



Historical Society of the District of Columbia Circuit

Newsletter #25

October 2015

INTRODUCING A NEW EXHIBIT: FROM THE CARTTER COURT IN 1863 TO THE LAMBERTH COURT IN 2013



The official photographs of the judges who have sat on the U.S. District Courts for the District of Columbia and their predecessor courts from 1863 (pictured left) until 2013 are featured in the Society's newest exhibit. [Take a look at the official court photos on our website](#) and see many of the women and men who have made history on the District Court bench over the past 15 decades.

JUST AHEAD

October 28: Program on "Separation of Powers and the Independent Counsel: *Morrison v. Olson* Revisited"

A re-enactment of arguments to the Court of Appeals on the challenge to the Independent Counsel statute on separation of powers grounds will be one highlight of the Society's upcoming program. Two of the actual participants will take part: Ted Olson will argue for his side, the appellants, and Judge Laurence Silberman will sit as the judge. Cate Stetson will represent the Independent Counsel. Other highlights: Professor Amanda Frost will set the stage, and former Chief Judge Patricia Wald will moderate a panel discussion focused on the separation of powers doctrine, the influence of the Court of Appeals and subsequent Supreme Court decisions, and the case's legacy today.



Join us in the Ceremonial Courtroom on Wednesday, October 28 at 4:30 p.m.

November 16: Reception for Law Clerks and Their Judges

Judges of the Courts of the District of Columbia Circuit and their current and former law clerks and Historical Society members are invited to a reception that will feature Solicitor General Donald B. Verrilli, Jr., a former law clerk to Judge J. Skelly Wright. This is the second reception sponsored by the Society's Law Clerk Initiative and is intended to involve law clerks in Society activities.

The reception will be held on November 16, from 4:30 until 6:30 p.m. in the Atrium of the Courthouse.



THE SOCIETY'S ORAL HISTORY COLLECTION EXPANDS

The oral history of [Judge William Bryant](#) (pictured left) has been enhanced by the addition of two interviews about his family and his earliest years and the vibrant portrait he paints of life in 1920's and 1930's Washington. The Society's oral history collection also boasts a new oral history – of [Judge John Terry](#) -- former Chief of the Appellate Division of the U.S. Attorney's Office and an appellate judge for decades. Among other things, Judge Terry gives us an insider's view of the history of the Court Reorganization Act of 1970 and the changes it introduced.



HIGHLIGHTS FROM SOME OF THE SOCIETY'S ORAL HISTORIES

Looking for a cogent critique of many aspects of the practice of law in Washington, D.C.? The views of [Joseph DiGenova](#) are taken directly from his oral history. If you want to learn why an attorney whose career was spent in one of Washington's top firms turned down two Supreme Court clerkships and later handled a multitude of ACLU cases while shouldering a full "paid" practice, read about [David Isbell](#) in an article taken from his oral history.



Joseph DiGenova



David Isbell

SOON TO BE DISPLAYED IN THE COURTHOUSE: THE PORTRAIT OF

JUDGE MALCOLM WILKEY



[Circuit Judge Malcolm Wilkey](#) (pictured left) donned many hats over his long and storied career. Born in 1918 to a Tennessee coal salesman, he made his way to Harvard on scholarship. He served as an intelligence officer in World War II and saw action at the Battle of the Bulge. After several years of private practice, he became U.S. Attorney in Houston. Landing a top job at the Justice Department in 1958, he spearheaded the effort to integrate Little Rock, Arkansas schools and helped Alaska transition from a territorial to a state court system. In 1963, he became General Counsel to the Kennecott Copper Corporation, where he served until President Nixon appointed him to the D.C. Circuit in 1970. On the bench, he dissented from the opinion ordering Nixon to turn over tapes and wrote a decision finding that the one-house legislative veto violated both the Presentment Clause and the principle of separation of powers. Upon his retirement from the bench in 1985, Wilkey served as Ambassador to Uruguay, a position he held until 1990. In 1992, Attorney General Barr appointed him to oversee the investigation of the House banking scandal, and his thorough investigation resulted in felony convictions of three members of the House and its Sergeant-at-Arms. Judge Wilkey passed away in 2009. He is survived by his wife of 49 years, the former Emma Secul Wilkey.

THE HISTORICAL SOCIETY IS TWEETING!



The Historical Society is posting on Twitter and Facebook interesting vignettes from the oral histories it has taken. Our first post: "Joseph L. Rauh Jr. recalls the battle for civil rights positions at '64 Democratic Convention." [Follow us on Twitter @CircuitHistory](#), retweet our tweets, and invite friends to our [Facebook page](#).