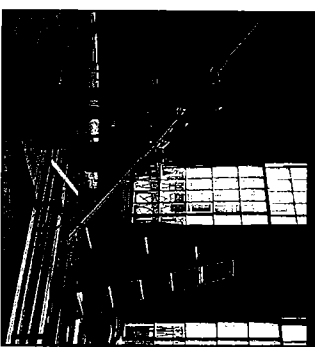


MEDFORD'S HISTORIC COURTHOUSE CONTINUED



has two fine examples of Mr. Wendroth's work—the federal courthouses in Pendleton and Medford. These buildings represent

work space for the post office and additional general office space on the second and third floors.

However, post-World War II growth in the valley forced the Postal Service to look for a new and larger building. In 1966, after more than 50 years of continuous operation in the post office-courthouse, the Postal Service moved to its present location in the Post Office and Federal Building on Eighth Avenue. While this move was beneficial for the Postal Service and its customers, the loss of the primary tenant had a profound impact on the old post office-courthouse. The GSA, the building's landlord after 1949, was forced to find replacement tenants. In mid-1966 renovations were undertaken to reconfigure the interior to accommodate the requirements of the new tenants, the Social Security Administration and the Internal Revenue Service.

Sadly, these renovations resulted in the removal of or damage to much of the building's historic fabric. The main postal lobby—with its high ceilings crowned in ornate plaster moldings, fanlight arched windows, and marble and terrazzo floor—was reduced to general office space with acoustic tile ceilings and fluorescent lighting. An

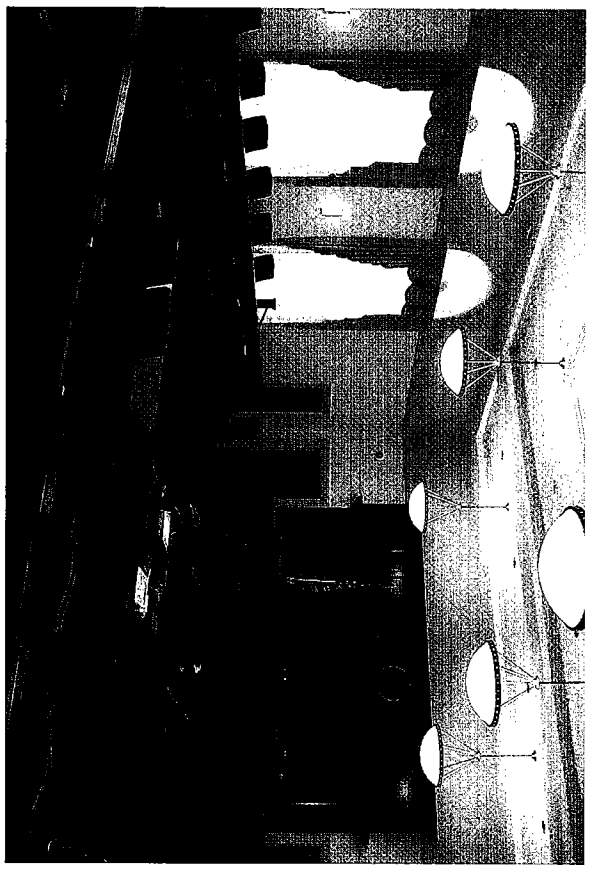
attempt to modernize the courtroom resulted in covering the arched windows with plywood and acoustic tiles. The traditional dark wood center bench, jury box, and public seating were removed and replaced with contemporary casework finished in light oak. The judge's bench was placed in a corner orientation and the historic light fixtures replaced with banks of fluorescent fixtures. On the third floor, original walls, doors, and transoms—

along with ornate brass hardware—were removed to create large floor plans intended to accommodate contemporary movable partitions. In 1979, despite the loss or alteration of most of the significant historical features of the building, it was placed on the National Register of Historic Places.

A Reassessment of the Old Courthouse

Over the next several years, with its name changed to the United States Courthouse and Federal Building, the facility housed the U.S. Probation Office, Drug Enforcement Agency, and Immigration and Naturalization Service, in addition to the Social Security Administration and the Internal Revenue Service. The court continued to serve Southern Oregon with periodic visits by district and magistrate judges from Portland and Eugene.

