

Making the Case: Challenges and Opportunities in Judges' Papers

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University of Kentucky Libraries
Special Collections Research Center

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Research Question

What is the value of
judicial archival collections?

- For whom?
- In what ways?

Practitioner's Approach

- Gather information through review of collections and scholarship
- Apply information to processing and teaching responsibilities
- Develop findings about nature and characteristics of judicial archival materials

Practitioner's Approach - Gathering Information

- UK SCRC federal judicial collections
 - 2 Supreme Court justices
 - 2 appellate court judges
 - 8 trial court judges
- Select repositories
 - Harvard Library
 - Library of Congress
 - University of Virginia Law School
 - Yale University Library

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

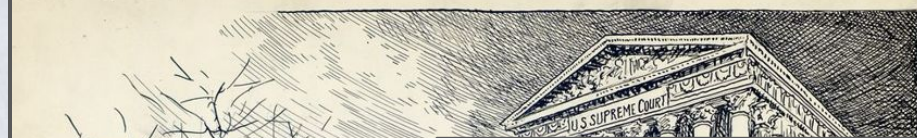
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Shields Sat March 8



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Suit over Central High goes to trial



PHOTOS BY SAM UPSHAW JR., THE COURIER-JOURNAL

Terrell Patryce Shields, 18, left, and Dionne Hopson, 17, right, testified in federal court yesterday about the rejection of their applications to attend Central High, historically a black school. They stood next to their mothers, Joan Merritt and Gwendolyn Hopson, outside the federal courthouse in Louisville.

U.S. District Judge John G. Heyburn II

Gene Snyder United States Courthouse
601 West Broadway
Room 239
Louisville, KY 40202-2227

Dear Judge Heyburn II,

Your ruling on Gay Marriage is against the voters of the State of Kentucky. The citizens of Kentucky has defined marriage as a union between one man and one woman. If there was any issue with the law being voted on, it should have been addressed before the citizens voted on it. One man cannot rule out the decision of many. If gays want union, give them another name other than marriage.

Sincerely,

Suzannah [redacted]

Practitioner's Approach - Findings

Finding 1 - Judicial collections may contain materials related to:

- Role as a judge
- Role as an attorney
- Role as a politician/public official in elected branches
- Role in civic, social, and political life of community
- Role in personal life

Practitioner's Approach - Findings

Finding 1 - Judicial collections may contain materials related to:

- Role as a judge
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Practitioner's Approach - Findings

Finding 2. Judicial collections are analogous to legislative collections

- Experiences, actions, interests, and values of constitutional office-holders
- Internal/external and formal/informal government processes
- Experiences, actions, interests, and values of ordinary people, including historically underrepresented people

quired result.

3. A clear appreciation of what result is required is indispensable. The aim is summarized in the phrase "integrated" schools. The heart of the matter is the meaning of "integrated" - what is implied by it. Integration, that is "equal protection", can readily be achieved by lowering the standards of those who at the start are, in the phrase of George Orwell, "more equal". "Integration" could be achieved in a way to lower the standards of those now under discrimination. It would indeed make a mockery of the Constitutional adjudication designed to vindicate a claim to equal treatment to achieve "integrated" but lower educational standards. Surely we can take as a starting-point that in enforcing the Fourteenth Amendment the Court is, broadly speaking, promoting a process of social betterment and not contributing to social deterioration. Not even a court can in a day change a deplorable situation into the ideal. It does its duty if it gets effectively under way the righting of a wrong. When the wrong is a deeply rooted state policy the court does its duty if it decrees measures that reverse the direction of the unconstitutional policy so as to uproot it "with all deliberate speed". Virginia v. West Virginia, 222 U.S. 17, 20.

Excerpt from 1954 memo from Associate Justice Felix Frankfurter memo. Stanley Forman Reed papers.

Richmond Times-Dispatch

Miracle of Easter:
St. Mark's epic story of trial and death of Christ again recalled.
TD Feature Section

Number 108
Volume 105

Daily and Sunday, by mail, \$25 a year.

Richmond 11, Virginia, Sunday, April 10, 1955

Dial 7-1851

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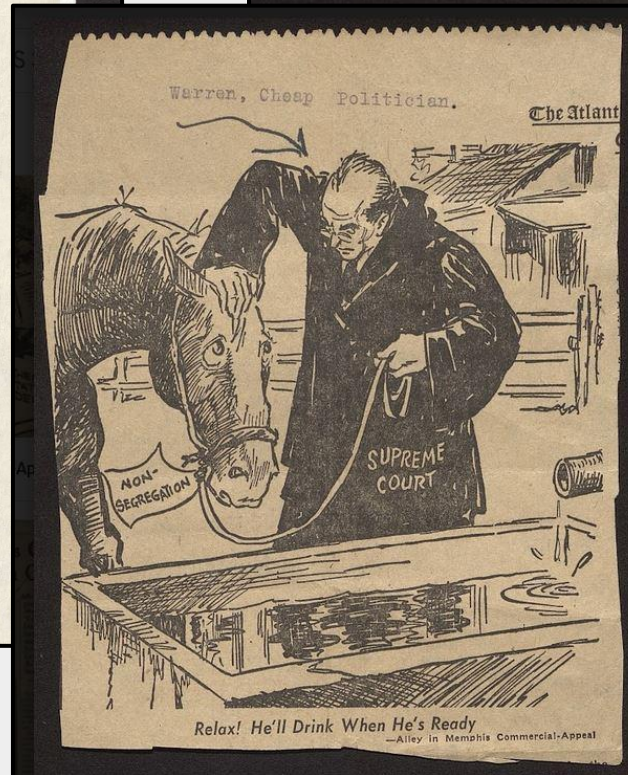
Va. Says Integration Now Would Close Up Schools



