

Annual Report 2019



**Illinois Supreme Court Historic Preservation Commission
January 2020**

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 [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.

The Commission fulfilled its mission in 2019 by preserving and disseminating the judicial history of Illinois to the legal community and to the public-at-large, continuing to commemorate the bicentennial of the State of Illinois and the judicial branch of government, as well as planning for upcoming projects. 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, the Commission maximized state resources to operate at a cost-efficient level.

ADMINISTRATIVE

Commissioners

Hon. James R. Thompson, Chair

Hon. Vincent F. Cornelius

Hon. Kirk W. Dillard

Pauline Montgomery

James M. Morpew

Joseph A. Power Jr.

William J. Quinlan

J. William Roberts

Marcia M. Meis, *ex officio*, Director, Administrative Office of the Illinois Courts

Supreme Court Liaisons

Hon. Anne M. Burke, Chief Justice of the Supreme Court of Illinois

Hon. Rita B. Garman, Justice of the Supreme Court of Illinois

Staff

John Lupton, Executive Director and Director of History Programs

Matt Burns, Director of Administration and Director of Outreach

Virginia Geiger, Administrative Assistant

Benjamin Belzer, Collections, Oral History, and Research

Associate Commissioners

At its May 2019 meeting, the Commission voted to change the designation of the Advisory Committee to Associate Commissioners. First District Appellate Justice Joy V. Cunningham, who was the chair of the Advisory Committee, now chairs the Associate Commissioners. Its purpose is to 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 decisions.

Hon. Joy V. Cunningham, Chair

Matthew H. Carter

Hon. Neil H. Cohen

Hon. Margarita Kulys-Hoffman

Hon. Margaret McBride

Hon. Aurelia Pucinski

Scott J. Szala

Meetings

The Commission met twice in 2019 on May 24 and December 11. Agendas and Minutes are available upon request to the Executive Director.

Office

The Commission is housed 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, conservation/preservation room, and space to exhibit artifacts.

Audit

The Office of the Illinois Auditor General completed its biannual audit of the Commission for Fiscal Years 2016 and 2017. The Commission had zero audit findings for the two-year period. The next scheduled audit will examine Fiscal Years 2018 and 2019.

Funding

Budget difficulties in 2018 caused layoffs and a reduction in operations. Renewed funding in 2019 resulted in rehiring of staff, allowing the Commission to return to normal operations. The General Assembly passed the Commission's FY19 budget bill, providing a \$1 million transfer to the Supreme Court Historic Preservation Fund. The General Assembly passed the Commission's FY20 budget bill, providing a \$500,000 transfer. These transfers from the General Revenue Fund give the Commission the necessary funding to maintain staffing levels and continue its programming. Additional details can be found in the Fiscal Summary section of the Annual Report.

The Commission has begun to solicit funding from federal granting agencies to assist with specific projects. One federal grant request in 2019 was unsuccessful, but staff will continue to solicit non-state funds to support its endeavors.

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.

Oral Arguments

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. In the past, the Court has met at Mt. Vernon in 2008, Ottawa in 2014, Lisle in 2016, and Champaign in 2018. During the September 2019 Term of the Supreme Court, the justices heard oral arguments while “traveling the circuit” in Godfrey, Illinois on the campus of Lewis and Clark Community College. Nearly 600 people attended the arguments, the majority of which came from thirteen high schools in the Metro East St. Louis area. The Commission assisted the Court with site selection, logistics, program booklets, and providing background material for students and teachers.



The Supreme Court of Illinois holds oral arguments at Lewis and Clark Community College.
Courtesy of the Supreme Court of Illinois

Supreme Court Building Tours

During 2019, Commission staff led dignitaries on tours of the Supreme Court Building in Springfield. All tours are scheduled by the Supreme Court Marshal's office, but a number of tourists arrive without reserved tours. The Marshal's staff escorts visitors through the Building to serve as docents for the tour. The Commission has provided talking points for the Marshal's staff to assist them with objects and facts to highlight during the tour.

Abraham Lincoln Portrait

One of the bicentennial projects of the Illinois State Historical Society (ISHS) was to install portraits of Abraham Lincoln the lawyer in all courthouses in Illinois. In January 2019, the Illinois State Bar Association and the ISHS held a program to give the Lincoln portrait to the Supreme Court of Illinois. Executive Director John Lupton's remarks at the program commented on the portrait's timing in June 1860, which was the apex of Lincoln's legal career and best represents the bridge between Lincoln's Springfield and Lincoln's Washington.