Initial Construction and Subsequent Changes
Construction on the post office-courthouse began in early 1915 and was completed in 1916. The Postal Service moved in immediately and maintained central operations there until 1966. The United States District Court shared the second floor with the U.S. Attorney and the U.S. Marshal. Court facilities included a courtroom, judge's chambers, and clerk's office. Offices on the third floor were occupied by other government agencies, including Army, Navy, and Marine Corps recruiting offices.

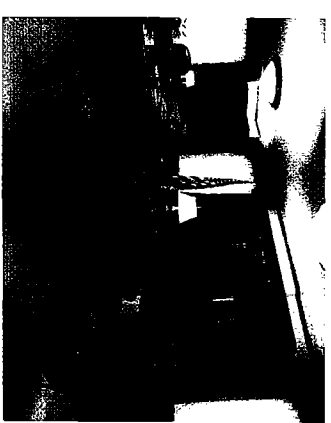


In 1990, however, judges and court administrators, aware of the increased growth of the region, initiated a comprehensive assessment of the actual and potential judicial workload originating in Southern Oregon. The results of this assessment led to the appointment of local attorney John P. Cooney to the newly created post of part-time magistrate judge. While still maintaining his law practice, Judge Cooney began to conduct regular court proceedings at the Courthouse and Federal Building. Petty offense calendars, as well as preliminary matters in criminal cases originating in Southern Oregon, were heard on a monthly basis. Though subsequent proceedings in felony cases and all civil matters continued to be conducted in Eugene, an ever-increasing caseload resulted in the magistrate judge position being converted to full-time status.

In January of 1994, John P. Cooney became the first full-time federal judicial officer to be stationed in Medford and to occupy the historic courthouse. In March of that year, Donald M. Cinnamon, clerk of court, established a full-time clerk's office and appointed Craig W. Meyer to the position of division manager. On April 1, 1994, the first civil case to be filed in Medford was placed on the court's docket. Felony criminal cases, however, continued to be managed in the Eugene division.

The First Phase of Renovation and Restoration

These events had a great impact on the old Courthouse and Federal Building. Anticipation of an increased presence in Southern Oregon compelled court administrators to conclude that significant changes to the building would need to be made in order for it to support court operations. In 1993 a project team comprising court and GSA administrators, together with architects from the SERA firm, began the process of planning and designing the renovation and restoration of the historic structure. An existing project to provide more space for the U.S. Marshal became the vehicle for

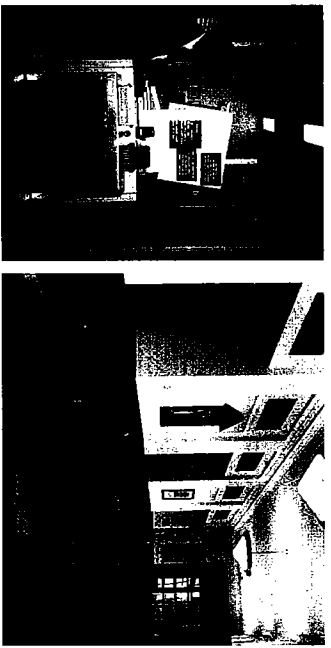


launching a series of improvements that had an impact on every room in the building. For eighteen months, the project team met to plan and design the renovation and restoration of the historic building. For the team, creating a productive work environment was as important as restoring the building's historical integrity. For one thing, the design needed to incorporate modern technology that would create an infrastructure to support data and communications systems.

a congressional field office; the main lobby; and a multipurpose room to be used for hearings, grand jury proceedings, and petite juror assembly. Perhaps the most difficult space, from the standpoint of restoration, was the first-floor lobby. Skilled artisans fabricated their own tools in order to repair the ceiling and reproduce large sections of highly detailed crown molding. They worked for more than three months on scaffolding erected in the lobby to meticulously fill every hole in the ceiling and sculpt, by hand, the intricate cornice and crown molding. The result of their skill and labor was a magnificent restoration.

In 1995 the Social Security Administration was relocated to a new facility and contractors began the actual work of renovating and restoring the building. Every element of the 1965-67 renovation to the first and third floors was removed. For the first time in 30 years, the high plaster ceiling and original dimensions of the grand lobby were visible. So, too, was the overwhelming degree of damage done to the structure by earlier modernization efforts. The ornate ceiling and cornice had been penetrated more than 100 times to accommodate ventilation ducts, electrical wiring, and plumbing pipes. Occasionally, however, demolition also revealed small treasures. When workmen removed a wall constructed during a prior modernization project, they discovered that the original staircase newel post was hidden inside. Today, the restored newel post once again supports the staircase balusters and handrail in the first-floor lobby.

