

**Annual Report to the
Illinois General Assembly
the Governor of Illinois
and the Supreme Court of Illinois**

2018



Submitted by:

The Illinois Supreme Court Historic Preservation Commission

January 2019

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 2018 by preserving and disseminating the judicial history of Illinois to the legal community and to the public-at-large, particularly in commemorating the bicentennial of the State of Illinois and the judicial branch of government. 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

Vincent F. Cornelius

Hon. Kirk W. Dillard

Pauline Montgomery

James M. Morpew

Joseph A. Power Jr.

William J. Quinlan

J. William Roberts

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

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

Meetings

The Commission met four times in 2018 on January 22, April 9, May 29, and July 9. 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 Illinois Auditor General's Office 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 take place in the summer of 2019 for Fiscal Years 2018 and 2019.

Funding

The Commission was underfunded for part of 2018, resulting in staff layoffs and a reduction in activities. However, thanks to donors and the Supreme Court providing financial support, the Commission was able to continue operations with a shorthanded staff until the enacted FY19 budget replenished the Commission's state fund. All laid-off employees were re-hired.

BICENTENNIAL OF THE JUDICIARY

The year 2018 marked the bicentennial of the State of Illinois and of the judicial branch. The Commission worked with the Supreme Court of Illinois to commemorate its 200 years of existence with interesting and engaging programming.

- History on Trial: Historic Cases Project was an outreach effort to Illinois circuit clerks to identify important, famous, or representative cases in Illinois history.
- An October 9, 2018 Gala at the Abraham Lincoln Presidential Library and Museum celebrated the Court's 200th anniversary.
- Bicentennial of Illinois Law traveling exhibit has been assembled and began circulating at venues across Illinois.



Commissioner Kirk W. Dillard addresses the Gala attendees.

- *Adjudicating Illinois: Justices of the Illinois Supreme Court* was published in 2018 with significant sales. Other publications during the year highlighted various aspects of the judicial branch.

Gala

On October 9, 1818, the Illinois General Assembly appointed the first four justices to the Illinois Supreme Court, and they began their duties on December 3, 1818, when President James Monroe signed legislation creating the new state of Illinois. The Bicentennial Celebration of the Illinois Judiciary was held on October 9, 2018 at the Abraham Lincoln Presidential Museum in Springfield. More than 200 people attended the black-tie affair, with speeches from Chief Justice Lloyd Karmeier, emcee Kirk Dillard, and keynote speaker Scott Turow. A video highlighted the successes of the Commission and particularly its History on Trial series.



Illinois lawyer and best-selling author Scott Turow was the keynote speaker at the Gala.

The full video for the Gala can be found on the Illinois Channel:

<https://www.illinoischannel.org/2018/10/11/bicentennial-celebration-of-the-illinois-judiciary>

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

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 students, who gain a better understanding of state civics. In the past, the Court has met at Mt. Vernon in 2008, in Ottawa in 2014, and in Lisle in 2016. During the March 2018 Term of the Supreme Court, the justices heard oral arguments while “traveling the circuit” in Champaign, Illinois on the campus of the University of



The Supreme Court hears oral arguments at the Krannert Center on the campus of the University of Illinois Urbana-Champaign.

Illinois. Nearly 600 people filled the auditorium at the Krannert Center on the campus. Much of the audience consisted of students from a dozen high schools in Champaign and surrounding counties. The Commission assisted the Court with site selection, logistics, program booklets, and providing background material for visiting students and teachers.

