



Ceremony of Rededication United
States District Courthouse New
Haven, Connecticut September 27,
1985

Schedule of Events

- 10:00 A.M.: Swearing in of new attorneys — Second floor courtroom
- 12:00 Noon: Guided tours of renovated and remodelled courthouse —
First floor lobby
- 2:00 P.M.: Ceremony of Rededication — Second floor courtroom
- 3:00 P.M.: Reception following ceremony — Second floor lobby

Speakers

Chief Judge T.F. Gilroy Daly, Presiding

Peter J. Thomas, Regional Administrator, General Services Administration

Paul Goldberger, Architectural critic, *The New York Times*

Prof. Vincent J. Scully, Jr., Sterling Professor of the History of Art, Yale University

Chief Justice Ellen Ash Peters, Connecticut Supreme Court

Ralph Gregory Elliot, President, Connecticut Bar Association

The judges of the United States District Court for the District of Connecticut wish to express their gratitude to the Connecticut Bar Association, the New Haven County Bar Association, and those law firms and lawyers whose gracious contributions have helped to defray many of the costs of this rededication ceremony.

Also, the judges wish to express their appreciation to Preston Maynard of the New Haven Preservation Trust for his assistance in organizing the guided tours and the reception, and to Lucinda Burkepile and Robert Egleston of the New Haven Colony Historical Society, who created the historical panels on permanent display in the first floor lobby.

A Short History of the New Haven Federal Courthouse

For the past 196 years, the United States District Court for the District of Connecticut has sat on or adjacent to the New Haven Green. The oldest district court in the country, the District of Connecticut came into existence on September 26, 1789, when Richard Law entered upon his duties as district judge. He was the sole judge of the District, and, along with one of the justices of the United States Supreme Court, also sat as a United States Circuit Court. Each year, the Circuit Court held one term and the District Court held two terms, alternating between New Haven and Hartford (which served as co-capitols until 1874).

From 1789 to 1859, the District and Circuit Courts held their New Haven terms in the rooms occupied by the New Haven Superior Court. Thus, from 1789 to 1828 they held their sessions in the brick Statehouse on the Green located midway between where Trinity Church and Center Church now stand. The courtroom was on the first floor.

In 1828 the old Statehouse was torn down and replaced by a new Statehouse located on the Green between the back of Center Church and College Street. It was built in the Greek Revival style and was designed after the Temple of Theseus. The courtroom was on the first floor on the eastern side of the building. The trial of the *Amistad* captives — "the most famous case ever tried in Connecticut" — was held in that courtroom in 1840 before U.S. District Judge Andrew T. Judson.

A separate federal building was built in New Haven in 1859. Commonly referred to as the Post Office building, it was located on the west side of Church Street between Crown and Center Streets, occupying what is now the southeast corner of Chapel Square Mall. The District Court was on the third floor of the building, where for the first time it enjoyed its own courtroom, clerk's office, and judge's chambers. Prior to 1859, rooms had been maintained for a clerk's office and judge's chambers on College Street, just a few doors south of the Green (1789-1801), and then on Church Street, where the facade of the old City Hall building now stands (1801-1859).

By 1910 the old Post Office building had become so dilapidated that it was unable to handle New Haven's growing volume of mail, and a civic campaign for the construction of a large federal building facing the Green was begun. Funds ultimately were appropriated for the project during the lame duck session of Congress in 1912, and early in 1913 outgoing President William Howard Taft signed the enabling legislation shortly before moving to New Haven to assume the Kent Professorship at the Yale Law School.

The architect of the building was James Gamble Rogers (1867-1947), best known today for his Gothic Revival transformation of the Yale campus during the 1920's and 1930's. Patterned after a Greek temple, his design is notable for its sound proportions and superb attention to detail. Rogers was highly conscious of the need for a building that would symbolize the importance of the United States government while complimenting the dimensions of New Haven's historic Green. He accommodated a classical temple front to the crowded dimensions of the Church Street lot by flattening the portico against the mass of the building and stretching it to the unconventional length of ten columns. The result is a powerful image of civic dignity that harmonizes well with the other buildings on and surrounding the Green.