Once all demolition was completed, construction began on a new resident judge's chambers; offices for Probation, Pretrial Services, and the Clerk of Court; offices, holding cells, and interview rooms for the U.S. Marshal; and contractors began the actual work of renovating and restoring the building. Every element of the 1965-67 renovation to the first and third floors was removed. For the first time in 30 years, the high plaster ceiling and original dimensions of the grand lobby were visible. So, too, was the overwhelming degree of damage done to the structure by earlier modernization efforts. The ornate ceiling and cornice had been penetrated more than 100 times to accommodate ventilation ducts, electrical wiring, and plumbing pipes. Occasionally, however, demolition also revealed small treasures. When workmen removed a wall constructed during a prior modernization project, they discovered that the original staircase newel post was hidden inside. Today, the restored newel post once again supports the staircase balusters and handrail in the first-floor lobby.



Left: In 1966, when the post office was relocated, extensive remodeling was undertaken and the building lobby was reduced to a narrow hallway. Right: The restored lobby.

tinues to serve on the district court bench.

Renovation and Restoration of the District Courtroom

In January 1997 the United States Attorney established an office in Southern Oregon in response to greater activity on the part of federal law enforcement agencies, including the Immigration and Naturalization Service, Federal Bureau of Investigation, and Drug Enforcement Agency. Accordingly, the district court began to manage felony cases in Medford, which greatly increased the use of the district courtroom. Attention naturally turned to completing the final phase of improvements to the courthouse—the renovation and restoration of the district courtroom.

communication systems. A hydraulic lift was also designed, to be incorporated into the casework to assist disabled witnesses or judicial officers in gaining access to the witness box or judge's bench.

The courtroom design included a number of other improvements, among them acoustic conditioning, historic window treatment, remote lighting control, motorized exterior window shading, enhanced sound amplification, and an electronic evidence presentation system with built-in juror monitors.

Funding for the project became available in 1999 and work began immediately. Stripped of its benches, rail, public seating, and furnishings, the courtroom began to be rebuilt in a style that complemented the building's architecture. Using American cherry wood, workers built new casework that included the judge's bench, witness stand, clerk's bench, jury box, rail, and public seating. As a result of the rail being relocated to expand the well, a new entrance was required at the back of the courtroom for access to gallery seating. A room adjacent to this entrance was converted to a public waiting area that adjoins the main courtroom lobby.

Workers also installed pendant lighting fixtures to supplement natural light provided by the courtroom's three large arched windows. Erick Shumate of Creswell, Oregon, designed and constructed counsel tables of solid cherry with a hand-rubbed finish. The renovation and restoration were completed by draperies, carpeting, and other furnishings appropriate to the design and style of the courtroom.

A final element of the second phase of renovation involved improvements to the building's exterior. During construction of the 1939 addition, the parapet around the top of the building was altered by removal of the individual balusters and installation of a solid insert. The effect was to give the parapet a heavy, imposing appearance that was instantly at odds with the building's architecture. In June 2000 the building received a new roof, and the solid inserts and replaced by individual balusters following the original design specifications.

Beyond all of the aesthetic and technological improvements that were made, however, the building is important for its connection to the Southern Oregon community. Thus, it is fitting that—as a final touch to the intensive restoration—more than 20 large historical photographs from the collections of the Southern Oregon Historical Society were put on display throughout the building. They depict the courthouse and scenes of life in Medford, Jacksonville, Crater Lake, Grants Pass, Ashland, and Klamath Falls. In addition, examples of historic court furniture are on display.

Throughout its restoration, the courthouse benefited from a truly remarkable group of architects and craftspeople. It is their skill, dedication, and personal pride that you sense when you walk through the front doors. Their efforts and those of the court, the GSA, and the community have ensured that this courthouse will continue to serve the people of Southern Oregon for generations to come.

