

CONNECTICUT SUPREME COURT HISTORICAL SOCIETY

MINUTES

Board of Directors Meeting – September 11, 2013

President Wes Horton called the meeting to order at 2:03 p.m. in the Supreme Court Lawyers Lounge. Others present were: Michael Besso, Kathy Calibey, Judge Cohn, Greg D'Auria, Chuck Howard, Judge Huddleston, Molly LeVan, Barbara Schellenberg, Jon Weiner, Mike Widener and Justice Zarella. Ryan Greenwood, a rare book fellow accompanying Mike Widener, also attended.

Mr. D'Auria moved the approval of the minutes of the Board's May 2, 2013 meeting. Mr. Howard seconded the motion, and the minutes were approved.

Mr. Howard circulated a Treasurer's Report (attached). Ms. Levan noted that one entry of \$63.81 should have correctly been noted as having been for flowers for former Chief Justice Peters. With that clarification noted, Mr. D'Auria moved acceptance of the Treasurer's Report, Judge Cohn second the motion and the report was accepted. Mr. Howard also noted that the report was current as of September 6, 2013, but he was awaiting receipt of some bank statements. He reported some dissatisfaction with the Society's bank. The Board was of the view that if he saw fit, Mr. Howard should consider changing banks.

Judge Huddleston reported that the latest issue of the Journal and should be out shortly.

President Horton reintroduced Mr. Besso as the new (and past) Editor-in-Chief of the Journal. Mr. Besso had been EIC for the Journal's first three issues.

Upon motion by Judge Cohn, seconded by Mr. Howard, and passed unanimously, the Board wished to compliment Judge Huddleston and express its appreciation for her tremendous efforts as EIC.

A discussion thereafter followed, prompted by Mr. Besso's Report (attached) in which he described and sought input about his vision for a Journal volume dedicated to scholarly discussion of Cologne v. Westfarms Mall, a landmark decision in Connecticut's state constitutional landscape. Justice Zarella offered to assist Mr. Besso in getting in touch with lawyers involved in that case over 30 years ago. Those present also discussed, among other things, whether other Society events or activities might be arranged in conjunction with this Journal issue.

Ms. Calibey and Ms. Levan reported for the Programs Committee that the Society's fall event will take place on October 24, 2013, at the Appellate Court, and it will commemorate the 30th Anniversary of that court. Featured speakers are likely to include Justice Borden, Chief Judge

Dupont, and perhaps Chief Justice Peters and others. All were encouraged to gather ideas for possible speakers for our spring program.

Mr. Widener reported for the Archives Committee that he has been discussing with Mr. Besso artifacts that might be included in future Journal issues. He also introduced Mr. Greenwood to the Board, who is a Rare Book Fellow spending nine months with Mr. Widener at Yale. Mr. Howard observed, and asked that the minutes reflect, that the tours that Mr. Widener has offered each of the last few years at Yale, just before the Society's annual dinner, are among the most enjoyable and edifying events the Society conducts. All agreed.

Mr. Weiner reported in his role as the liaison among court historical societies that prospects for doing a joint event with the New York Supreme Court Historical Society have not bloomed. He is putting his efforts into other ventures, such as a topic he picked up on through a listserv: how teachers might be able to teach legal history better.

Mr. Horton then scheduled the next meeting of the Board to take place January 6, 2014, at 2:00 in the Lawyer's Lounge of the Supreme Court Building.

There being no further business before the board, the meeting was adjourned upon the motion of Ms. Calibey, seconded by Ms Levan.

