

SUPREME COURT HISTORICAL SOCIETY

MINUTES

Board of Directors Meeting--June 6, 2007

President Wes Horton called the meeting to order at 1:05 PM. Board members and committee chairs present included Kit Collier, Chuck Howard, Greg D'Auria, John Farley, Jeff White, and Justice Zarella (ex officio).

Mr. D'Auria moved the approval of the minutes of the Board of Directors meeting of May 10, 2007. Mr. Howard seconded the motion. The minutes were unanimously approved.

Mr. Groark was not present to give a treasurer's report. Mr. Horton noted, however, that he was aware that two recent contributions had been made by firms, totaling \$750.

Mr. Besso's report on the second volume of the journal is attached. Plans are already underway, and it will focus on the 1818 constitution.

Mr. D'Auria reported that the website committee was making arrangements to link to the obituaries of all of the justices. He indicated that he had mentioned to Mr. Besso that it would be nice to have biographical sketches of the justices, but this is clearly a big job. Mr. Horton asked whether a link could be made to the Connecticut Bar Journal, in which he has written biographies of approximately 25 of the justices. He also mentioned that obituaries are listed in the Phillips Digest (not the Dowling Digest). Mr. D'Auria said that there had not been much other activity to report on since his report in May. He continues to look to committee chairs to provide him with content for the website.

Mr. White reported for the events committee that the fall meeting is still being planned. One suggestion was for Judge Cohn to speak on the topic of appeals before 1776 and the Leachmere's case. It was agreed that the timing for the fall meeting should be late September or early October.

The Board discussed the ASHE Seminar scheduled for November 3, 2007. Mr. Horton will make welcoming remarks and Mr. Collier will be the keynote speaker. There is nothing else the Society needs to do in preparation other than to encourage attendance. On that topic, Mr. Horton will send a note to our membership informing them of the event and encouraging attendance. Mr. D'Auria will add the agenda, when it is prepared, to the website.

Justice Zarella and Mr. Horton reported on plans for celebrating the 200th anniversary of the Supreme Court, which will occur in June 2008. (The first case before the Supreme Court of Errors was argued on June 7, 1808.) The current plan is to host a mock trial of one of the early cases that came to the court. Mr. Horton has appointed a planning committee that includes Messrs. Shea and White and Justices Norcott and Bordon. Chief Justice Rogers has already invited U.S. Supreme Court Chief Justice Roberts to attend and speak at the event. The sense of the board was that we would try to work around the schedule of the speaker.

Mr. Farley reported that we have 37 new members. He indicated that we now also have the membership list of ASHE. After discussion, it was agreed that a letter should be sent to members who have not renewed their membership. Mr. Farley also raised the question of whether we should have a category of membership for institutional members, as it appears that ASHE has many such members. This may also make it easier for firms to support the Society. His committee will report back to the board with a specific recommendation on this matter.

Ms. Heck reported that the records center tour had been postponed to August, and the archives tour will be scheduled for early December.

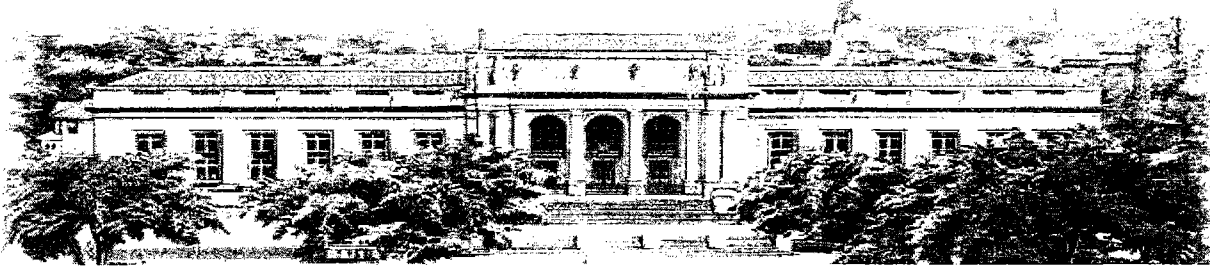
The Board set the **next meeting** for **September 11, 2007** at 2:00 PM at the Supreme Court Lawyers' Lounge.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Charles L. Howard,
Secretary

Connecticut Supreme Court Historical Society



To: CSCHS Board of Directors
From: Michael Besso
Subject: Report from Board of Editors
Date: June 6, 2007

On behalf of the Board of Editors, I can report the planned outline for the 2007 volume of *Connecticut Supreme Court History*. The Board of Editors agreed to tailor the issue's contents to reflect the focus of the November conference, regarding the 1818 constitution and the release of two important works concerning the development of that constitution. Note that the only "outside contributions" would be those from Richard Buell and Doug Arnold; the other essays are being developed and written by editorial staff members. We have had no outside submissions to the journal this year, but might receive submissions following the November conference – if so, they would be considered for the 2008 volume. Our goal is to publish the 2007 volume in the fall; and, given that we will not have to "reinvent the wheel" – regarding the technical matters for formatting and publishing – I expect that we should be able to meet that goal.

Outline of Contents

- Editor's Introduction

- Essays regarding the 2007 publication of works related to the 1818 Constitution:

- Richard Buell, editor of a new volume of selected constitutional debates, from 1817 and 1818, that appeared in the state's newspapers (entitled *Original Discontents*).
- Douglas Arnold, editor of 1817 and 1818 volumes of official state records.

- Essays on related subjects:

- Review Essay of Buell and Arnold volumes (to place the new works in the context of existing scholarship on the 1818 constitution).
- The Connecticut Supreme Court on the 1818 Constitution and the Creation of a Constitutionally Independent Judiciary (to illuminate the state supreme court's own view of its historical founding, as articulated over time in its decisions).
- The Creation of a Constitutionally Independent Judiciary: The "New Science of Politics" versus Local Experience (to examine the types of arguments made in 1818 about the creation of an independent judiciary, including an examination of the place of Hamilton's Federalist No. 78 in the Connecticut debates).

[contents continued on next page]

- Case Reports [Note: selection of case not finalized]
 - State v. Danforth (1819) (state supreme court comments on its powers under new state constitution).
 - Second Ecclesiastical Society of Portland v. First Ecclesiastical Society (1854) (state supreme court first exercises judicial review, under state constitution, to strike down a legislative act).

- Reports of Meetings

Biographies of Justices

Greg D'Auria has asked me to determine whether the Board of Editors (and others with an interest in the Society's "publications") would be interested and able in developing biographies of Connecticut Supreme Court justices. These could appear in two places: as relatively brief "sketches" on the Society website; and in the journal (whether in brief or full form).

Several members are interested in this type of work. We cannot ensure any biographies for this year, however, because we would like to spend some time working on our approach to judicial biography. For example, I would like to schedule a session with Kent Newmyer, of the University of Connecticut (and a biographer of John Marshall and Joseph Story), so that we can gain some insight into this type of research and writing. (Of course, our Society's own Kit Collier is an accomplished biographer -- of Roger Sherman -- so perhaps we can convince him to meet with interested members as well) Even if we were to produce basic sketches only, it is better to approach the task with an appreciation of the historian's methods and perspectives on judicial biography.

In the interim, we could probably produce some basic, straightforward biographical sketches, based on secondary sources. If there is a pressing wish for some biographies, please advise and we can attempt to produce these sooner rather than later.