

FEDERAL CIRCUIT HISTORICAL SOCIETY

NEWSLETTER

VOLUME 6, NO. 1

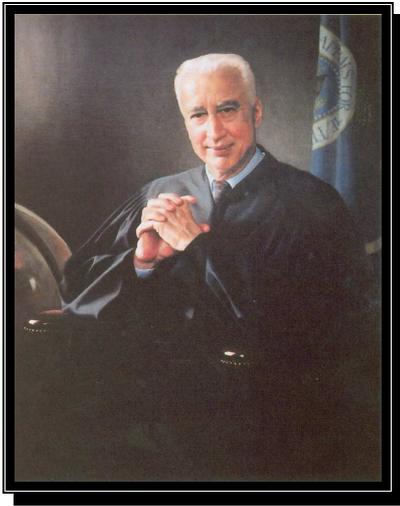
SPRING 2009

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The Federal Circuit Historical Society is a not-for-profit organization founded in 1999. It is dedicated to the preservation and dissemination of the history of the United States Court of Appeals for the Federal Circuit and its predecessor courts.

Commerce Court. The title is "A Dramatic Yet Measured Judicial Innovation: Establishing the Court of Appeals for the Federal Circuit." It should be published and printed by Fall 2009.

May 12, 2009 Inauguration of the Federal Circuit Historical Society Lecture Series

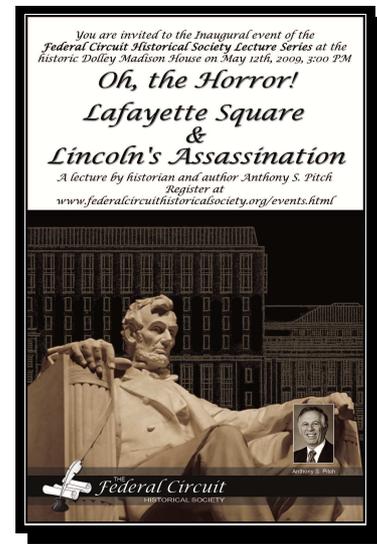


The Honorable Paul A. Michel has served as the Chief Judge of the Federal Circuit since 2004.

Written History Project

The Society is pleased to announce that Dr. Steven Flanders, author of several judicial histories, and former Circuit Executive for the United States Court of Appeals for the Second Circuit, has finished the final revisions to his written history of the Federal Circuit, and it is ready to be sent out for publication. Many thanks and congratulations are due to our written history "committee," especially David Kane, the principal liaison to Dr. Flanders, and the others who shepherded this project, including David Cohen, George Hutchinson, Scott Kieff, Herb Mintz, and Ron Smith. Dr. Flanders' manuscript is about 80,000 words.

Dr. Flanders' written history covers the period from the inception of the Federal Circuit through the tenure of its first Chief Judge, Howard T. Markey 1982-1990. The book provides historical context by comparing the experience of the Federal Circuit to that of other national courts, most notably the now-defunct United States



The Society will be establishing an annual Lecture Series this year. The Lecture Series Committee is being headed by Jim McKeown of Crowell & Moring, along with Pat McDermott and George Hutchinson.

The first lecture of the annual Lecture Series will be held on Tuesday, May 12, 2009 in the Dolley Madison House. In observance of the bicentennial of Lincoln's birth, and in view of the relationship of the court's facilities (Taylor House and Dolley Madison House) played in Lincoln's presidency, the speaker will be historian and lecturer Anthony S. Pitch, whose recent book on the assassination of Lincoln entitled "They Have Killed Papa Dead" has been widely acclaimed. He also has authored "The Burning of Washington: The British Invasion of 1814" and has been featured on National Public Radio. Voice of America, Fox News, BBC and other media.) The lecture will be followed by a reception.

**New Grant from Fairleigh Dickinson
Foundation will Support Photographic
Archives Project and
New History of Lafayette Square Book**

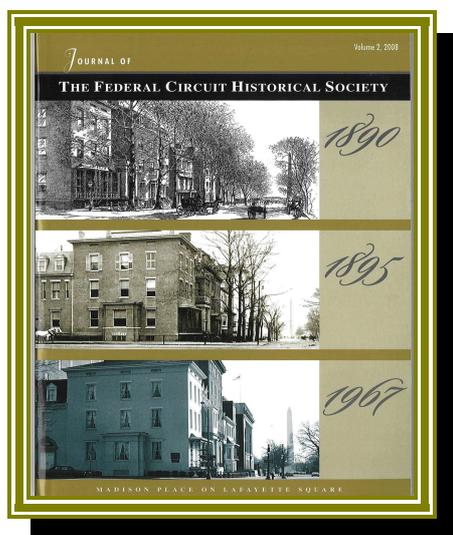
The Society has received another generous grant from the Fairleigh Dickinson, Jr. Foundation. The grant will go toward continuing and expanding the Photographic Archives project, and towards publishing an updated History of Lafayette Square.

The Society will continue to add to its catalogue of over 1000 historical photographs of the judges and personnel of the court, persons associated with the court, important historical events at the court, and buildings and physical objects associated with the court. Many of the photos are posted to the Society's website, and are organized into collections concerning the court, the two predecessor courts, and historical events. All of the photos have been electronically scanned and captioned.