With Lincoln handling more than 400 cases before the Illinois Supreme Court, a portrait of him in the second floor hallway is an appropriate honor for Illinois's greatest legal son.



Chief Justice Lloyd A. Karmeier, Governor JB Pritzker, and First Lady M.K. Pritzker listen to John Lupton point out the similarities between the Abraham Lincoln portrait at the governor's mansion and the newly installed portrait at the Supreme Court Building.
Courtesy of the Supreme Court of Illinois

Bicentennial of the Judiciary

While the bicentennial year for the State of Illinois and the judicial branch occurred in 2018, the Commission continued several of its bicentennial activities into 2019. Notably, the traveling exhibit circulated among several colleges and universities across Illinois and the book with biographies of justices found its way into numerous libraries and homes.

More information about the Court's and Commission's bicentennial activities can be found in other sections in the Annual Report.

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 make announcements and to direct users to the website, where more detailed information is available. Director of Administration 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's other website, www.historyontrial.org, focuses on the four retrials in 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: Black Sox

After four successful History on Trial programs, the Commission suspended the series in 2015 to concentrate on the bicentennial of the Illinois judiciary. With those programs concluded, the Commission has begun to prepare for the next History on Trial production. The Chicago White Sox lost the World Series in 1919 due to several players taking bribes to throw the series. A Cook County Circuit Court trial in 1921 resulted in the acquittal of eight players who had been tried for conspiracy, but the new Commissioner of Major League Baseball banned the eight players for life. Using new evidence that debunks several myths relating to the Black Sox, the Commission will work with DePaul University Theatre School and the Chicago White Sox to present the trial with its full context and to



*John Lupton speaks at the American Judges Association meeting.
Courtesy of the Supreme Court of Illinois.*

provide continuing legal education (MCLE) to the legal profession. Associate Commissioner Scott J. Szala is the chair of the History on Trial: Black Sox Committee.

Public Presentations

In 2019, 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.

The Commission was featured in an MCLE program using Abraham Lincoln's law practice for lessons in professionalism sponsored by the

Illinois State Bar Association. John Lupton participated in a program in September at the historic courthouse in Metamora. The program coincided with the anniversary of Lincoln’s admission to the Illinois bar, which occurred on September 9, 1836. Lupton spoke to the audience about Lincoln’s family law practice.

The Gilder-Lehrman Institute of American History sponsored a teacher seminar in June that featured John Lupton, who gave a lecture on Abraham Lincoln’s legal career. Lupton was also a featured speaker at the Abraham Lincoln Association’s annual symposium and the American Academy of Appellate Lawyers. Lupton also spoke at two separate workshops for the judges of the U.S. Seventh Circuit and for the judges of Lake County, Illinois.

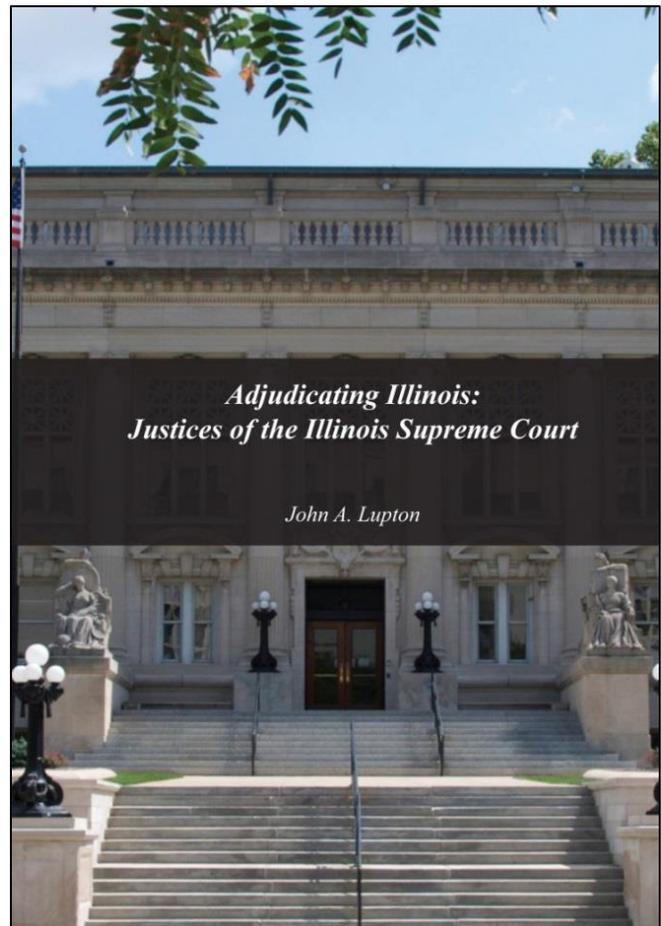
Lupton also was one of the speakers at the American Judges Association meeting to show the audience the video produced last year featuring the History on Trial series. The video can be accessed at <https://vimeo.com/293992964/67fc19af45>. The video provides background information on the Commission and details why the Commission began producing History on Trial. Each of the four events—the Retrial of Mary Surratt, the Insanity Retrial of Mary Todd Lincoln, the Habeas Corpus Hearings of Joseph Smith, and the Alton School Cases—are featured to highlight how the Commission wove together historical trials and modern public policy issues.

