

AMERICAN SOCIETY FOR LEGAL HISTORY

Meeting of the Board of Directors

Thursday, October 25, 2007

6:00pm

AGENDA

1. Welcome and introductions
2. Approval of prior minutes
3. Regular business: committee and publication reports
 - a. Annual Meeting, Committee on the
 - b. Cromwell Prizes, Advisory Committee on the
 - c. Documentary Preservation, Committee on
 - d. Finance Committee
 - e. Future of the Society, Committee on the
 - f. H-Law
 - g. Honors, Committee on
 - h. Hurst Memorial Fund, Committee on the
 - i. Law and History Review
 - i. Report from the editor
 - ii. Report from the press
 - j. Membership Committee
 - k. Nominating Committee
 - l. Preyer Memorial Committee
 - m. Program Committee
 - n. Publications Committee
 - o. Reid Book Award, Committee on the
 - p. Research Fellowships and Awards, Committee on
 - q. Studies in Legal History
 - r. Surrency Prize Committee
 - s. Sutherland Prize Committee
4. New business
 - a. Report of the Ad Hoc Committee on the ASLH Motto
 - b. Other new business

MINUTES OF THE 2006 ANNUAL MEETING OF THE BOARD OF DIRECTORS
OF THE AMERICAN SOCIETY FOR LEGAL HISTORY

Board meeting 16 November 2006 Baltimore, Maryland

Present: R.B. Bernstein, Lyndsay Campbell, Thomas P. Gallanis, Michel Grossberg, Victoria D. List, James Oldham, Kenneth F. Ledford, Linda Przybyszewski, Reva Siegel, Emily Zack Tabuteau, James Q. Whitman
Also present: Michael Churgin, Dan Ernst, Sally Gordon, Tom Green, Dirk Hartog, W.P. LaPiana, Maeva Marcus, Katy O'Brien, David Tanenhaus,

President Charles Donahue, Jr. was prevented from attending the meeting by travel delays. In his absence, the Board agreed that former President Tom Green would preside.

The minutes of the 2005 meeting in Cincinnati were approved without objection.

Prof. Green welcomed Katy O'Brien representing the University of North Carolina Press and thanked her for the Press's contribution to the success of *Studies in Legal History*.

Report of the Cromwell Fellowships Advisory Committee:

Dirk Hartog presented the report of the committee together with Sally Gordon who is a director of the Cromwell Foundation. Prof. Hartog first described the role of the committee which is, as its name indicates, to make recommendations for awards to the foundation. Prof. Hartog remarked on the extraordinary group of applicants for the 2006 fellowship awards and the increase in the number of applicants over the previous year.

Prof Gordon reported that the Foundations' board met on November 7 and agreed to fund five fellows. The Foundation board also discussed the relationship between the fellowships and the book prize and also indicated that its readiness to fund a legal history dissertation prize of \$2500.

Prof. Hartog called attention to two issues mentioned in his letter to the Foundation: would the Foundation consider expanding the scope of the fellowship awards beyond Anglo American legal history and the need to refine the meaning of preference for fellowship applicants "in the early stages of their careers." There was discussion of whether it was ever appropriate to give a fellowship to a tenured faculty member. It was observed that a broad definition of "early phases" to include working on a first book would allow the foundation to provide support at a critical time in a scholar's career, would preserve flexibility and would also help assure a strong pool of applicants. While there was no conclusion reached, there was consensus on the need to continue to think about criteria for the fellowship award while preserving flexibility.

Prof. Green thanked the committee for its worked and noted that discussion of criteria is important and will continue.

Finance and Future of the Society Committees

Sally Gordon presented the reports of both committees and the three resolutions contained therein:

1. The Society's funds will be allocated as follows:

- a. \$60,000 to an operating account
- b. \$100,000 to a Board directed fund
- c. All remaining funds (currently \$400,000) to an investment account as permanent endowment

Funds a and b will be swept twice annually, with amounts in excess of \$60,000 in the operating account going first into the board-directed fund, and amounts in excess of \$100,000 in the Board-directed fund going into the permanent endowment.

2. The permanent endowment will be spent at an annual rate of 4% of principal; growth in excess of that amount will be added to principal. Any spending in excess of the 4% limit requires a two-thirds vote of the Board of Directors.

