

CONNECTICUT SUPREME COURT

HISTORICAL SOCIETY

MINUTES

Board of Directors' Meeting--May 14, 2009

President Wes Horton called the meeting to order at 5:10 PM. Other Board members and committee chairs present were: Kit Collier, Tom Groark, Jeff White, Barbara Heck, Chuck Howard, Sheila Huddleston, and Justice Zarella (ex officio). Sue Murphy was also present to assist in reporting on copyright issues.

Mr. Groark presented the Treasurer's report: There have been 127 membership renewals and 4 new members to date in 2009. This represents income of \$7,005 for renewals and \$200 for the new members. In addition, the Society received \$80 in donations. The Society's bank account balance (prior to the payment of expenses for the annual dinner) is \$36,660.28. There have been 63 former members who have not, as yet, renewed their membership. Mr. Horton indicated that he would be meeting with Mr. Farley to discuss an outreach effort to those former members. Mr. Howard moved, and Mr. D'Auria seconded the motion, that the Treasurer's report be accepted. The motion was approved.

The minutes of the meeting of March 31 were reviewed and one correction noted (Justice Hamersley's name was misspelled). Mr. D'Auria moved that the minutes be approved as corrected. Mr. Collier seconded the motion, and the motion was approved.

Mr. Howard presented the report of the nominating committee. For the Director positions currently held by Mr. Horton and Mr. Collier, the nominating committee recommended and moved that they be reelected to another three year term. Mr. Groark seconded the motion, and the motion was approved. Mr. Howard reported that in light of Mr. Groark's expressed desire to resign from the Board, the nominating committee recommended that Michael Shea be elected to a one year term to complete the remaining portion of Mr. Groark's term. Mr. Howard moved that Mr. Shea be elected as a director, and Mr. D'Auria seconded the motion. The motion was approved. Mr. Horton, on behalf of the entire Board, expressed appreciation to Mr. Groark for his service on the Board and noted that it had been a pleasure to work with him as Treasurer and member of the Board. Mr. Horton also noted that Mr. Groark had been in the original group of lawyers convened by Justice Zarella to consider the possibility of establishing the Board and that we all appreciate his efforts. And finally, Mr. Howard presented the recommendation of the nominating committee that Sheila Huddleston, as the new Editor in Chief of the Journal, be elected to the Board for a two year term to coincide with the term of Mr. D'Auria. At this point Mr. Howard and Ms. Huddleston recused themselves from the meeting to permit the Board to discuss the recommendation. When they returned to the meeting, Mr. Horton announced that Ms. Huddleston had been elected a Director.

Mr. Howard also presented the recommendations of the nominating committee for the election of officers: Mr. Horton as president, Mr. Collier as vice president, Mr. Howard as secretary, Mr. Shea as treasurer, and Mr. D'Auria as assistant treasurer. Mr. Howard moved that the recommendations be adopted, Mr. D'Auria seconded the motion, and the motion was approved.

Mr. Howard also reported on the copyright issues raised by the decision at the Board meeting in March to authorize the Society to contract with EBSCO to become a member of the EBSCO database. Following the meeting, Mr. Horton forwarded the EBSCO agreement to Mr. Howard to review. Since the agreement requires the Society to represent that it had obtained the copyright to the articles in the Journal or permission to include them in the database, beginning with the Journal's first volume, he contacted Mr. Besso to inquire whether copyrights had been assigned to the Society. Mr. Besso reported that they had not been. Accordingly, Mr. Howard had asked Sue Murphy of his office to assist in preparing two versions of author agreements, one that would assign the copyright of articles to the Society with broad rights left to the author, and another that would leave the copyright ownership with the author but which would give broad rights to the Society for publication in the Journal and such matters as the EBSCO database. Copies of both agreements were provided to the Board to review and the merits of each approach were discussed. The Board agreed that going forward, authors submitting material for the Journal should be asked to assign the copyright to the Society, with exceptions considered on an individual basis. The implication of this decision is that permanent records of the assignments would need to be kept and someone would need to coordinate requests for permission to reproduce articles, etc. At Mr. Horton's request, Ms. Murphy agreed to work with Ms. Huddleston as permissions editor for the Journal. It was also agreed that permanent records of the assignments and permissions be kept in a file at Shipman & Goodwin. The Board agreed that it is too late to seek permission from authors for the assignment of copyright for articles in the first three editions of the Journal, but Ms. Huddleston reported that she was working with Mr. Besso to obtain letter agreements from authors that would give permission to the Society to republish them and to enter into such agreements as the EBSCO agreement. Once such permissions have been obtained, the Society can move forward with the EBSCO agreement.

Mr. D'Auria reported on conversations with John Lemega, who has agreed to chair a committee to conduct a writing competition. Progress is being made, but a more complete report will be presented at the next board meeting in hopes that a decision can be made that would enable the competition to proceed next fall. The current thinking is that that it would involve approximately 3,000 word essays on Connecticut Supreme Court or judicial history by college students and would involve a cash prize.

Mr. Horton reported that he had signed the contract for the repair of the bas-relief of Justice Hamersley.

Ms. Heck reported that she had worked with the New Haven County Bar Association to have their panels on the history of the New Haven County Bar available for viewing at

the dinner and that copies of the book on the history of the New Haven County Bar would also be available for sale.

Mr. White reported that the attendance for the dinner (approximately 100 people) was good and about the same as last year. Moreover, 5 of the 7 justices of the Supreme Court were attending.

Mr. Horton adjourned the meeting at 5:50.

The next meeting is scheduled for June 17, 2009 at 2:00 in the Supreme Court lounge.

Respectfully submitted,

Charles L. Howard