Collections Manager Benjamin Belzer presented a paper at the Conference on Illinois History on Elihu Wolcott, a largely unknown nineteenth-century abolitionist who laid the groundwork for the formation of the Republican Party in the 1850s.

Adjudicating Illinois

The Commission published *Adjudicating Illinois: Justices of the Illinois Supreme Court* in 2018 as part of its bicentennial commemorations. The 340-page book features the lives and careers of the 117 individuals (113 men and 4 women) who have sat on the Supreme Court of Illinois since 1818. The roster of justices includes governors, senators, a presidential candidate, a professional football player, and career lawyers and judges. Part reference and part narrative, *Adjudicating Illinois* tells the story of Illinois through the people who decided the state’s paramount issues and through the cases that demonstrate changes in society, agriculture, technology, and many other issues affecting Illinois and beyond.

Adjudicating Illinois has received high praise from the historical community. In April 2019, the Illinois State Historical Society awarded the book Superior Achievement in Scholarly Publications. In presenting the award, Society President Dan Monroe noted that *Adjudicating Illinois* was “more than a recitation of names and dates of service of 117 Supreme Court justices who served Illinois,



this book places the justices in their historical context, explains the societal issues at the time of their decisions, and manages to make them all come to life in a few short pages per justice. The reader learns of the families and career paths along with life anecdotes for a fascinating window into the Supreme Court. It’s an easy, entertaining read that will be a welcome addition to the libraries of both lawyers and laymen.”

At the end of 2019, the Commission had sold 166 copies of the book to lawyers, judges, and historians. However, the principal purchaser has been university and college libraries and historical societies. The Commission continues to market the book to new and different audiences with public presentations and advertising efforts.

Publications

The Commission produced publications for special Court events in 2019, including Law School for Legislators and a booklet about the imagery on the Illinois Law License, which is handed out to all newly licensed attorneys at their induction ceremonies in May and November.

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 can be found at <http://www.illinoiscourts.gov/Media/enews/default.asp>.

January 2019	Abraham Lincoln and Bar Associations
February 2019	Illinois’s First Case
March 2019	Women and Juries
April 2019	Supreme Court Consolidation
May 2019	Supreme Court Office Supplies
June 2019	Sunday Laws
July 2019	1958 Judicial Article
August 2019	In Re Day
September 2019	Illinois Civil Practice Act of 1933
October 2019	Famous Pig Stealing Case
November 2019	Sidney Breese’s Brushes with Celebrities
December 2019	Games of Chance

John Lupton published several articles during the year, including “Abraham Lincoln and the Illinois Supreme Court” in the *Illinois Bar Journal* and a book review of *A Lincoln Dialogue* by James Rawley in the *Journal of the Abraham Lincoln Association*. Lupton has a forthcoming chapter in a book published by the University of Kansas Press entitled *Ex Parte Milligan Reconsidered: Race and Civil Liberties from the Lincoln Administration to the War on Terror*. Lupton’s chapter examines an Illinois Supreme Court case to demonstrate the effect *Milligan* had in state courts.

Exhibits

One of the more successful bicentennial commemorations was the traveling exhibit entitled “Bicentennial of Illinois Law.” The three-tower exhibit described how the judicial system operates and highlighted the history of the Illinois Supreme Court and famous Illinois lawyers and cases. The exhibit promoted civic education with interesting historical anecdotes.