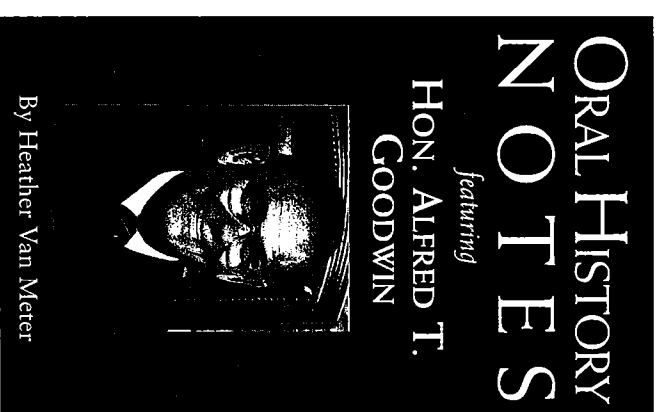
Robert M. Walsh is chief deputy clerk of the U.S. District Court and served as the court project manager for the renovation and restoration of the James A. Redden U.S. Courthouse. He is presently the Court of Appeals project manager for the Pioneer Courthouse Seismic and Rehabilitation Project.

Craig W. Meyer is division manager of the Medford Clerk's Office. He served as the Redden U.S. Courthouse renovation and restoration.

Judge Alfred T. Goodwin began his career not as a lawyer, but as a news reporter for the *Eugene Register Guard*. As a student, he had gained experience on the staff of the University of Oregon newspaper. While at the *Register Guard*, he got to know Wayne Morse, an attorney-politician, fairly well and enjoyed covering political issues. His high regard for Morse's individuality, coupled with the challenge of graduating from the University of Oregon School of Law, spurred the future judge into law school. As he recalls, "I realized that newspaper reporters and historians record what happens or what has happened, but lawyers tended to be the people who were causing things to happen. And I thought it would be more fun to be somebody making things happen than to be somebody just reporting what somebody else did." And make things happen he did.

Upon graduation, he took a position with Stan Darling and Otto Vanderhet in Eugene. Their law office door carried the names Stan Darling, Otto Vanderheit, Alfred Goodwin, Ken O'Connell, and Wayne Morse. That changed in 1952, when Morse changed his party registration to Democrat, came out for Adlai Stevenson in the Eisenhower-Stevenson presidential campaign, and asked Darling and Vanderheit to do the same. When the men refused, Morse asked that his name be removed from the law office door. Within five minutes, Alfred Goodwin was out with a razor blade doing just that.

The young Goodwin continued to practice law in Eugene for four years with no intention of seeking a judgeship, but when Judge East was appointed to the federal bench, an opening was created on the circuit court. One day, Windsor Calkins stopped by Judge Goodwin's office and asked him if he had any interest in that position, reasoning that he wouldn't get many first-choice votes in the preference poll but would get everybody's second-choice votes. At that point, Judge Goodwin reminded Calkins that he had been out of law



school only four years, to which Calkins said, "I know that, but you're educable and I'm friends with [Governor] Patterson." Indeed, the governor remembered that Alfred Goodwin had helped on his campaign and considered the young man an expert on the subject of the Uniform Commercial Code. The governor told Calkins, "I always thought it was a great idea to get young judges...who were capable and keep them awhile because you get good mileage out of them." Judge Goodwin says Windsor Calkins is the person most responsible for his judicial career.

During Judge Goodwin's five years of service on the Lane County Circuit Court, he typically sat in Eugene, but he also served in Coquille, Roseburg, Bend, Klamath Falls, and Medford as the need dictated. The chief justice repeatedly took advantage of Judge Goodwin's youth to help out in counties where the more senior judges had a backlog of cases.

After Judge Goodwin had served on the circuit court for five years, an opening on the Oregon Supreme Court arose. Governor Hatfield wanted to appoint Judge Goodwin to the position, but the judge was concerned that he would lose once it was up for election that same year. When

Judge Goodwin called Windsor Calkins and Glenn Jack, then OSB president, for advice, however, both men encouraged him to accept and said that he was widely respected throughout the state. Judge Goodwin accepted the Supreme Court appointment and won the election handily.

During his nine years on the Supreme Court, Judge Goodwin served on Oregon's Constitutional Revision Commission (in 1962) with many other prominent Oregonians. He recalls that the group worked hard and produced excellent results, but in the end many of its constitutional reforms were not adopted because the Oregon Legislature could never get the required two-thirds majority.

The commission knew it had an uphill battle getting a whole new constitution adopted, but the group consciously chose to produce a single document it could be proud of, rather than piecemeal changes that would sail through the legislature but not fix the problems that existed. Some of the major sticking points were the addition to the constitution of enumerated civil rights and reapportionment of the legislature following each decennial census with Supreme Court oversight.