Construction of the new Post Office and Courthouse began in 1913 and was completed by 1919. The cornerstone laying ceremony was held on June 4, 1914. One of the speakers was former President Taft. After reviewing the history of the Green and noting the beauty of the structures bordering it, he declared: "We are dedicating today a building which will evidence the majesty and usefulness of the United States Government and will add significance and importance to this wonderful municipal center." It is a verdict that has long been affirmed by public opinion.

The inscriptions on the building are a salute to the previous three centuries of New Haven's history. The frieze carries the verse of scripture that was the subject of the Reverend John Davenport's celebrated sermon on June 4, 1639 in Robert Newman's barn, where the members of the young Colony gathered to decide on a form of government: "Wisdom hath builded her house; she hath hewn out her seven pillars." (Proverbs 9:1). This is followed by the names of the seven men (Theophilus Eaton, John Davenport, Robert Newman, Matthew Gilbert, Thomas Fugill, John Punderson, and Jeremy Dixon) who were chosen at that meeting to constitute the Colony's first governing body (known as the General Court). High on the west wall of the inner light court (just outside the top of the second floor courtroom windows) are the names of five New Haven citizens noted for their various connections with New Haven during the eighteenth and nineteenth centuries: Theodore Dwight Woolsey, 1801-1889; James Hillhouse, 1754-1832; Roger Sherman, 1721-1793; Roger Sherman Baldwin, 1793-1863; and Jared Ingersoll, 1722-1781. On the north, south, and east walls of the light court are the names of three New Haven military heroes: David Wooster (1710-1777); Nathan Whiting (1724-1771); and Alfred H. Terry (1827-1890).

In the decades following 1919, the New Haven federal building was home to a series of remarkably able federal judges. In the second floor courtroom or in the chambers set aside for Second Circuit judges, Thomas

W. Swan, Charles E. Clark, Carroll C. Hincks, Jerome Frank, and Robert P. Anderson at various times maintained their judicial residence. In 1965, however, a threat to the Courthouse suddenly appeared in the form of a major urban redevelopment project.

In 1965, the New Haven Redevelopment Agency unveiled plans by the architect I.M. Pei calling for the destruction of all the structures on the east side of the Green along Church Street, including City Hall and the federal building. They were to be replaced by a 29-story officskyscraper and miscellaneous governmental structures built in the modern style. The District Court was to be removed to a new federal office building on the corner of Orange and Chapel Streets, where 80 percent of the space was to be occupied by non-judicial agencies.

The General Services Administration (the agency in charge of all building and renovation plans for federal structures) approved the project and received authorization for its funding. When the GSA officially informed Connecticut's federal judges of these plans on June 27, 1966, the judges' immediate reaction was unfavorable. What followed was an extraordinary confrontation between two branches of the federal government: the GSA, an agency of the executive branch, who insisted on its prerogative to raze the building, and Connecticut's federal judges, who fought for the renovation of the building for the exclusive use of the federal courts and related agencies. In the words of then Chief Judge William H. Timbers, who spearheaded the battle to preserve the courthouse:

The proposed federal office building running from Chapel Street north along Orange Street in which it is proposed to include the facilities for the United States courts *would not be a courthouse*. The courts would be treated as some sub-agency of an executive department. Such treatment of the courts would be fatally damaging to the public impression of, and confidence in, an independent judiciary. The courthouse is symbolic in this Country of the independence of the judiciary as a separate and coordinate branch of the government.

In short, we believe that it would be highly undesirable — from the standpoint of relations between the court and lawyers, litigants, jurors, witnesses, the thousands of persons who are naturalized each year and other members of the public who use our facilities- to be rooted out of our existing Courthouse and moved into a federal office building devoted principally to other services. Such a building necessarily could not be considered a courthouse.

