

# *HISTORICAL SOCIETY FOR STATE COURTS LAUNCHES WEB SITE, PLANS INSTITUTE; News*

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### **Body**

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#### **News**

ALBANY - Rooted in Colonial America and boasting a legacy dating back to the 1656 establishment of the Burgher Court, New York's justice system runs like a fiber through the state's social and legal history. But that history has largely remained obscure, accessible only to those on the inside or those willing to undertake a painstaking needle-in-a-haystack-like search.

Until now.

With little fanfare but great excitement, the newly established Historical Society of the Courts of the State of New York has launched a Web site - [www.courts.state.ny.us/history](http://www.courts.state.ny.us/history) - and announced a commitment to creating and maintaining a public record of the individuals and events that shaped the state and its jurisprudence. Plans for an institute to house the historic documents are also in the works.

Through the site, officials have published a treasure trove of historical documents once unavailable for public inspection, including a 1736 narrative of Crown v. Zenger, the case that established truth as a defense to libel.

The Historical Society comes from a pride that one has in the law and its legacy, said Court of Appeals Judge Albert M. Rosenblatt, president of the society's Board of Trustees. It makes you part of the lengthy heritage in which we occupy the moment. We would want others to know what we are doing just as we crave to learn what others have done before us. By preserving what we have, we are creating an archive so we can better understand what things were like. It is exciting, and it's fun.

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The idea for a historical society had been bandied about for nearly three years, ever since Chief Judge Judith S. Kaye and Judge Rosenblatt, during a brainstorming session, bemoaned the lack of a focused effort to maintain historic court-related materials.

The U.S. Supreme Court and some state courts have historical societies for that purpose, but there was no similar organization in New York to preserve the history of its large and influential judicial system.

Chief Judge Kaye gave her blessing, and the initiative was launched earlier this year, when the state Board of Regents granted the organization a provisional charter. Last week, officials received notification from the federal government that the Historical Society had been granted tax-exempt status.

Eventually, the court's historic documents will be available for public inspection at the New York State Judicial Institute, run by Robert G.M. Keating at Pace University School of Law in White Plains. The institute is under construction and slated to open in January. In the meantime, the Web site offers a plethora of information easily accessible with a few clicks of a mouse.

### **Accessible Documents**

Michael S. Moran, chief legal editor for the New York State Law Reporting Bureau and principal architect of the Web site, said all the documents were scanned as html files rather than pdf files, making them word-searchable and far more useful to both researchers and the merely curious.

The site includes a complete photo gallery of Court of Appeals judges and other notable legal figures past and present, historical information on courts around the state, and the full texts of 55 historic cases, among other things.

The site was built primarily by Mr. Moran and John W. Lesniak, principal legal editor of the Law Reporting Bureau, with information gathered by E. Frances Murray, chief legal reference attorney at the Court of Appeals.

Ms. Murray said the overall objective is to preserve the legal history of the state and foster an appreciation for the contributions made by the judicial branch. To that end, she hopes the information now available proves useful not only to the bench and bar, but to educators, students and others, as well.

For example, Ms. Murray said, an English teacher or student may find interesting archival materials on *People v. Gillette*, the sensational capital murder case that inspired Theodore Dreiser's classic novel, *An American Tragedy*.

The history of law is really the history of society, Ms. Murray said.

### **Regular Periodical**

Judge Rosenblatt said the Historical Society intends to publish a regular periodical and sponsor events, including an annual dinner. It expects to function through annual membership dues, which start at \$50, and other financial resources, such as gifts and grants. Neither Judge Rosenblatt nor any member of the Court of Appeals will be involved in raising funds.

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Henry M. Greenberg, a partner with Couch White in Albany and a member of the Historical Society's Board of Trustees, said the historical information now available has a practical value for attorneys in addition to its scholarly or intellectual worth.

In a very real sense, lawyering is about history, he said. That's what lawyers do, at least in terms of writing briefs and making arguments. We rely on precedents. We rely on cases. Lawyering at its best involves an understanding of the history of courts, and from that one gleans insight into the decision-making process. The more one knows about the history of New York's courts ... the better prepared one is to make arguments.

The Historical Society is continuing to gather materials from throughout the state court system. In addition, Judge Rosenblatt said the judges of the Court of Appeals intend to make public internal documents that have rarely, if ever, been seen by those outside the Court.

We are going to put out as much as we can without breaching any concerns about privacy or confidentiality, Judge Rosenblatt said. We would like to get a lot out so people can understand how the court developed.

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