The History of Lafayette Square publication will be an expanded version of an original volume written by George Hutchinson, which was previously published as a special edition of the Federal Circuit Bar Journal.

**Second Issue of the
Federal Circuit Historical Society Journal**

The Society has published the second volume of its annual journal this year.



This year's Journal contains substantive articles about the history of the court and its judges, and about the history of Lafayette Square and its architecture. Herb Mintz, David Cohen, and George Hutchinson are leading the efforts to publish the journal. We are currently working on the content for the next issue, which will be published around October, 2009, and will be dedicated in its entirety to the life and career of the late Judge Giles Sutherland Rich.

Oral Histories Project

The Society is currently planning oral histories for Judge Pauline Newman, Judge Robert Mayer, Professor Dan Meador, Judge Oscar Davis (colleagues and friends), Congressman Robert Kastenmeier, and Mike Remington.

The Society has now collected oral histories for at least nine judges and several other individuals who were important figures in the history of the court. The oral histories include Judges Giles Rich, Wilson Cowen, Byron Skelton, Marion Bennett, Howard Markey, Daniel Friedman, Edward Smith, Glenn Archer, and S. Jay Plager, as well as George Hutchinson, Clarence Kipps, and Donald Dunner. In the case of judges who are deceased or incapacitated, some of the oral histories are interviews of former law clerks and other colleagues of the judges.

Elaine Gin of the United States Patent and Trademark Office is coordinating the oral histories. Ric Henschel of Foley & Lardner in Washington, DC., and Greg Corbett of Kirkland & Ellis in Washington, DC have also helped to coordinate the oral history interviews.

The oral histories project, as well as the photographic archives project, have also been supported by grants from the Fairleigh Dickinson, Jr. Foundation.

Annual Dinner

The Society will celebrate its sixth Annual Dinner at the historic Dolley Madison House, part of the Federal Circuit's facilities, on the evening of Friday, May 29, 2009. The program will include some brief remarks by Circuit Judge Pauline Newman concerning the life and contributions of

Judge Rich, who died ten years ago, on June 9, 1999.

Annual Meeting

The Society held its 2008 annual meeting and luncheon on June 26, 2008, in Monterey, California. The meeting included a presentation by Federal Circuit Chief Judge Paul Michel on the history of Lafayette Square, and by Court of Federal Claims Chief Judge Edward Damich on the history of the Court of Claims.

The next annual meeting and luncheon of the Society will be on Friday, June 19, 2009, at The Greenbrier in White Sulphur Springs, West Virginia, during the Federal Circuit Bar Association Bench and Bar Conference, from 12:30 – 2:00 p.m. The meeting will include a brief presentation by the author of the written history, Dr. Steven Flanders, and a display of some of the photographs in the written history.

Membership Drive

The Society has doubled its membership since the start of its membership drive last year. The membership drive offered a free one year membership to all members of the Federal Circuit Bar Association; CITBA, CFCBA, ITC Trial Lawyers Association, Veterans Bar Association, and the BCA Bar Association.

If you know anyone who is interested, please encourage them to join. An application form is available on our website.

The Society now has over 170 members. Charles Schill is heading up the membership initiative.

Society Committees

The Society has the following committees. If you are interested in serving on any of these committees, please contact Philip Swain, Foley Hoag LLP, 155 Seaport Boulevard, Boston, MA 02210, Tel: (617) 832-1150; Fax (617) 832-7000; e-mail pswain@foleyhoag.com.

- (1) Oral Histories
- (2) Written History
- (3) Photographic Archives
- (4) Journal

- (5) History of the Court of Customs and Patent Appeals
- (6) History of the Court of Federal Claims
- (7) History of the Court of Appeals for Veterans' Claims
- (8) History of the Merit Systems Protection Board
- (9) History of the Court of International Trade
- (10) Lecture Series
- (11) Publications (newsletter and web site)
- (12) Membership
- (13) Annual Dinner
- (14) Nominations

Website

Please visit our website at:

www.federalcircuithistoricalsociety.org

The Society's website includes basic information about the Society, an application to become a member, and links to Society publications.

Articles and notices wanted

If you have articles or notices for the newsletter, or are interested in helping out as editor of this newsletter, please e-mail the Society.

A Footnote to History



On the evening of July 12, 1849, the most important woman in America for its first half century, Dolley Payne Madison, died in her home on Madison Place at the age of 81, after suffering a stroke. Her family and friends paid their respects at the house, and then the coffin was moved across the street to St. John's Church on the morning of July 16th, where it lay in state until four in the afternoon, when a service was held. Dolley and her niece and closest companion in the last years of her life, Anna Coles Payne, had been confirmed as members of St. John's in 1845. Following the service, the largest funeral procession ever held in Washington accompanied the casket to the public vault in Congressional Burying Ground, several miles away in the southeast section of the city. President James Polk led dignitaries and friends in the procession, which included members of the cabinet, the Supreme Court, the Senate and House of Representatives, and thousands of friends as well as strangers. When the casket was placed in the vault at Congressional, the sextant of the cemetery recorded a sad journal entry: "Mrs. Dolly P. Madison Est. D to opening and Use of Public Vault for Madison, \$5.00." Dolley's son Payne had decided to use Congressional until a more permanent place could be found. In January 1858, Dolley was permanently interred at the family home in Montpelier, Orange County, Virginia.