



**“TO EVER IMPROVE THE LEGAL SYSTEM  
CONSIDERED THE ENVY OF THE WORLD”**

**- THE HON. JOHN G. HEYBURN II**

OVERVIEW

2018



## MISSION STATEMENT

**To “ever improve the legal system  
considered the envy  
of the world”**

-The Hon. John G. Heyburn II



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## EXECUTIVE SUMMARY

**The John G. Heyburn II Initiative for Excellence in the Federal Judiciary (“The Heyburn Initiative”) is a national, non-partisan program devoted to ever improve the legal system considered the envy of the world, with a particular focus on Kentuckians’ contributions to American legal discourse and the interaction of the three branches of our government**

Judge Heyburn wrote that “opinions, while mandates, are part of a continuing conversation.” In partnership with the University of Kentucky Libraries (“UK Libraries”) and the College of Law (“UK Law”), **The Heyburn Initiative enables the continuation of these legal conversations important to our nation.**

- 1 Ongoing Conferences and Speakers** - Judicial, Congressional, Executive branch leaders and scholars
- 2 Create history of Kentuckians in the Third Branch** - Preserve the history of Kentucky’s contributions to the Federal Judiciary and make this available to the public
  - **Archives** of the professional files of Federal Judges, Supreme Court Justices, and others who contribute to the Federal Judiciary, including draft opinions, memoranda, correspondence, research files, and notes
  - **Oral histories** – first-person accounts that contextualize judges, judicial nominees, significant decisions, administration of the Federal Judiciary, and the Third Branch’s relationships to the Executive and Legislative branches of government
- 3 Student awards** for achievement in the study of the Federal Judiciary and Public Service
- 4 Inspire** students, participants, judges and citizens through small group interactions



# THE PILLARS OF THE HEYBURN INITIATIVE

- 1**  
**Ongoing Conferences & Speakers**

**Interested organizations, such as the Administrative Office of the Courts and the Federal Judicial Center, will participate in programs and conferences to enable public study of and for the Federal Judiciary.**

**Prepare, Promote and Bring Ongoing Programming/Conferencing for Federal Judges and Justices**

  - Interaction of UK College of Law students with these leaders
  - Selected oral histories by program leaders
  - All speaker events accessible to the public

**Assist in Obtaining High Profile Speakers**

  - Sitting or retired Third Branch, Executive, Senate or Legal Scholars

**Chief Justice John Roberts** – keynote speaker for Inaugural Event, Jan. 31- Feb.1, 2017  
**Associate Justice Neil Gorsuch** – Sept.21-22. 2017
- 2**  
**Archives & Oral Histories**

**Archives of Judges’ original and digitized papers plus oral history interviews**

  - Available to the public at no cost with original documents preserved and accessible at Special Collections
  - Initial funding will complete 30-50 oral histories and digitize Judge Heyburn’s documents as well as those of at least 10 other District, Circuit and Supreme Court Judges/Justices, Senate , Executive or Scholars
  - Proceeds from endowment will enable archiving 5-10 additional Judges’ files and 10-20 additional oral histories per year
- 3**  
**Student Awards**

**Ongoing awards and recognition for law students who achieve academic excellence, advance the study of the Federal Judiciary, or engage in Public Service.**

  - Excess funds annually return to student awards, scholarships or recognition
- 4**  
**Inspire**

**Small group interactions, speaker selections and topics, are designed to inspire excellence in**

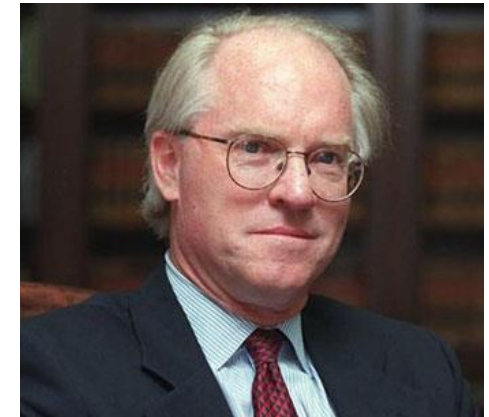
  - Participating Federal Judges, Justices, scholars and members of the three branches of US Government
  - Kentucky youth, law students, and citizens who may look at the materials and say ”One day this could be me”



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## JUDGE JOHN G. HEYBURN II

- Appointed to United States District Court in 1992 by President George H.W. Bush at the recommendation of Senator Mitch McConnell
- Chief Judge of the Western District of Kentucky from 2001 to 2008
- Appointed by Chief Justice Rehnquist to Budget Committee of the Judicial Conference of the United States in 1994 and to Chair of the Committee from 1997-2004.
- Appointed Chair of the Judicial Panel on Multidistrict Litigation by Chief Justice Roberts in 2007



### **Judge Heyburn's Legacy**

Judge Heyburn presided over 7,645 cases in his 23 years on the bench including some of the most controversial that faced the courts: recognition of same sex marriages, restrictions on access to abortion, racial desegregation of our schools, and the scope of First Amendment's guarantees. His opinions were known for his indefatigable sense of fairness, respect for litigants, and commitment to clear, logical, and thoughtful rulings. For example, in holding that Kentucky had intentionally discriminated against same-sex couples he took the unusual step of addressing those with deeply held religious beliefs who might have difficulty with his opinion while yet firmly explaining no tradition or firmly held belief can be the rationale to deny equal protection to another. Many credited his opinion for returning dignity to Americans who had felt marginalized by their country without demonizing those with strongly held religious beliefs. The Supreme Court heard oral arguments on his case (consolidated with three others) the day before his death and upheld his opinion in the summer of 2015.



# THE HEYBURN INITIATIVE PARTNERS AND ROLES



PRESIDENT OF UK  
UK COLLEGE OF LAW  
SPECIAL COLLECTIONS

## **Shared Planning, Selection and Hosting of Ongoing Programs/Conferences/Speakers; Creation of Judicial Archives and Oral Histories**

- Create judicial archives of Kentuckians in the Third Branch
- Locate/create links to those lost or located elsewhere
- Create audio visual histories to contextualize archives and study the relationship of the three branches of our government
- Address details of leadership, roles and responsibilities in the Federal Judiciary



BOARD OF ADVISORS

## **Vision, Development, Direction of Programming, Speakers, Archiving and Oral Histories**

- Direction of ongoing funding
- Protection and implementation of shared vision of The Heyburn Initiative goals
- Planned growth and expansion of The Heyburn Initiative
- Shared student recognition, awards and possible future scholarships
- Shared planning and selection of ongoing annual programs/conferences/speakers



COMMUNITY FOUNDATION  
OF LOUISVILLE

## **Management of Operational and Endowment Funds**

- Ongoing gifting to UK for The Heyburn Initiative programs in perpetuity at direction of Board of Advisors
- Protects donors' gifts, vision and integrity of The Heyburn Initiative in perpetuity