

VIRGINIA FEDERAL COURT ESTABLISHES HISTORICAL SOCIETY WITH THE HELP OF THE FEDERAL BAR ASSOCIATION

Six years ago, several federal judges in the Eastern District of Virginia got together to discuss how to preserve the court's rich history. The group consisted of Senior District Judges Henry Coke Morgan and Claude Hilton, along with District Judge Henry Hudson, Magistrate Judge William Prince, and Chief Bankruptcy Judge Douglas Tice. The group decided that a foundation needed to be formed and a book written that chronicled the events and overall history of the court. With Chief District Judge James Spencer's blessing, a plan was formulated and put into action.

When this group of judges looked to a bar association for assistance, they reached out to the Federal Bar Association's Richmond Chapter. Chief Bankruptcy Judge Tice called Collin Hite, a partner at McGuireWoods and the former two-term president of the chapter, and asked for a meeting. Collin was not sure what he was walking into, but he knew that the FBA could certainly help. The judges tasked Hite with forming a corporate entity and obtaining IRS 501(c)(3) status. Hite enlisted two other former FBA officers, Andrew Clark and Brian Schneider, to help. Together, this group of three former officers of FBA chapters became the incorporators of the new Historical Society of the United States District Court for the Eastern District of Virginia Inc. The FBA's Section of Federal Litigation provided a grant to the new organization to help pay start-up costs, which the Historical Society proudly repaid within a couple of years.

During the first meeting of the corporation's board of directors, a "Who's Who" of Virginia attorneys was added to form the full board, which included attorneys from each of the court's main judicial divisions. In addition, Scott Stengel and Michael Larsen at Orrick, Herrington & Sutcliffe LLP undertook the responsibility of obtaining nonprofit status for the Historical Society, shortly thereafter, the IRS awarded the Historical Society 501(c)(3) status. This new board of directors, led by Hite as president, was then ready to tackle the next project—a book on the court's history.

The society retained a graduate student at the College of William and Mary to start researching. After several years of work, the society settled on a retired Richmond attorney to start the project. John Peters, a retired partner from Williams Mullen and a noted author, met with District Judge Hudson and Chief Bankruptcy Judge Tice, along with Hite and Andy Clark. The Historical Society's leaders laid out their vision for the book and how they hoped the history would capture the important role the court has played in the new nation's development and throughout the country's overall history. Peters listened to the group carefully and decided to accept the challenge. By the end of a year or so, he had completed most

of his research and had prepared a 106-page outline for the book. As Hite noted, "We were excited by John's quick progress. He knew how important this project was to the bench and how much the judges wanted to get the book to press as soon as possible. John's progress was and remains impressive." The society hopes to have a complete manuscript by the end of the year.

Having read the manuscript of the first chapter, Hite remarked that this is going to be an interesting and exciting book for both lawyers and the larger public. For example, many do not know that Chief Justice John Marshall also oversaw most of the trials in the District of Virginia while he rode circuit as the assigned trial judge with another district judge. Many readers will also be surprised to learn how involved the court was in forming the new nation as a mirror to what was taking place politically. "You learn a lot about what was taking place in society when you look at the types of cases being litigated at various times," noted Hite. "We are very excited to now have the project well under way and to see the light at the end of the tunnel," says Andy Clark.

The FBA has been a big supporter of the project. Local chapters in the Eastern District have agreed to co-host luncheons with the Historical Society at which John highlights important aspects of the court's history. The first luncheon was co-sponsored by the Tidewater Chapter in Norfolk, Va., and provided an opportunity for lawyers and judges to learn more about important events in the Norfolk division's history. Future luncheons are planned throughout 2011. Not only do these luncheons help expose lawyers to how important the Eastern District of Virginia is within the federal judicial system, but they have also served to help promote the Historical Society to prospective members.

Another important project undertaken by the Historical Society is gathering the oral histories of active and retired judges. As the society's vice president, Andy Clark, noted, "We are continuing to look for ways to capture the various aspects of the court's history. Taking oral histories of the judges not only preserves the history but adds to the resources available to the public." Ultimately, the Historical Society of the U.S. District Court for the Eastern District of Virginia would like to establish a collection of materials at one or more museums or archives within the judicial district.

"The Historical Society is very fortunate to have the support of the local Federal Bar Association's chapters and members. There is a natural synergy between federal court historical societies and local FBA chapters," explains Hite. Look for the new book in 2012; it should be a very interesting story, to say the least. **TFL**