3. The Chair of the Finance Committee will write to Roger Keith on behalf of the Society, thanking him for his generosity and stewardship of the Society's permanent endowment.

At the conclusion of the meeting the resolutions **passed unanimously**.

H-Law

R. B. Bernstein presented the report of the H-Law moderators for the absent Christopher Waldrep and noted that the list has been one and two thousand subscribers and the moderators hope for continued growth.

Honors Committee

The Committee's motions to approve the nomination of Professor Anne Lefebvre-Teillard as corresponding fellow and Professor Morton J. Horwitz as honorary fellow **passed unanimously**.

Editors of the *Law and History Review*

David Tanenhaus, editor, reported on the past year and current condition of the Society's journal.

Prof. Tanenhaus expressed his thanks to the Deans of the Law School and the College of Liberal Arts and the Chair of the History Department at the University of Nevada, Las Vegas for their support and moved that the President of the Society write to thank these individuals on the Society's behalf. **Passed unanimously**.

Prof. Tanenhaus then presented the second motion contained in his report to the Board, authorizing the expansion of the journal by 16 pages per issue. After discussion the question was called and the resolution **passed unanimously**.

After discussion, it was decided that the editorial board would discuss the appointment of an additional book review editor before bringing the matter to the Board.

Prof. Tanenhaus received a round of applause at the end of his presentation.

The reports of the Local Arrangements and Membership Committees were received by the Board.

Paul L. Murphy Grant Committee

After discussion the Committee's resolution to redefine the scope of the award was **tabled**.

Nominating Committee

The nominating committee presented the slate it had submitted to the membership and Prof. LaPiana reported the results of the election:

For the Board of Directors:

Lauren Benton, Christine Desan, William Forbath, Sally Hadden, and Robin Chapin **stand elected**

For the Nominating Committee:

Christopher Capozzola and David Tanenhaus **stand elected**.

Publications Committee

The Board received the report of the committee, noting the grant of a subvention to aid publication of a work in *Studies in Legal History*.

John Phillip Reid Prize Committee

The Board received the report of the committee awarding the first Reid Prize to Daniel J. Hulsebosch, *Constituting Empire: New York and the Transformation of Constitutionalism in the Atlantic World, 1664-1830*.

Studies in Legal History

Dan Ernst presented the report of the editors and suggested that the entire list be posted on H-Law in order to better advertise the discount available to members of the Society.

Surrency Prize Committee

The Board received the report of the committee awarding the prize to Andrea McKenzie for "'This Death Some Strong and Stout Hearted Men Doth Choose': The Practice of Peine Forte et Dure in Seventeenth- and Eighteenth Century England: published in *Law and History Review* volume 23 number 2. Honorable mention was awarded to Sally H. Clarke for "Unmanageable Risks: MacPherson v. Buick and the Emergence of a Mass Consumer Market" published in *Law and History Review* volume 23 number 1. The Board expressed its thanks to the committee.

Sutherland Prize Committee:

The Board received the report of the committee awarding the prize to Andrea McKenzie for "'This Death Some Strong and Stout Hearted Men Doth Choose': The Practice of Peine Forte et Dure in Seventeenth- and Eighteenth Century England" published in *Law and History Review* volume 23 number 2.

Committee on Documentary Preservation

Michael Churgin presented the committee's report and made special note of the continued congressional funding for the National Historical Publications and Records Commission.

Hurst Memorial Committee

The Board took note of the end of current funding with next biennial institute and the task of seeking new funding would be faced.

Annual Meetings Committee

Craig Joyce presented the committee's report. There was inconclusive discussion of venues for 2009 and 2010.

KathrynT. Preyer Memorial Committee

After discussion of the format for the presentation of the winning papers there was general agreement that there should be a separate Preyer Prize panel in order to call attention to the winners and their work and to attract truly distinguished commentators.

New business

Prof. LaPiana presented the increased dues structure for membership in the American Council of Learned Societies. After discussion the sense of the meeting was the Society should continue its membership in the ACLS with the final decision to be made by the Executive Committee.

The meeting adjourned at 9:00pm

October 9, 2007

To: Thomas P. Gallanis, Secretary, ASLH

From: Clydette Wantland, Journals Manager, UIP

Subject: Annual Report on *Law and History Review* and ASLH Dues Collection

Income. For the period July 1, 2006 to June 30, 2007 (FY07), income collected was **\$114,022.84**. Total income collected is up **29%** over FY06! The total includes receipts from membership dues, permission fees, royalties, mailing list rentals, and advertising income.