The History of Illinois Courts tower provides information on how the Illinois judiciary developed over the past 200 years, with an emphasis on the Supreme Court and its locations throughout the state. The Lawyers and Cases tower gives brief biographies of four famous Illinois lawyers and summaries of six interesting cases that occurred in the Illinois legal system. The Structure of the Courts tower summarizes the operations of the court system in Illinois, particularly the Supreme Court, and notes the process to become a lawyer and judge.



Justice Thomas L. Kilbride (left) and Associate Commissioner Scott Szala attend a Bicentennial of Illinois Law event at Knox College.

In 2019, the exhibit was displayed at Knox College, Southern Illinois University Law School, Northwestern University Law School, Kankakee Community College, Millikin University, Danville Area Community College, and Northern Illinois University Law School. Several schools invited dignitaries to events to highlight the exhibit with Illinois Supreme Court justices Thomas L. Kilbride providing remarks at Knox College and Kankakee Community College and Rita B. Garman providing remarks at Danville Area Community College.

The Commission produced a new exhibit in 2019 to commemorate the 100th anniversary of the passage of the Nineteenth Amendment to the U.S. Constitution, which gave women the right to vote. The exhibit was created in consultation with the Illinois Judges Association, which will host events in each of Illinois’s judicial districts in 2020.

Collections / Oral History

Benjamin Belzer continued responsibility for managing the Commission’s small archival collection. As new items come to the Commission, Belzer accessions the artifacts with PastPerfect software, which is an archival content management system that allows for intellectual control over the collections.

Recent items accessioned include a donation from an Urbana lawyer of digital images of hundreds of post cards featuring county courthouses. Belzer also completed several oral histories of judges adding to the already significant collection of personal recollections.

Preservation / Conservation

The Illinois State Archives houses the original Illinois Supreme Court case files from 1819 to 1971. The Commission has requested federal grant money to undertake two separate but similar projects. First, the Commission is seeking funding to digitize and make freely available over the Internet approximately 18 cubic feet of case files from 1819 to 1848—the period of the first Illinois Constitution. This pilot project will serve as a guide for digitizing case files after 1848. Second, many case files from 1868 to 1971 are folded and bundled together with string. The Commission is planning to hire a conservator to hydrate, flatten, clean, and repair the case files in order to file them properly in acid-free folders for permanent storage. These case files currently consume nearly 7,300 cubic feet of storage space. After

conservation, which will be a multi-year effort, the case file storage at the Illinois State Archives will be reduced by nearly 20 percent.

Information Source and Impact

The staff of the Commission has become experts in the fields of legal and judicial history. Outside entities frequently solicit the Commission for information on the history of courthouses, justices, the legal profession, and court cases. Most notable were inquiries from the Florida Supreme Court and the Kansas Supreme Court regarding advice in creating a judicial learning center in each of those states. In 2015, the Commission began monitoring inquiries. In 2019, it received more than 260 queries about legal-related topics.

FISCAL SUMMARY

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%	\$549,500 (est.)	4.3% (est.)

Cash Balance (Supreme Court Historic Preservation Fund — 0428)

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

FY19 Expenditure Detail (July 1, 2018-June 30, 2019)

<i>Item</i>	<i>Expenditure</i>
Regular Positions	\$253,363
Benefits	\$219,023
Lease	\$23,205
Contractual Services	\$9,186
Equipment	\$8,171
Telecommunications	\$5,369
Commodities	\$3,314
Travel	\$2,609
Printing	\$1,543
EDP	\$1,008
Total	\$526,791

CONCLUSION

In his 2019 year-end report, U.S. Supreme Court Chief Justice John Roberts noted that “the public’s need to understand our government, and the protections it provides, is ever more vital. The judiciary has an important role to play in civic education.” There are frequent studies that highlight the general lack of civic knowledge, e.g., see <http://www.nprillinois.org/post/survey-finds-public-lacks-knowledge-state-government#stream/0>). The Commission continues to bolster civic education by engaging the public—and students particularly—to become better citizens by using interesting history about the judicial branch of government to tell broader stories. By doing so, the Commission fulfills its mission to preserve and disseminate information concerning the Illinois judiciary with publications, events, and presentations. The Commission has created significant and 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 its successes with new conservation and preservation projects and continuing its History on Trial series in 2020.