Collection Summary
Title: Irving R. Kaufman Papers
Span Dates: 1934-1992
Bulk Dates: (bulk 1949-1992)
ID No.: MSS81576
Extent: 43,000 items ; 144 containers plus 3 oversize ; 58.7 linear feet
Language: Collection material in English
Location: Manuscript Division, Library of Congress, Washington, D.C.
Summary: 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.
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Copyright in the unpublished writings of Irving R. Kaufman in these papers and in other collections in the custody of the Library of Congress is reserved.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

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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</thead>
<tbody>
<tr>
<td>1910, June 24</td>
<td>Born, New York, N.Y.</td>
</tr>
<tr>
<td>1931</td>
<td>LL.B., Fordham University, New York, N.Y.</td>
</tr>
<tr>
<td>1932</td>
<td>Admitted to New York Bar</td>
</tr>
<tr>
<td>1932-1935</td>
<td>Private practice, New York, N.Y.</td>
</tr>
<tr>
<td>1935-1939</td>
<td>Special assistant to United States attorney, Southern District of New York</td>
</tr>
<tr>
<td>1936</td>
<td>Married Helen Ruth Rosenberg</td>
</tr>
<tr>
<td>1939-1940</td>
<td>Assistant United States attorney, Southern District of New York</td>
</tr>
<tr>
<td>1947-1948</td>
<td>Special assistant to United States attorney general in charge of lobbying investigation</td>
</tr>
<tr>
<td>1949-1961</td>
<td>Judge, United States District Court, Southern District of New York</td>
</tr>
<tr>
<td>1961-1987</td>
<td>Judge, United States Court of Appeals, Second Circuit</td>
</tr>
<tr>
<td>1973-1980</td>
<td>Chief judge, United States Court of Appeals, Second Circuit</td>
</tr>
<tr>
<td>1987-1992</td>
<td>Senior judge, United States Court of Appeals, Second Circuit</td>
</tr>
<tr>
<td>1987</td>
<td>Awarded Presidential Medal of Freedom</td>
</tr>
<tr>
<td>1992, Feb. 1</td>
<td>Died, New York, N.Y.</td>
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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, docket, 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
- Speeches and Writings, 1945-1991
- Formerly Restricted, 1976-1978
- Scrapbooks (Oversize), 1951-1970
**Description of Series**

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<td>BOX 1-24</td>
<td><strong>Court Papers, 1949-1963</strong></td>
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<td>Case files, appeals, opinions, and sentences.</td>
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<td>Arranged chronologically by type of material.</td>
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<tr>
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<td>Correspondence, notebooks from meetings and conferences, a compilation of speeches and</td>
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<td>essays used as a reference file, and miscellaneous material.</td>
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<td>BOX 30-34</td>
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<tr>
<td></td>
<td>Affirmances, case files, dockets, and opinions.</td>
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<td>Correspondence, conference material, notebooks, reports, news clippings, photographs, and</td>
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<td>Arranged alphabetically by name of correspondent, organization, or subject.</td>
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<tr>
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<td>Articles, book reviews, letters to the editor, research material, and speeches.</td>
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<td></td>
<td>Case files of Buckley v. Littell and Turpin v. Mailet.</td>
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<td>Arranged and described according to the series and container from which they were removed.</td>
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<td>News clippings.</td>
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1955
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Fall, "John Marshall: A Dedication"
1956
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Apr., "Sentencing and Correctional Treatment under the Law Institute's Model Penal Code"
May, "Suggestions for Judges in the Calendar Part"
Oct.-Dec., "Calendar Decongestion in the Southern District of New York"

1957
Feb., "The Former Government Attorney and the Canons of Professional Ethics"
Nov., "Report on Study of the Protracted Case"

1958
Apr., "Masters in the Federal Courts: Rule 53"
June, "The Defense of Unpopular Defendants"

1959
Jan., "Use of Masters to Preside at the Taking of Depositions"
Feb., "Pre-Trial in Criminal Cases,” 1958-1959

1959-1960
Winter, "Have Administrative Agencies Kept Pace with Modern Court-Developed Techniques against Delay?"

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Sept., "The Criminal Justice Act and the Indigent Defendant: A Milestone on the Path to Even-handed Justice"

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Nov., "Dilemma in Crime Reporting"

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Sept., "Judge's Talents Must Never Be for Sale"

1970
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Mar., "Order in the Courts: Two Views"
Apr., "Judicial Review of Agency Action: A Judge's Unburdening"
Sept., "The Obstreperous Defendant and the Rule of Law"
Oct., "The Medium, the Message and the First Amendment"
Nov.
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"Free Press-Free Trial Issue"

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July, "Harbingers of Jury Reform"
Aug.-Sept., "Court Delay and the Wasted Jury"
Dec., "Prison Reform: The Dilemma of Our Judges"

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July, "Advocacy as Craft: Law School Is More Than a 'Paper Chase"
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"Second Circuit Note, 1973 Term, Forward: The Sentencing Process and Judicial Inscrutability"

Jan. "Musings about the Present Role of Judges"
Mar.
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"Making Punishment Fit Crime"
May, "Does the Judge Have a Right to Qualified Counsel?"
June, "A Free Speech for the Class of '75"
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"The Lawyer's Ethical Dilemma," 1975-1976
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June, "Of Juvenile Justice and Injustice"
July, "Press, Courts: No Need to Fight `Like Tigers''

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May, "Justice Requires Faith in Individuals"
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"Helping the Public Understand and Accept Judicial Decisions"
"Protecting the Rights of Minors: On Juvenile Autonomy and the Limits of Law,"
1977-1978

1978
Jan., "Litigants in Search of Able Advocacy"
May, "Let's Not Forget the Good Things Amid Fashionable Attacks on the Bar"
June, "Some Hard Questions for Law Graduates"
Aug., "After One Century in the Vanguard, the Bar Cannot Rest on Its Laurels"

1979
Jan., "Keeping the Press, and the Judiciary, Independent"
Mar., "Chilling Judicial Independence"
Oct,
"Juvenile Justice: A Plea for Reform"
"Prisons: A Public Responsibility"

1980
Mar., "Psst! Locker-room Gossip Now Sits on the Bench"
Apr., "Maintaining Judicial Independence: A Mandate to Judges"
May, "The Essence of Judicial Independence"
Prosecutions"
Nov., "A Legal Remedy for International Torture"

1981
Jan., "Charting a Judicial Pedigree"
Mar., "See the Founding Fathers Stir"
Apr., "Assaults on Courts Endanger Union"
Apr., "An Open Letter to President Reagan on Judge Picking"
Aug., "Challenge to the Courts: The Coming Constitutional Crisis"
Sept., "Congress v. The Court"
Nov.
"Prison Reform: A View from the Bench"
"Looking Back Over Thirty-Two Years: Some Thoughts"

1982
Jan.
"Judges Must Speak Out"
"When a Judge's Silence Is Not Golden"
June, "The Cost of Justice"
Nov., "The Media and the Juries"
Undated, "The Child in Trouble: The Long and Difficult Road to Reforming the Crazy-quilt Juvenile Justice System"

1983
Feb., "Public Is Legally Ignorant, Needs Some Education"
Mar., "Attorney Incompetence: A Plea for Reform"
June, "Reassessing the Fairness Doctrine"
Aug., "Utopia without Lawyers"
Dec., Church, State Tangles"

1984
Apr., "The Verdict on Juries"
June, "The Judicial System, Ailing, Needs Help"
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

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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"

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"

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?"
"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
(3 folders)

BOX 137
Undated
Speeches
Nov. 1947-Nov. 1961
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