also returned to in-person tours of the Illinois Supreme Court Building with a University of Illinois Law School class, Lincoln Land Community College Community Education, a descendant of Supreme Court Building artist Albert Krehbiel, and Governor JB Pritzker and First Lady MK Pritzker.

History on Trial: Black Sox

The continued uncertainty of the COVID pandemic resulted in the further postponement of the History on Trial: Chicago Black Sox presentation. The Commission originally planned for an early 2021 event. When COVID cases lessened and major league baseball resumed, the White Sox and the Commission

considered possible dates in August 2022. The Commission, DePaul University Theatre School, and the Chicago White Sox agreed that a presentation should be performed by actors without masks, so the number of COVID cases must be at a point where the capacity of in-door theater productions can be maximized. While no specific date has been set, research continues.



Lupton leads a continuing legal education webinar for the Illinois State Bar Association on Lincoln's law practice.

In 1919, the Chicago White Sox lost the World Series due to several players taking bribes to throw the series. A 1921 Cook County Circuit Court trial resulted in the acquittal of eight players who had been tried for conspiracy, but the new Commissioner of Major League Baseball Judge Kennesaw Mountain Landis banned the eight players for life. Associate Commissioner Scott J. Szala is the chair of the History on Trial: Black Sox Committee. Associate Commissioner Neil H. Cohen is the chair of the History on Trial program committee, which has begun examining possible topics for future History on Trial presentations.

Publications

The Supreme Court Communications Office publishes *Illinois Courts Connect*, an online monthly newsletter that provides information about the judicial branch to the public. The Commission contributes an article for each issue highlighting the history of the Court. Articles written by Commission staff in 2021 can be found at <https://www.illinoiscourts.gov/media/media-news>.

January 2021
February 2021

Judge Wendell E. Green
Feminine Hygiene Tax

March 2021	Assumpsit
April 2021	School Vaccinations and Smallpox
May 2021	Redistricting
July 2021	Fingerprints
August 2021	Dog Bites
September 2021	Supreme Court Case File Conservation
October 2021	Bloody Island
November 2021	Elizabeth Packard
December 2021	Reform Schools

Upon the death of Illinois Supreme Court Justice James D. Heiple in January 2021, the Commission published the proceedings of the Court’s memorial service, which took place during the September 2021 term.

Historical journals published book reviews of two of the Commission staff’s recent publications. In the *Journal of the Illinois State Historical Society*, Volume 113, No. 2 (Summer 2020), reviewer Eric Mogren notes that “the most impressive contribution of [*Adjudicating Illinois: Justices of the Illinois Supreme Court*] is as a history of Illinois.” He adds that as “a chronicle of the individual lives of 117 Illinois judges, this work is an important legal history reference; as an analysis of how those careers, taken collectively, evidence the evolution of the state through their legal decisions, it is unique and compelling social and cultural history.”

In 2020, John Lupton contributed a chapter to *Ex Parte Milligan Reconsidered*. In a review in the *Journal of Interdisciplinary History*, Volume 51, No. 3 (Winter 2021), Sanford Levinson begins by saying, “this collection is, simply put, excellent.” Levinson adds that “The major accomplishment of the collection, however, is its careful placement of *Milligan* in the context of both the Civil War and the ensuing hopes for a Reconstruction.”