Judge Goodwin remained on the Oregon Supreme Court until his appointment to the U.S. District Court for Oregon in 1969. That appointment was part of a "package deal" that former Governor Hatfield put together to get Judge Kilkenny appointed to the Ninth Circuit Court of Appeals, despite his being close to retirement age. Judge Kilkenny was to serve on the Ninth Circuit until his retirement, when Judge Goodwin would take his place. To his credit, Judge Goodwin's hearing before the Senate Judiciary Committee lasted only a few minutes.

At the U.S. District Court, Judge Goodwin was extremely pleased to have inherited Judge Kilkenny's very capable staff, including his courtroom deputy, Claire Mundorf (former clerk of the court Court Lowell Mundorf's widow). Because he hadn't used the Federal Rules of Procedure in 15

Continued on page 8

President's Message



I had not planned to attend our annual picnic at Judge Panner's ranch. I was scheduled to be at the Federal Bar Association Annual Convention in Tucson, representing the Oregon chapter. However, after the events of September 11, the FBA Convention—like many others—was canceled. The U.S. District Court Historical Society decided *not* to cancel our picnic, though, because we believe that it is important to move forward with our lives and thought that a picnic with friends and colleagues was exactly what we needed on September 15.

I talked to many folks who were able to attend the picnic when other commitments were canceled, including our ever-supportive chief judge, Michael Hogan. Everyone who attended found a pleasant break from the national events. We all enjoyed the Panners' hospitality, the camaraderie, the fabulous food catered by Cathy's Texas BBQ, the music by Lisa Miller and the Trailer Park Honeys, and the delightful faces of kids riding the ponies and playing games—from hula hoop to the egg toss. Thank you to the U.S. District Court Attorney Admission Fund and the Oregon Chapter of the Federal Bar Association for supporting and funding the picnic.

* * *

Thanks, also, to our fine officers and Executive Committee members, who have made my term a pleasure. I would especially like to thank outgoing treasurer Dick Solomon, who has served in that capacity since 1997.

When I was asked to run for the office of secretary in 1997, I was con-

cerned about the future of the Society. Under the able leadership of Jeff Batchelor and Judge Ellen Rosenblum, with a lot of encouragement from Judge Panner, the organization became an active, vibrant organization with excellent programs. Our next president, Tom Sondag, will continue the fine tradition.

* * *

Besides our picnic, which has been a highlight for many members of the federal bar, I am especially proud of the Famous Federal Cases series that was initiated last year. Our programs—on the Rajneesh Era, the Columbia River salmon cases, *U.S. v. Yazwi*, and the death penalty cases in district court—have attracted a great deal of attention from both the bar and the public. Many thanks to Mary Beth Allen (Chair) and the members of the Events Committee: Mary Ellen Page Farr, Kristin Hamilton, Bill Long, Monica McLain, and John Stephens, who all worked diligently to put on five outstanding events this year.

This newsletter continues to benefit from the commitments of our dedicated Publications Committee: Jeff Drueckman (Chair), Tim Garrison, Heather Van Meter, and our talented editor, Carolyn Buan.

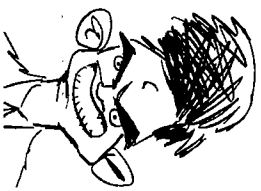
Our oral history project depends primarily on volunteer oral historians to preserve the history of our court's distinguished lawyers. As I explained in my last column, Steve Brischetto, and his former co-chair, Sarah Ryan, have overseen the preservation of numerous oral histories, with their Committee members: Tom Sondag, Doug Houser, and John Dunbar.

* * *

THANKS MEMBERS!!
Thanks to the following individuals for memberships in the U.S. District Court of Oregon Historical Society at the Sponsoring and Sustaining levels:

Sponsors: Nicholas S. Fish, Paul C. Buchanan, Mary Ellen Page Farr, John E. Jagna and Hon. James A. Redden
Sustaining: Ronald W. Atwood, Ronald E. Bailey, Robert E. Barton, Brian G. Booth, L. Ross Brown, Jeffrey J. Drueckman, Hon. Alfred T. Goodwin,

By the time you read this, I hope that you will have enjoyed Jack Ohman's presentation—*Do I have to Draw you a Picture?*—delivered at the annual dinner on November 15. Many thanks to Kristin H. Hamilton for planning the evening.