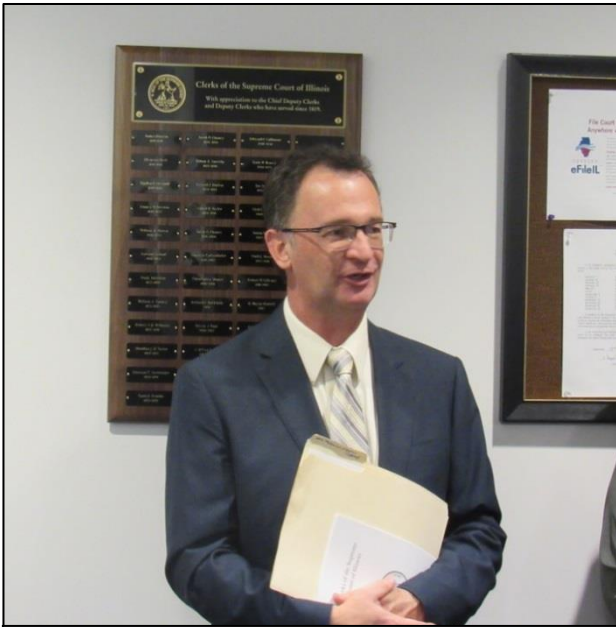
The Supreme Court will hold oral arguments in September 2019 at Lewis & Clark Community College in Godfrey. The Commission will assist the Court with outreach to local schools and bar associations.

Clerk of the Supreme Court of Illinois

The Supreme Court Clerk’s Office oversees the ceremonies for licensing new attorneys in May and November. The Commission produced a booklet that provides information about the artwork on the law license. The graphic images on the license represent the dual importance of river and railroad transportation routes and of rural farming and urban agribusiness in Illinois. The booklet will be given to all newly licensed attorneys at the Court’s May and November induction ceremonies.

The Clerk of the Supreme Court Carolyn Taft Grosboll and Supreme Court Reporter Jacob Jost assisted the Commission in publishing a memorial service booklet for John J. Stamos. When a member or former member of the Court dies, the Supreme Court conducts a memorial service. In the past, *Illinois Reports* printed the transcripts, but since the *Illinois Reports* are no longer published in book form, there is no venue for memorial service transcripts. In 2017, the Commission published booklets for the memorial services of several deceased justices, and in 2018, completed the booklet for Justice John J. Stamos, who served on the Court from 1988 to 1990 and passed away in 2017.

The Commission also assisted the Clerk's Office to mount a plaque to commemorate the 34 individuals who have served as Supreme Court Clerk since 1819. All seven Supreme Court justices attended the ceremony in addition to relatives of former clerks. The plaque includes additional spaces for future clerks. The Commission also prepared a small booklet on the history of the clerk's office as well as short biographies of each of the clerks. This event and publication was part of the larger bicentennial commemorations.



Commission Director John Lupton makes brief remarks at the dedication of the Clerk's plaque.

Supreme Court Building Tours

During 2018, Commission staff led state, national, and international 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 will escort visitors through the Building and give 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. Most notable among the dignitaries was a

legal delegation from the Polish Defense Ministry. The Illinois National Guard has previously hosted Polish delegations, but this year was the first to include lawyers. In tailoring this trip, the Illinois National Guard asked the Commission to provide a tour of the Supreme Court Building.

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. 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: Illinois Historic Cases Project

During the past several years, the Commission has been in regular contact with all 102 circuit clerks in Illinois to locate famous, interesting, and representative cases.

Circuit clerks forwarded to the Commission reports detailing historic cases that occurred in their counties. Several counties paired their cases with bicentennial exhibits or discussions. Morgan County Circuit Clerk Amy Sipes created a display in the courthouse that featured original casefiles and newspaper clippings from an Abraham Lincoln case and a murder case from the 1920s. McLean County Circuit Clerk Don Everhart assembled a panel of experts to discuss several interesting cases at the McLean County Museum of History. Cook County Circuit Clerk Dorothy Brown prepared displays in a Cook County Courthouse hallway highlighting more than 20 significant and important cases.



Abraham Lincoln historian Guy Fraker explains an historic case from McLean County.

History on Trial: Video

The History on Trial series has been one of the Commission's most successful projects in terms of outreach. To document the series, the Commission created a video for dissemination on its website. The video debuted at the October 9, 2018 Gala and 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. The video was produced by Foxhole Creative in Chicago and features Illinois Supreme Court justices, Commission members, and Advisory Committee members.

The video can be accessed from the Commission's website at www.illinoiscourthistory.org/commission or at <https://vimeo.com/293992964/67fc19af45>.