Collections

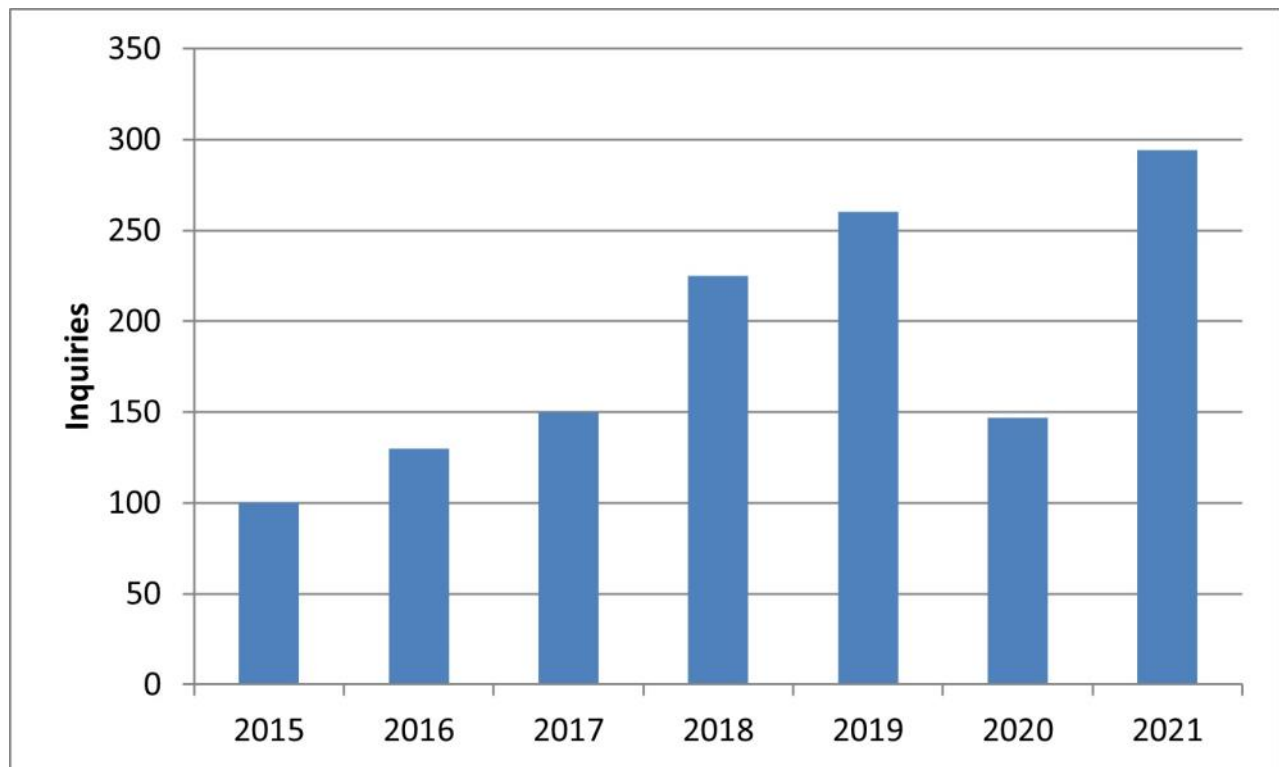
Benjamin Belzer, the Commission’s part-time Collections Manager, continued responsibility for managing the archival collection. The Commission received several new donations, including the bench books that belonged to Justice John Stamos (photo at right). The bench books contain Justice’s Stamos’s notes on cases that he heard. The Commission also received a number of photographs of the



justices on the Supreme Court bench. A new court photo is taken when there is a new justice coming onto the bench. The Commission has a nearly complete run of these photos dating back to the 1940s.

Information Source and Impact

The staff of the Commission has become experts in the fields of legal and judicial history. Outside entities and media outlets frequently solicit the Commission for information on the history of courthouses, justices, the legal profession, and court cases. In 2015, the Commission began monitoring inquiries. In 2021, it received nearly 300 queries about legal-related topics. In 2019, the Commission dealt with more than 260 queries. The chart demonstrates the effect of COVID-19 on inquiries. As other organizations reduced activities, the impact affected the Commission.



Preservation / Conservation

The Illinois State Archives houses the original Illinois Supreme Court case files from 1818 to 1974. The Commission submitted a proposal to the National Historical Publications and Records Commission (NHPRC) to digitize and make freely available over the Internet approximately 3,600 case files from 1818 to 1865. Topics covered in these case files include the transportation revolution, immigration, women and children, Abraham Lincoln’s law career, slavery, the Civil War, the rise of Chicago, urban/rural disputes, among other topics. This project will serve as a guide for digitizing case files after the Civil War to the present.

FISCAL SUMMARY

The Commission expanded its operations in 2021 with the hiring of additional staff to focus on long-overdue projects that had been put on hold because of the budget crisis of several years ago. While the COVID-19 pandemic continued to slow progress on the next History on Trial program, the staff was able to return to in-person presentations and tours. The Commission submitted a grant proposal to the National Historical Publications and Records Commission (NHPRC) for assistance to digitize Supreme Court case files from statehood through the Civil War (1818-1865). In the coming year, the Commission expects to solicit funding from private foundations to support the construction of its Learning Center and to underwrite field trips for Illinois middle and high schools.