The New Haven Preservation Trust quickly joined forces with the judges in this battle, and on October 19, 1966, Professor Vincent J. Scully, Jr. galvanized public opinion against the proposed demolition during a 90 minute address to an overflow crowd at the Yale Law School auditorium. Comparing the historical importance of buildings such as the Courthouse to the Acropolis, he concluded, "the new project is like an act of undeniable vandalism so gross that one cannot believe it was proposed without irony."

Professor Scully's lecture was followed by a ceremony held on the Courthouse steps on November 7, 1966, at which time the New Haven Preservation Trust's Landmark plaque was affixed to the front of the Courthouse by Chief Judge Timbers. On that occasion, Judge Timbers thanked the New Haven Preservation Trust for crystallizing public support for the preservation of the building, and concluded with these words:

The New Haven Landmark plaque which we place on our Courthouse today is, I think, a fitting mark of recognition of the beauty and strength of this notable building; it is also, I venture to suggest, an appropriate recognition of one of the most basic, precious principles of our heritage as American citizens: a free and independent federal judiciary. On behalf of all the federal judges of this State, I give you our solemn pledge that a free and independent judiciary we will remain—in this United States Courthouse on this land of the United States!

In December, 1966, I.M. Pei withdrew from the project and the New Haven Redevelopment Agency abandoned its plans for the 29-story skyscraper on the Courthouse site. But the GSA continued to insist on demolishing the Courthouse and replacing it with a general federal office building on Orange Street. Only the intense intervention with the GSA by Senator Thomas Dodd, Senator Abraham A. Ribicoff, and Congressman Robert N. Giaimo on behalf of the judges and the Preservation Trust averted the planned destruction of the building. As a result of their efforts, by September, 1967, the GSA had swung around to the judges' position and was examining how to remodel the building for exclusive court use while erecting a separate federal office building behind it on Orange Street. The GSA's prospectus for the \$3.17 million renovation was approved by the House on November 9, 1967, and on December 1, 1967, Senator Ribicoff sent Chief Judge Timbers a telegram announcing that the Senate had given the final Congressional approval for the revised plan.

The two-year battle to preserve the New Haven Courthouse was a triumphant reaffirmation of the independence of the federal judiciary. As it turned out, however, it was only the beginning of a longer struggle to

clear the way for the actual renovation of the building to begin.

Despite the availability of \$3.17 million in funds, the renovation work did not get underway before July 1, 1971. On that date, pursuant to the Postal Reorganization Act of 1970, title to the Courthouse building was transferred to the Postal Service. This turn of events caused a lengthy delay of the entire project, for the GSA could not start the renovation work until the entire building was vacated and the Postal Service could not leave until its new facility on Brewery Street was completed. It was not until early 1979 that the Postal Service moved its operations to Brewery Street and sold the Courthouse building to GSA for \$2.5 million.

During the 1970's the Postal Service knew it would be moving to a new facility and thus expended minimal resources on the maintenance of its old building. By 1979, when the GSA inspected the structure in order to prepare a prospectus for its renovation, it was obvious that a major overhaul was needed. The GSA drafted a \$6.8 million prospectus providing for the careful restoration of the building's architectural details as well as the thorough renovation of its support systems (including the construction of two new courtrooms). In the meantime, however, due to the anticipated renovation, few steps were taken to reverse the continuing deterioration. The result was that conditions in the Courthouse degenerated to an alarming degree. The heating system was grossly inadequate, plaster remained untouched where it fell, some entrances were boarded up, and on the third floor daylight was visible through holes in the roof. Most troubling of all was the fear that the second and third floors literally had become firetraps. This was confirmed on January 3, 1980, when the New Haven Fire Marshal issued a report declaring the building "a serious potential fire hazard in need of immediate attention."

Once again Connecticut's federal judges were confronted with a crisis that threatened the continued existence of the Courthouse, and once again they reacted by mobilizing the support of Connecticut's Congressional delegation and the public.