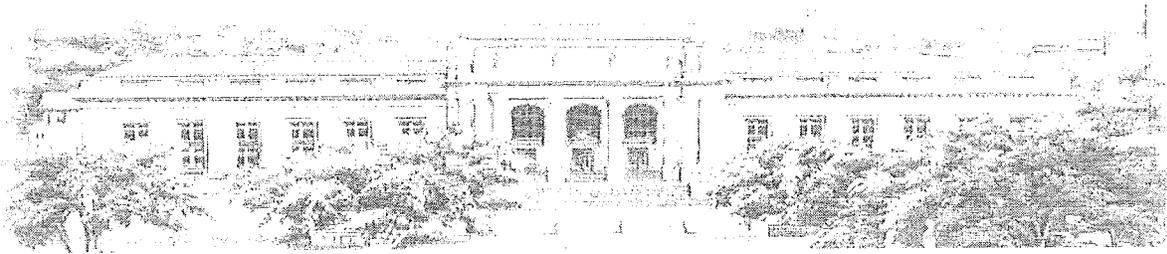
Respectfully Submitted,

Gregory T. D'Auria
Secretary

Connecticut Supreme Court Historical Society
2013 Financial Accounting
As of September 6, 2013

OPENING BALANCE (as of 5/01/13):	46,487.75
REVENUE:	
Annual Meeting/Donations/Dues (4/2/13 & 5-7/13)	7,885.00
Interest (4-7/2013)	22.72
	<u>7,907.72</u>
EXPENSES:	
Annual Dinner/Floral Arrangement, 5/8/13	58.18
Post Office Box Renewal Fee, 5/13/13	124.00
Annual Dinner/NHLC Catering, Inc., 5/15/13	4,417.80
Annual Dinner/Gift to Speaker, 6/18/13	63.81
Annual Dinner/Framing of Gift for Speaker, 6/18/13	260.55
	<u>4,924.34</u>
OTHER:	
Banking Fees 4-7/13	<u>133.48</u>
ENDING BALANCE:	<u><u>49,337.65</u></u>

Connecticut Supreme Court Historical Society



To: CSCHS Board of Directors
From: Michael Besso
Subject: Report from Board of Editors
Date: September 4, 2013

On behalf of the Board of Editors, I provide the following report regarding the planned 2014 volume of *Connecticut Supreme Court History*. I am working with the other editors to develop an issue that commemorates the 1984 *Cologne v. Westfarms* decision. This decision is worthy of special attention because of its public interest and jurisprudential significance. The battle to secure free speech rights on private shopping mall property proved to be a compelling public story – particularly when the KKK decided to “piggy back” on NOW’s trial court victory regarding injunctive relief that permitted petitioning at the mall. In the Supreme Court, the decision presented important, yet competing, statements on state constitutional interpretation by Justice David Shea and then-Justice Ellen Peters. And for the next decade, through *Sheff v. O’Neill*, the Supreme Court entered its longest sustained period of state constitutional decisionmaking.

Our tentative plan is to present essays about *Cologne v. Westfarms*’ political background and trial court litigation, about the Supreme Court argument and decision, and about the case’s legacy.

Related to this presentation, I offer several proposals for this Board’s consideration:

1. Interviews with the Supreme Court litigants. This topic might be appropriate for an oral history component (hat tip – as they say – to Greg D’Auria for this idea). To the extent that the CSCHS seeks to develop oral histories, interviews with the lead attorneys could add to our understanding of the *Cologne v. Westfarms* litigation.
2. Static presentation of archival material. Our exceptional legal historian, Don Rogers, has been in contact with the ACLU-CT about materials it might have regarding the case. That agency in fact has several boxes of material. Perhaps that material can be mined and, along with material that the Judicial Department holds, this can all form the basis of a commemorative display in the Supreme Court building.
3. Scholarly conference. This topic could provide a basis for a half-day conference. If held at one of the state’s law schools, or at the University of Connecticut (Storrs), in

conjunction with the history and political science departments, this could enhance the CSCHS visibility.

4. Educational documentary. *Cologne v. Westfarms* could form the basis of an educational program about the role of the courts, and the Supreme Court, in our state's social and political orders. A half-hour documentary – “The ERA, the KKK, and the Battle over Constitutional Rights in Connecticut” – targeted for high schools might work well and, even more than a conference, enhance the Society's visibility.

With the assistance of other journal board members we are already beginning the development of the essay portions for this special issue. We would like to be able to publish this issue in the fall of 2014.