Membership / Subscription Numbers. The increase in income (stated above) is partially attributed to members accurately reporting their annual income within the dues structure and paying accordingly. The member/subscriber numbers declined slightly by 5% (70) (see attached Membership Numbers for details).

Expenses. The profit/loss line currently shows a healthy profit for ASLH of **\$65,159.82**. This is a **74%** increase over FY06! As mentioned above, this is partially attributed to members paying according to the dues structure. It should be noted that UIP has held the line on expenses and therefore has not had to institute a fee increase for the past three years.

Journal Production. Everything is running very smoothly with the Journal. The addition of the new book review editor will add another set of proofs for each issue but this is easily accomplished. In July, UIP did an extensive analysis of the cost of printing and mailing author offprints. The cost of producing offprints has increased dramatically over the past few years and we discovered that ASLH was significantly subsidizing the costs even when authors elected to buy additional copies. Therefore, new offprint rates were instituted and will save ASLH money.

IT Enhancements. A PDF option was added to the online journal archive on the History Cooperative site. This allows users to download PDFs of *LHR* articles instead of live text. There was no cost to the Society for this feature.

Additional comments. Thank you for allowing the University of Illinois Press to submit our annual report to the Board. We truly value our relationship with ASLH and look forward to many more years serving the Society. Please feel free to contact me if there are any concerns or additional questions.

ASLH / LHR Membership Numbers

	2007	2006	Difference
Emeritus	58	61	-3
Honorary	9	9	0
Institution	362	367	-5
Life Members	74	69	5
Sponsor	12	18	-6
Student	113	122	-9
Individual (\$150,000 and above)	86	54	32
Individual (\$125,000 - \$149,999)	60	43	17
Individual (\$100,000 - \$124,999)	79	39	40
Individual (\$75,000 - \$99,999)	78	40	38
Individual (\$50,000 - \$74,999)	124	62	62
Individual (Below \$50,000)	149	390	-241
Total	1204	1274	-70
Individuals	842	907	-65
Institutions	362	367	-5
Total	1204	1274	-70

INCOME

Dues received by UIP and transferred to ASLH 7/06-6/07
TOTAL DUES RECEIVED FY07

\$ 92,451.60

Receipts for advertising (25/75 split)

Portion transmitted to ASLH

\$ 1,211.62

Portion retained by UIP

\$ 3,634.88

TOTAL INCOME ADVERTISING

\$ 4,846.50

Receipts for permission fees (50/50 split)

Portion remitted to ASLH

\$ 4,845.90

Portion retained by UIP

\$ 4,847.62

TOTAL PERMISSION FEES

\$ 9,693.52

Receipts for royalties (50/50 split)

Portion remitted to ASLH

\$ 3,290.59

Portion retained by UIP

\$ 3,290.63

TOTAL ROYALTIES

\$ 6,581.22

Receipts from mailing list rental (\$75 per rental to UIP)

Portion transmitted to ASLH

\$ 300.00

Portion retained by UIP

\$ 150.00

TOTAL INCOME FROM MAILING LIST RENTAL

\$ 450.00

NET INCOME (+29% over FY06)

\$ 114,022.84

EXPENSES

Fees Paid to UIP for Services

Copyediting and proofreading

Issue design, production scheduling, transmittal to typesetter and printer	
Typesetting	
Promotion and advertising in print media	
Display at scholarly/professional exhibits	
Registration of copyright; administration of rights and permissions	
IT Services	
Online member directory	
Auto notification system	
Online portal into ASLH records	
Recordkeeping and reporting for dues and subscription payments	
Offprints	
Renewal notices; preparation, printing, mailing	
Catch-up Issues: Mailing labor and postage	
Warehousing: replacement of unreceived/lost/damaged issues, shipment of sample copies	
Telephone, office supplies, equipment, staff	
TOTAL SERVICE FEES	\$ 44,200.00
Fees Paid for Page Overages	\$ 1,500.00
Mass Mailing Postage Reimbursement	\$ 3,163.02
TOTAL EXPENSES	\$ 48,863.02
PROFIT/LOSS TO ASLH	\$ 65,159.82