On January 17, 1980, Judge Jose' A. Cabranes and Judge Warren G. Eginton met in Washington, D.C., with staff members of the Senate Committee on the Environment and Public Works to update them regarding conditions at the Courthouse. The GSA submitted a revised prospectus in June, 1980, and on July 24, 1980, the House Subcommittee on Public Buildings held a crucial hearing on the \$6.8 million project. Numerous written statements supporting the long delayed renovation were sent to the Subcommittee, including those from Governor Ella Grasso, Mayor Biagio DiLieto, Dean Cesar Pelli of the Yale School of Architecture, and Bruce Morrison, then Executive Director of the New Haven Legal Assistance Association. Among those appearing to testify the day of the

hearing were Judge Cabranes (who delivered Chief Judge T. Emmet Clarie's remarks due to the latter's illness), Representative Giaimo, and William Doyle of the New Haven Bar (speaking on behalf of the Connecticut Bar Association's Federal Practice Committee). The main factors cited in support of the proposed renovations were the architectural significance of the building, the unsafe conditions created by the dilapidation of the structure, and the need to restore the dignity of the Courthouse. As Judge Robert C. Zampano — who had spent most of his working life in the courthouse as law clerk, United States Attorney, and District Judge — eloquently put it in his written submission:

[t]he building today is in deplorable condition. Its deterioration over the years has been a shocking experience to those who remember vividly its former illustrious grandeur as *a* stately and majestic edifice for the dispensation of justice under federal law.

At the hearing, Representative Giaimo summed it up succinctly for the Subcommittee:

If the District Court is to serve properly the interests of the people of Connecticut and the nation, the renovations cannot be delayed any longer. Otherwise, we run the risk of destroying through neglect a structure that is worth saving.

This urgent outpouring of broadly based support — in conjunction with Representative Giaimo's deft legislative maneuvering— had its intended effect, and on August 26, 1980, the House Committee on Public Works and Transportation approved the GSA's \$6.8 million prospectus. This was followed by the approval of the full House on September 29, 1980. The Senate Committee on the Environment and Public Works took up consideration of the project during the lame duck session that followed that year's presidential elections. The Committee was in the final stage of producing the Public Buildings Act of 1980— which reformed the GSA's entire public buildings program — and for a time its absorption with that legislation threatened to postpone action on the New Haven Courthouse. However, the project was inserted into *a* miscellaneous appropriation bill, and it passed the Senate in slightly amended form on December 8, 1980. The next day the House concurred in the Senate's amendments, and on December 22, 1980, President Jimmy Carter signed the bill into law.

Losing no momentum, Connecticut's federal judges held *a* meeting with the GSA and other interested parties in Judge Ellen Bree Burns' second floor courtroom on February 12, 1981, to discuss the logistics of moving the Court to temporary quarters while the renovation work was being done. By September, 1982, the New Haven federal judges and staff were moved into the upper three stories of a nondescript brick building at the

comer of Chapel and State Streets. There they remained in cramped quarters until June, 1985, when the renovation of the old Courthouse under the direction of William F. Pedersen & Associates was completed and they moved back into the remodelled building along with the staff of the United States Attorney and the United States Marshal. It was a move nearly 18 years in the making, and today's ceremony of rededication is both a celebration of a grand old building's resurrection and an attempt by the federal judges to express their appreciation to the many individuals who contributed to the success of this important renovation project.

In America, federal courthouses are symbolic of our national government's commitment to the dignified administration of equal justice under law by a free and independent federal judiciary. To the extent that a federal courthouse embodies the values inherent in such a judiciary, the public's confidence in the federal administration of justice is heightened. Thus it is indeed fitting that we gather today to rededicate a courthouse whose design and preservation have come to symbolize the enduring independence of the federal judiciary in Connecticut and throughout the land.

Charles C. Goetsch
of the New Haven Bar

JUDGES OF THE
UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF CONNECTICUT

T.F. Gilroy Daly, Chief Judge

Ellen B. Burns
Warren W. Eginton
Jose A. Cabranes
Peter C. Dorsey

SENIOR JUDGES: M.
Joseph Blumenfeld T.
Emmet Clarie Robert
C. Zampano