Clarence

Belnavis has *Ohman self-portrait* worked hard as Membership chair, to clarify our membership roles and send out timely renewal notices. I am especially interested in maintaining our existing members and recruiting new members. You will be hearing from us soon regarding the renewal of your membership. When you do, please consider renewing at an enhanced level, as a Sustaining Member, Sponsor, or Lifetime Member. The Society is pleased to welcome our newest lifetime member, George D. Dysart, a retired Department of Justice attorney, well known for his role in the Columbia River salmon cases. As I conclude my term, I encourage each of you to support the Society by copying the membership form on page 7 in this newsletter and by urging a colleague to join.

Finally, thanks again to Judge Panner for encouraging me to become an officer of this great organization. My involvement has enriched my life, given me an opportunity to learn more about our history, and led to many valuable friendships.

Chris Kirchel, Hon. Malcolm F. Marsh, Nancy J. Moriarty, Albert E. Radcliffe, Hon. Ellen F. Rosenblum, S. Diane Rynerson, Jack B. Schwartz, Thomas W. Sondag, Caroline P. Stool, and Robert C. Weaver, Jr.,

AN HISTORIC HEARING

By Heather Van Meter

On September 10, 2001 an historic joint hearing between federal and state court judges took place at the Mark O. Hatfield Federal Courthouse to consider redistricting cases that resulted from the 2000 census. The hearing was unprecedented, because in congressional redistricting matters the federal courts do not become involved unless the state courts are unable to "timely adopt" a redistricting plan. See *Grove v. Emison*, 507 US 25 (1993). The hearing included Judge Jean Kerr Maurer, the state court judge designated to hear the redistricting cases, and Judges Edward Leavy, James Redden, and Owen Panner from the federal court. Lead attorneys in the hearing were Mike Simon and John D'Lorenzo.

That afternoon, important issues regarding judicial restraint, courts of limited versus general jurisdiction, states' versus federal rights, and basic politics were addressed. Judge Panner skillfully guided the hearing to find a date for adopting a redistricting plan that would fulfill the "timely adoption" requirement—and then to determine whether the state courts could

fully resolve the various parties' differences and adopt a plan by that date. Judges Panner, Leavy, and Redden stated at the outset that the three-judge federal panel should become involved only if the state courts could not adopt a plan early enough to give candidates a reasonable time to campaign. Mr. D'Lorenzo believed this date to be October 1, 2001, while Mr. Simon maintained it should be December 1, 2001. Judge Leavy noted the federal court's difficulty in trying to resolve what might amount to a political question.

On September 11, 2001 the district court filed its decision to abstain from hearing the congressional redistricting cases unless the state courts were unable to adopt a revised redistricting plan by December 1, 2001. By so doing, Judges Panner, Redden, and Leavy further developed and defined the role of the federal court within the context of our hierarchical and simultaneously self-restrained judicial system. The Oregon Supreme Court subsequently entered its ruling on the case, well before the December 1 deadline.

Heather Van Meter is an attorney with Bullivant Houser Bailey PC in Portland and secretary of our historical society's executive committee.



AN EVENING WITH JACK OHMAN

Oregonian political cartoonist Jack Ohman's after-dinner talk was the highlight of a successful annual dinner, held Thursday, November 15. Among other things, Ohman (top photo, with Norman Sepenuk) entertained dinner guests with impromptu cartoons, drawn on an overhead projector. Enjoying the evening were Jennifer Lefere and Andrew Ognall.



The U.S. District Court of Oregon Historical Society Membership Application and Dues Renewal



Enclosed is my application and/or annual membership dues to join the United States District Court Historical Society (please check level of membership desired):

- General (\$50) Sustaining (\$75) Sponsor (\$150) Lifetime (\$1000)
 Student (\$15) Judicial Clerk (\$15) Admitted to U.S. District Court 1 - 4 years (\$25)

Please mail your check and this membership form to:

The U. S. District Court of Oregon Historical Society
c/o Stool Rives LLP, Attn: Clarence Belnavis, 900 SW Fifth Avenue, Suite 2600, Portland, OR 97204

Name _____ City/State/Zip _____

Firm _____ Work Phone _____

Address _____ Telephone _____

_____ Fax _____

Email _____

Yes, I would like to help with Historical Society Projects:

- Oral History Project Update Court History Events Committee Grant Committee
 Newsletter Committee Membership Committee Development Committee