Hon. George N. Leighton Award

At the October 9, 2018 Gala, the Commission presented its sixth Hon. George N. Leighton Award to the Theatre School at DePaul University for its efforts in making the workings of the legal profession more accessible to the public by producing the History on Trial series. John Culbert, Dean Corrin, Shane Kelly, and Sandy Shinner accepted the award. Culbert, the Dean of the Theatre School, made several remarks on behalf of his colleagues. Previous awardees include Hon. George N. Leighton (2009), Hon. Benjamin K. Miller (2010), Hon. John Paul Stevens (2011), Thomas Sullivan (2013), and Hon. William J. Bauer (2016).



John Culbert, Sandy Shinner, Dean Corrin, and Shane Kelly accept the 2018 Hon. George N. Leighton Award.

Public Presentations

In 2018, 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 sponsored by the Illinois State Bar Association. John Lupton participated in a program in September using Abraham Lincoln's law practice for examples in professionalism. 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 practice before the Illinois Supreme Court.

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 the featured speaker at the statewide Daughters of the American Revolution convention. Lupton also gave remarks on noteworthy Illinois lawyers and cases at the McHenry County Legal Aid Award Luncheon. Lastly, Lupton led a group discussion at the Abraham Lincoln Presidential Library's History Forum, at which he discussed a new book on Illinois Constitutions.

Publications

After many years of producing biographical sketches of all 117 Illinois Supreme Court justices and publishing on its website, the Commission compiled all of the biographies into a book entitled, *Adjudicating Illinois: Justices of the Illinois Supreme Court*. 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.



John Lupton published several articles during the bicentennial year. “Stepping Stones to Prominence: Illinois Supreme Court Justices and U.S. Senators,” co-authored with Illinois Supreme Court Justice Anne M. Burke, in *Southern Illinois University Law Journal* provides biographical information about the seven Illinois Supreme Court justices who also served as U.S. Senators. Lupton also published “Law and Order in Illinois’ Early Years” in the *Illinois Bar Journal* to provide readers what the practice of law was like when Illinois became a state in 1818. Lastly, Lupton published “The Illinois Supreme Court in the State Capitol, 1878-1907” in *Illinois Heritage* on the Court’s time in the Illinois Capitol Building.

Collections / Oral History

Benjamin Belzer, a part-time staff member, 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 DePaul University that contains transcripts and other items related to the Illinois House of Representatives inquiry into the impeachment of Justice James Heiple in the 1990s.

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. The *Chicago Daily Law Bulletin* relied on the Commission for background information for its bicentennial articles. In 2015, the Commission began monitoring inquiries. In 2018, it received more than 225 queries about legal-related topics.

John Lupton completed his service on the Executive Committee of the Court and Legal History Affinity Group of the American Association for State and Local History (AASLH). The Court and Legal History Affinity Group serves those working to preserve and promote legal and court history around the nation. It is composed of historians and librarians at state and federal courts. Lupton had been on the Executive Committee since 2013.

Exhibits

The Commission unveiled its traveling exhibit for 2018 and 2019. Entitled “Bicentennial of Illinois Law,” the three-tower exhibit highlights the history of the Illinois Supreme Court, famous Illinois lawyers and cases, and how the judicial system operates. The exhibit promotes civic education with



Dignitaries prepare to cut the ribbon at the grand opening of the Bicentennial of Illinois Law Exhibit at the College of DuPage with Commissioner Kirk Dillard (far left) and Justice Robert R. Thomas (center).

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. Nearly

the entire exhibit was constructed in-house as John Lupton and Benjamin Belzer provided the content, and Matt Burns designed and constructed the panels. The exhibit opened at the College of DuPage in September and went to the University of Illinois Law School in November. For 2019, the exhibit will be located at a number of colleges and universities across Illinois.

In 2018, the Supreme Court loaned Michelle Robinson Obama’s attorney oath to the Abraham Lincoln Presidential Library and Museum for their temporary exhibit “From Illinois to the White House.” The exhibit ran from March to December and showcased the lives and careers of the four presidents—Abraham Lincoln, Ulysses S. Grant, Ronald Reagan, and Barack Obama—who called Illinois home at some point during their lives. It also included artifacts about the First Ladies. Attendance at the exhibit totaled 235,000. The Commission worked with the Supreme Court, the Clerk of the Supreme Court, the Illinois State Archives, and the ALPLM on the loan and physical transfer of the attorney oath.