FY21 Expenditure Detail (July 1, 2020-June 30, 2021)

<i>Item</i>	<i>Expenditure</i>
<i>Regular Positions</i>	\$309,306
<i>Benefits</i>	\$272,793
<i>Contractual Services</i>	\$61,157
<i>Lease</i>	\$42,328
<i>EDP</i>	\$8,025
<i>Telecommunications</i>	\$5,998
<i>Commodities</i>	\$3,312
<i>Printing</i>	\$746
<i>Equipment</i>	\$132
<i>Travel</i>	\$61
<i>Total</i>	\$703,859

Appropriations and Expenditures (Supreme Court Historic Preservation Fund — 0428)

<i>Fiscal Year</i>	<i>Appropriation</i>	<i>Change</i>	<i>Expenditures</i>	<i>Change</i>
2009	\$10,000,000	--	\$177,300	--
2010	\$10,000,000	0%	\$805,400	354.3%
2011	\$10,000,000	0%	\$919,800	14.2%
2012	\$10,000,000	0%	\$579,300	-37.0%
2013	\$10,000,000	0%	\$628,800	8.5%
2014	\$10,000,000	0%	\$598,100	-4.9%
2015	\$10,000,000	0%	\$643,100	7.5%
2016	\$10,000,000	0%	\$556,100	-13.5%
2017	\$10,000,000	0%	\$514,300	-7.5%
2018	\$4,500,000	-55%	\$390,000	-24.2%
2019	\$4,500,000	0%	\$526,800	35.1%
2020	\$4,500,000	0%	\$557,000	5.7%
2021	\$4,500,000	0%	\$703,859	26.4%
2022	\$4,500,000	0%	\$833,200 (est.)	18.4%

Cash Balance (Supreme Court Historic Preservation Fund — 0428)

<i>Date</i>	<i>Amount</i>
<i>December 31, 2009 (FY10)</i>	\$4,775,722
<i>December 31, 2010 (FY11)</i>	\$3,929,711
<i>December 31, 2011 (FY12)</i>	\$3,207,802
<i>December 31, 2012 (FY13)</i>	\$2,568,486
<i>December 31, 2013 (FY14)</i>	\$1,749,061
<i>December 31, 2014 (FY15)</i>	\$1,152,920
<i>December 31, 2015 (FY16)</i>	\$636,960
<i>December 31, 2016 (FY17)</i>	\$243,347
<i>December 31, 2017 (FY18)</i>	\$17,057
<i>December 31, 2018 (FY19)</i>	\$1,021,695
<i>December 31, 2019 (FY20)</i>	\$986,463
<i>December 31, 2020 (FY21)</i>	\$415,337
<i>December 31, 2021 (FY22)</i>	\$1,096,622



LOOKING AHEAD

For 2022, the Commission remains involved in planning for activities and events.

- Managing webinars and in-person talks to reach new and diverse audiences
- Completing and opening the Supreme Court's Learning Center
- Continuing work on conserving Supreme Court case files
- Applying for additional sources of funding
- Expanding the collections of the Commission
- Publishing new material on Illinois judicial history
- Working with circuit clerks statewide to digitize historic case files
- Planning the History on Trial: Chicago Black Sox Trial event

Illustration Credits:

- Cover: Supreme Court courtroom, Illinois State Capitol, courtesy of Abraham Lincoln Presidential Library and Museum
- P. 3 Jason Blohm, courtesy of Illinois State Archives
- P. 3 Chief Justice Norman Jones bench book, courtesy of Supreme Court Historic Preservation
- P. 3 Court portrait, courtesy of Supreme Court Historic Preservation
- P. 3 Sam Wheeler and Sara Stiffler, courtesy of Supreme Court Historic Preservation
- P. 4 Joseph A. Power Jr., courtesy of Power Rogers
- P. 4 Chief Justice Anne M. Burke, courtesy of the Supreme Court of Illinois
- P. 4 Justice Rita B. Garman, courtesy of the Supreme Court of Illinois
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- P. 8 Illinois State Archives Visit, courtesy of Illinois State Archives
- P. 9 Benedictine University, courtesy of Supreme Court Historic Preservation
- P. 10 Website, courtesy of Supreme Court Historic Preservation
- P. 11 John Lupton and Sam Wheeler, video by Looking For Lincoln
- P. 12 John Lupton, video by Illinois State Bar Association
- P. 13 Justice John Stamos bench books, courtesy of Supreme Court Historic Preservation
- P. 14 Inquiries Graph, courtesy of Supreme Court Historic Preservation

