

Irving R. Kaufman Papers

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Prepared by Karen Linn with the assistance
of Patrick Kerwin



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2011

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Collection Summary

Title: Irving R. Kaufman Papers

Span Dates: 1934-1992

Bulk Dates: (bulk 1949-1992)

ID No.: MSS81576

Creator: Kaufman, Irving R. (Irving Robert), 1910-1992

Extent: 43,000 items; 144 containers plus 3 oversize; 58.7 linear feet

Language: Collection material in English

Repository: Manuscript Division, Library of Congress, Washington, D.C.

Abstract: Jurist. Court papers, office and subject files, speeches and writings, and scrapbooks chiefly documenting Kaufman's judicial career on the United States District Court, Southern District of New York and United States Court of Appeals, Second Circuit.

Selected Search Terms

The following terms have been used to index the description of this collection in the Library's online catalog. They are grouped by name of person or organization, by subject or location, and by occupation and listed alphabetically therein.

People

Bonanno, Joseph, 1905-

Burger, Warren E., 1907-1995--Correspondence.

Clark, Tom C. (Tom Campbell), 1899-1977--Correspondence.

Kaufman, Irving R. (Irving Robert), 1910-1992.

Rifkind, Simon H. (Simon Hirsch), 1901- --Correspondence.

Rosenberg, Ethel, 1915-1953.

Rosenberg, Julius, 1918-1953.

Organizations

American Bar Association.

Juvenile Justice Standards Project.

United States. Court of Appeals (2nd Circuit)

United States. District Court (New York : Southern District)

Subjects

Appellate courts.

Discrimination in education--New York (State)--New Rochelle.

District courts--New York (State)

Judicial opinions--United States.

Juvenile justice, Administration of--United States.

Racketeering.

Trials (Espionage)--United States.

Occupations

Jurists.

Administrative Information

Provenance

The papers of Irving R. Kaufman, jurist, were given to the Library of Congress in 1992 by Helen R. Kaufman, Stephen E. Banner, and Robert J. Katz.

Processing History

The Kaufman Papers were processed in 1993. The finding aid was revised in 2010.

Copyright Status

Copyright in the unpublished writings of Irving R. Kaufman in these papers and in other collections in the custody of the Library of Congress is reserved. Consult reference staff in the Manuscript Division for further information.

Access and Restrictions

The papers of Irving R. Kaufman are open to research. Researchers are advised to contact the Manuscript Reading Room prior to visiting. Many collections are stored off-site and advance notice is needed to retrieve these items for research use.

Preferred Citation

Researchers wishing to cite this collection should include the following information: Container number, Irving R. Kaufman Papers, Manuscript Division, Library of Congress, Washington, D.C.

Biographical Note

<i>Date</i>	<i>Event</i>
1910, June 24	Born, New York, N.Y.
1931	LL.B., Fordham University, New York, N.Y.
1932	Admitted to New York Bar
1932-1935	Private practice, New York, N.Y.
1935-1939	Special assistant to United States attorney, Southern District of New York
1936	Married Helen Ruth Rosenberg
1939-1940	Assistant United States attorney, Southern District of New York
1940-1949	Partner, Noonan, Kaufman & Eagan, New York, N.Y.
1947-1948	Special assistant to United States attorney general in charge of lobbying investigation
1949-1961	Judge, United States District Court, Southern District of New York
1961-1987	Judge, United States Court of Appeals, Second Circuit
1973-1980	Chief judge, United States Court of Appeals, Second Circuit
1987-1992	Senior judge, United States Court of Appeals, Second Circuit
1987	Awarded Presidential Medal of Freedom
1992, Feb. 1	Died, New York, N.Y.

Scope and Content Note

The papers of Irving Robert Kaufman (1910-1992) span the years 1934-1992 with the vast bulk of material dating after 1949, when Kaufman was appointed to the federal judiciary. The papers document his professional activities while serving for over forty years as a federal judge, first as a district judge and then as an appellate judge for the second circuit. Included are speeches and writings, correspondence, scrapbooks, material from American Bar Association committees that Kaufman chaired or served on, items from the Juvenile Justice Standards Project which he chaired, conference materials, court papers, and subject files. Personal and family papers are few.

The first two series are comprised of papers from Kaufman's two judgeships: the [Southern District of New York](#) (1949-1961) and the [Second Circuit Court of Appeals](#) (1961-1992). Each series is divided into two subseries: Court Papers and Office Files. The [Court Papers](#) from the [Southern District of New York](#) include transcripts of testimony, charges to juries, opinions, sentences, and appeals. Fourteen of Kaufman's district court cases appear in the Case Files, including two of his most famous and controversial cases: *United States v. Rosenberg* (1951 espionage trial of Julius and Ethel Rosenberg) and *United States v. Bonanno* (1959 trial of reputed gangsters who had met in Apalachin, New York). Materials related to these and other cases are also in the scrapbooks, the final series in the papers. Additional material concerning *United States v. Rosenberg* is under the case name in a [Subject File](#). The [Office Files](#) for the [Southern District of New York](#) are quite small and consist of material from professional organizations, committees, conferences, and seminars. A collection of speeches, mostly written by others and used as a reference file by Kaufman, relate in large part to communism.

The [Court Papers](#) of the second series, the [Second Circuit Court of Appeals](#), are very few. The two case files present are composed primarily of memoranda between the judges. Also included are affirmances, dockets, and opinions. The extensive [Office Files](#) subseries for the [Court of Appeals](#) is comprised of Kaufman's papers from American Bar Association committees, the Juvenile Justice Standards Program, professional organizations, conferences and seminars, materials concerning the operation of the courthouse and the courts of the second circuit, reference papers, and correspondence with other judges. There is substantial correspondence between Kaufman and Supreme Court Chief Justice Warren E. Burger and Justice Tom C. Clark.