Virginia Attorneys as They Prepared Final Brief Defending Segregation
Archibald G. Robertson, J. Lindsay Almond, Jr., and Henry T. Wickham

Court Asked To Provide Time Lag

By L. M. Wright, Jr.
The Commonwealth of Virginia told the United States Supreme Court yesterday that to require integration of the races in the State's schools now would result only in their collapse.
The Commonwealth asked for "a new, indeterminate period" before integration is required and urged the court to return the segregation case to Federal District Court so permit the passage of further evidence on



Editorial cartoon, The Atlanta Journal Constitution, circa 1954-1955. Stanley Forman Reed papers.

Headline in the Richmond Times-Dispatch, April 11, 1955. Stanley Forman Reed papers.

AMERICA'S GREATEST NEGRO NEWSPAPER

The PEOPLE'S VOICE

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EDITOR

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CHAMBERS OF THE
CHIEF JUSTICE

3526 Market Street
St. Louis 9 Missouri
January 13, 1953

Honorable Fredrick M. Vinson
Chief Justice
United States Supreme Court
Washington D.C.

Dear Justice Vinson:

I have read about the hearing
the newspaper on segregation in
schools. I think segregation should
be abolished.

We are living in a land of democ-
racy and I think segregation is a
example of democratic ways of living.
In the future the present children of
United States will be the leaders
of our country. If we do not work
and play together now how shall
we work together to make peace in
our country and the world when we
come adults.

I think segregation in public schools
is unconstitutional for 3 reasons. First
cause of early segregation in our public schools

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large numbers of whites grow up with
evil prejudices about Negroes. Their ideas
and prejudices keep them from granting
Negroes the rights of all citizens to work
and live where they can. Secondly seg-
regation forbids Negroes the rights to go
to public places and to apply for certain
jobs for which they are qualified. Third,
segregation permits the use of public funds
which set up institutions which Ne-
groes are not able to use.

I thought that if I told you
how a Negro girl feels about being
segregated that it would help you
to make a fair and just decision.

Yours truly,
Deloris Robinson
1st Grade Pupil
Haring School

Ferber

1950 JUN 8 PM 8 11

WE EXTEND SINCERE
FOR JUSTICE IN DECISIONS
D INSTITUTIONS OF HIGHER

Letters from the Stanley Forman
Reed papers and the Frederick
Moore Vinson papers.

- School desegregation cases - lawsuits from parents/guardians on behalf children regarding unequal treatment in education
- Prison reform - lawsuits by prisoners regarding living conditions, abusive practices, education/training opportunities
- Discrimination - lawsuits regarding housing, employment, voting, access to other societal goods
- Criminal defense - lawsuits by defendants regarding due process violations (including death penalty cases)
- Student rights - lawsuits by K-12 students regarding dress codes, separation of church/state issues, etc.

Practitioner's Approach - Findings

Finding 3. Materials unique to judges' papers include:

- Case files - draft opinions, law clerk memos, research materials
- Correspondence among judges, incarcerated, etc. - general court admin, case deliberations
- Chief judge / chief justice files - budgets, parking, office space, policies and procedures, other admin

Practitioner's Approach - Findings

Finding 4. Judges' papers may contain specific privacy and confidentiality issues

- Case files - draft opinions, law clerk memos, research materials
 - criminal defendant files - law enforcement reports, medical/psych evaluations
- Correspondence among judges, incarcerated, etc. - general court admin, case deliberations, requests from incarcerated people
 - internal conflicts of personality and ideology
 - sensitive administrative matters, personal disclosures
- Chief judge files - budgets, parking, office space, policies and procedures
 - judicial misconduct complaints
 - sensitive administrative matters

Practitioner's Approach - Findings

Finding 4. Judges' papers may contain specific privacy and confidentiality issues

- Case files - varies by collection
 - criminal defendant files - law enforcement reports, medical/psych evaluations - Reading Room Agreement
- Correspondence among judges, incarcerated, etc. - general court admin, case deliberations, requests from incarcerated people - Reading Room Agreement for some series, closures for others
 - internal conflicts of personality and ideology
 - sensitive administrative matters, personal disclosures
- Chief judge files - budgets, parking, office space, policies and procedures
 - judicial misconduct complaints – closed pending resolution
 - sensitive administrative matters - closed for 40 years from deed of gift

Thank you!

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