The Commission loaned three of its tower exhibits to O’Fallon Township High School in O’Fallon, Illinois to display during its Law Day commemorations. Annually, O’Fallon High School uses Law Day (May 1) to highlight important cases, lawyers, and judges in U.S. and Illinois history. The Commission provided its exhibits on the First Women Lawyers in Illinois, Florence Kelley’s attempts to regulate working hours for women and children, and Abraham Lincoln’s Sand Bar case about newly created land on Chicago’s Lake Michigan waterfront.

BUDGET

The year 2018 was a challenging period for the Commission. In the budget cycle for FY18, the Commission requested a \$600,000 GRF transfer for general operations for the upcoming fiscal year. The legislature included the request in its budget but reduced the transfer to \$300,000. The Commission spent nearly the entire appropriation by February, resulting in staff layoffs. An anonymous donor provided funds to keep the administrative assistant on staff, and the Supreme Court assumed the salary of the director. The depleted Commission staff was able to continue to work on bicentennial activities, but without the necessary support staff, several projects were delayed. A supplemental bill provided an additional \$300,000 in June 2018, and the FY19 budget bill provided a \$1 million transfer. The income allowed the Commission to rehire staff that had been laid off.

CONCLUSION

The Commission continues to fulfill 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 additional bicentennial activities in 2019 and begin to undertake additional projects.

FISCAL SUMMARY

Cash Balance

| Item | Expenses | Revenues | Balance |
|---------------------------------------|-----------|-------------|-------------|
| FY07 Statutory Transfer | | \$5,000,000 | \$5,000,000 |
| FY08 Interest and Receipts | | \$136,757 | \$5,136,757 |
| FY09 Expenditures | \$177,318 | | \$4,959,439 |
| FY09 Interest and Receipts | | \$129,162 | \$5,088,601 |
| FY10 Expenditures | \$805,392 | | \$4,283,209 |
| FY10 Interest and Receipts | | \$45,899 | \$4,329,108 |
| FY11 Expenditures | \$919,817 | | \$3,409,291 |
| FY11 Interest and Receipts | | \$37,403 | \$3,446,694 |
| FY12 Expenditures | \$579,341 | | \$2,867,353 |
| FY12 Interest and Receipts | | \$45,572 | \$2,912,925 |
| FY13 Expenditures | \$628,790 | | \$2,284,135 |
| FY13 Interest and Receipts | | \$12,926 | \$2,297,061 |
| FY14 Expenditures | \$598,148 | | \$1,698,913 |
| FY14 Statutory Transfer | \$35,615 | | \$1,663,298 |
| FY14 Interest and Receipts | | \$30,007 | \$1,693,305 |
| FY15 Expenditures | \$643,103 | | \$1,050,202 |
| FY15 Interest and Receipts | | \$46,043 | \$1,096,245 |
| FY16 Expenditures | \$584,135 | | \$512,110 |
| FY16 Interest and Receipts | | \$5,109 | \$517,219 |
| FY17 Expenditures | \$516,344 | | \$875 |
| FY17 Interest and Receipts | | \$2,398 | \$3,273 |
| FY18 Statutory Transfer | | \$600,000 | \$603,273 |
| FY18 Expenditures | \$390,033 | | \$213,240 |
| FY18 Interest and Receipts | | \$72,412 | \$285,652 |
| FY19 Statutory Transfer | | \$1,000,000 | \$1,285,652 |
| FY19 Expenditures (Estimate) | \$522,500 | | \$760,152 |
| FY19 Interest and Receipts (Estimate) | | \$25,000 | \$785,152 |

FY18 Expenditure Detail (July 1, 2017-June 30, 2018)

| | |
|----------------------|------------------|
| Regular Positions | \$175,317 |
| Benefits | \$151,419 |
| Lease | \$33,842 |
| Equipment | \$10,000 |
| Contractual Services | \$8,051 |
| Telecommunications | \$6,049 |
| Travel | \$2,944 |
| Commodities | \$1,360 |
| EDP | \$579 |
| Printing | \$472 |
| Total | \$390,033 |