The [Subject File](#) contains most of Kaufman's correspondence with various individuals. Substantial correspondence is present between Kaufman and his longtime friend Simon H. Rifkind. There are also files on the Harvard Law School fellowship named in Kaufman's honor, the Presidential Medal of Freedom bestowed on Kaufman, several law schools, news clippings, nonprofessional organizations, and topics of interest to Kaufman, such as drug abuse and cameras in the courtroom.

Kaufman's prolific writing was aided by his law clerks, as memoranda to them indicate. He published widely and delivered many speeches. The [Speeches and Writings](#) series has been split into several chronologically arranged sections: articles, book reviews, letters to the editor, research material, and speeches. Correspondence with publishers, readers, or event organizers is often included.

The final series is a set of three [scrapbooks](#) dating from 1951 to 1970. The books are filled with news clippings, most dating from Kaufman's service on the district court. The first volume and part of the second are devoted to the Rosenbergs' trial, appeals, and execution. With the help of a clipping service, Kaufman assembled items from many diverse sources. Other cases highlighted in the scrapbooks are *United States v. Bonanno* and *Taylor v. Board of Education*, the 1961 school desegregation case from New Rochelle, New York.

Arrangement of the Papers

This collection is arranged in six series:

- United States District Court, Southern District of New York, 1934-1968
- United States Court of Appeals, Second Circuit, 1942-1992
- Subject File, 1945-1992
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- Apr., "The Verdict on Juries"
June, "The Judicial System, Ailing, Needs Help"
July, "Press, Privacy and Malice: Reflections on New York v. Sullivan"
Oct., "The Anatomy of Decision Making"
Dec.
 "Eulogy for William S. Landon"
 "Keeping Politics out of the Court"
- 1985
- Mar., "To Keep Lawyers from Going Wrong"
June, "Streamlining the Federal Courts"
June-July, "Do the Costs of the En Banc Proceeding Outweigh Its Advantages?"
Aug.
 "Congress Should Preempt Libel Field, Set Remedies"
 "The Future of Libel Litigation: A Suggestion for Reform"
Oct., "Life-and-Death Decisions"
- 1986

Feb., "What Did the Founding Fathers Intend?"

Mar.

"A Dedication to Joseph R. Crowley"

"Must Every Appeal Run the Gamut?— The Civil Appeals Management Plan"

May, "Justice Unfunded Is Justice Undone"

Aug., "Cold-Blooded Killers, Not Freedom Fighters"

Oct., "The Battle Over Drug Testing"

Undated, "The Second Circuit Review"

1987

Jan., "No Way to Interpret the Constitution"

Apr., "The Creative Process and Libel"

July, "North's Bicentennial Lesson"

Oct., "The Public's Right to Speedier Justice"

Undated

"The Original Intent Debate: A Judge's View on Interpreting the Constitution"

"Spinning the Seamless Web of Constitutional Interpretation"

1988

Jan., "Congress as Court: The Role of the Judiciary in Protecting Witnesses' Rights," 1987-1988

Mar., "Electoral Integrity vs. Free Speech"

July, "Awaiting an Answer on Courts as Censors"

Aug., "What Lawyers Owe to Justice"

Nov.

"Crowded Courtrooms: Jury's Still Out on Judges-for-Hire"

"New Remedies for the Next Century of Judicial Reform: Time as the Greatest Innovator," 1988-1989

1989

Jan., "Not Ready for Prime Time in U.S. Courts"

June, "The Ruling on Rose: Out of Left Field"

Nov., "Reflections on 40 years on the Bench"

1990

May, "Speedy Justice—At What Cost?"

July, "Nibble at Freedom and Risk Losing It All"

Oct.

"Idealism vs. Reality"

"Reform for a System in Crisis: Alternative Dispute Resolution in the Federal Courts," 1990-1991

1991

May, "Squandering Future Talent"

Sept., "Would Roe's Demise Sink Privacy?"

Undated

"An Appeal for Public Service"

"Broken Contracts"

"Children in Trouble"

"The Constitution: Does the Framers' Intent Cast Light or Darkness?"

BOX 136

Speeches and Writings, 1945-1991

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	"Courtroom Heroes and Anti-Heroes"
	"Irving R. Kaufman: Reflections on Selected Topics"
	"Justice and the Individual"
	"Lesson in History: Does Baseball Need a New Umpire?"
	"Press Coverage and the Courts"
	"Reforming the Juvenile Justice System"
	"Rico Redux: Cleansing the Waterfront"
	"Thurgood Marshall: A Tribute from a Former Colleague"
	"Tribute to Chief Justice Burger"
	"When Will We Stop Playing Games with Our Children?"
	Book reviews, 1973-1977
	Letters to the editor, Mar. 1968-Nov. 1989
	Research material
	1945-1986
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BOX 137	Undated
	Speeches
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BOX 140	(1 folder)
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BOX 141	May 1974-Sept. 1977
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BOX 142	Jan. 1978-Mar. 1982
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BOX 143	Sept. 1982-June 1991, undated
	(8 folders)
BOX 144	Formerly Restricted, 1976-1978
	Case files of Buckley v. Littell and Turpin v. Maillet.
	Arranged and described according to the series and container from which they were removed.
BOX 144	United States Court of Appeals, Second Circuit
	Court Papers
	Case files (Container 30)
	Sept. term 1975, Buckley v. Littell, 1976-1977
	Sept. term 1977, Turpin v. Maillet, 1977-1978
BOX OV 1-OV 3	Scrapbooks (Oversize), 1951-1970
	News clippings.

Scrapbooks (Oversize), 1951-1970

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Arranged chronologically.

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BOX OV 3	Vol. 3, Feb. 1956-June 1970