



ORAL HISTORY PROJECT
Handbook for Interviewers and Transcriptionists
2007

The Oral History Committee 2007-2008

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2007

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ORAL HISTORY PROJECT

Handbook for Interviewers and Transcriptionists

Introduction

"Oral history is a history built around people. It thrusts life into history itself and widens its scope. It allows heroes not just from the leaders, but from the unknown majority of the people. It brings history into, and out of, the community. It helps the less privileged, and especially the old, towards dignity and self-confidence. It makes for contact—and thence understanding—between social classes and between generations... oral history offers a challenge to the accepted myths of history, to the authoritarian judgment inherent in its tradition. It provides a means of a radical transformation of the social meaning of history."

— Thompson, Paul: *The Voice of the Past*, Oxford U. Press, 3d Ed. 2000.

One of the important components of the Idaho Legal History Society (ILHS or the Society) is the Oral History Project. From territorial days until current times, Idaho's justice system has been peopled with extraordinary and colorful figures who exhibit great talents, high intellect, and legendary exploits. Their stories need to be gathered and saved for the future.

Those most qualified to interview and record the stories are fellow lawyers, judges, and associated professional and amateur historians who are interested in hearing good stories and in learning more about the legal history of Idaho through the voices of its participants. The process of taking an oral history is both interesting and educational. It offers an opportunity for lawyers to learn from other lawyers and judges who have made a career and a life in the law.

The Society's oral history committee has established and organized a "seamless" process for volunteer interviewers who need advice and support as they design, conduct, and record their interviews. This group has set up all the necessary forms establishing ownership of the interviews and allowing for their preservation and specific use by students and others through the Society and the Idaho State Historical Society's oral history program. The committee has also identified over 60 Idaho lawyers and judges--those "narrators" whose stories need to be captured for the education and enjoyment of future generations.

With the support of their national organization, the Idaho court reporters throughout the state have graciously agreed to record and transcribe oral history interviews to add to their knowledge. The court reporters have a coordinator for each judicial district in the state, and these persons' names and access information are readily available on the Society website.

With the framework now in place for a successful program, the Society's oral history committee is seeking additional interviewers from the legal community to participate. This booklet and contact with an oral history committee member can help you on your way.

Before the Interview:

1. Determine the person you wish to interview (called the "narrator") by reviewing the "top 60" list also posted on this website.
(*See:* www.id.uscourts.gov/ilhs/oralhistory/top60.htm)
2. Confirm the narrator you plan to interview with the oral history committee chair or committee member.
3. Write introductory letter to narrator. (*See:* p. 9 for example)
4. Do your homework: find out highlights of the narrator's career. Your research prior to the interview allows you to be familiar with the background of the person you are interviewing. Equally important, it gives you knowledge of the time period or subject so that you will be able to ask intelligent questions and understand detailed explanations, and helps the narrator to dig deeper into his/her memory to elicit elusive details.
5. Set up a pre-interview discussion with the narrator you have chosen.
6. In the pre-interview discussion:
 - a. Fill out personal data sheet with the narrator (*See:* pp. 10-11)
 - b. Review any historical material the narrator has available.
 - c. Ask which historical material can be included in the file with the oral history interview transcript, including a photograph.
 - d. Resolve any concerns the narrator may have regarding ownership of the interview and where the material will be housed. (Agreement and exceptions; *see:* pp. 12-14)
 - e. Review specific areas of the narrator's history he/she would like to cover in the interview.
 - f. Advise the narrator that he/she may review the interview transcript for any errors, **for 30 days** after it is transcribed and will receive a finalized copy of both the cd/dvd and transcript.
7. Enlist a local court reporter to attend the interview and tape it, determine what equipment can be used, and estimate when a typed transcript may be available. (Contact oral history committee member Dianne Cromwell: dcromwell@cableone.net)

8. Draft at least 10 questions that can be used during the interview and share them with the narrator.
9. Review the 9th Circuit Oral History Guide *Saving Yesterday Today for Tomorrow: A Guide to Oral History for the Bench And Bar* by Carol Hicke.
(Free download from: <http://www.njchs.org/GOH.pdf>)
10. Published biographies of some narrators may exist, which you will want to read. In general, research before the interview will be helpful to find both biographical and contextual information. One good place to do that kind of work is the Public Archives and Research Library of the Idaho State Historical Society, 2205 Old Penitentiary Road, Boise, Idaho. The library is open 9 a.m. to 5 p.m., Wednesday-Saturday.

The Interview

Remember that the interview is likely an important event to your subject. Set up a special time and date so that both of you can prepare for the meeting and so that you will have time to review your final product. Set it up for 1-2 hours. Usually 1½ hours is a good effort. You may want to send your narrator a list of possible interview questions before you meet with him or her if you have not had a pre-interview discussion. This will help spark the narrator's memory about the names of people and places that he or she may not recall easily. Make sure your equipment is in working order. (See: p. 15 for the Society equipment availability and how to use)

Tips for Interviewers

1. Conduct the interview with only one narrator.
2. Ask questions that require more than a "yes" or "no" answer.
3. Ask one question at a time in a general chronological order.
4. Ask brief, simply structured questions. Compound questions, multiple re-phrasings, and false starts are harder to answer and harder to transcribe.
5. Start with non-controversial questions; save any delicate ones for later in the interview.
6. Do not let brief periods of silence fluster you. The narrator may need time to think about people and events that may not have occurred to him or her in a long time.
7. Do not worry if your questions are not beautifully phrased.

8. Do not interrupt a good story because you have thought of a question or because your narrator is straying from your planned outline.
9. At important points in the interview, try to establish where the narrator was or what his or her role was in an event. This helps to determine how much is eyewitness information and how much is based on reports of others.

Basic Questions You Can/Should Ask

(See: 9th Circuit Guide entitled: *Saving Yesterday Today for Tomorrow: A Guide to Oral History for the Bench and Bar*, pp. 21-26; free download from: <http://www.njchs.org/GOH.pdf>)

The following simple examples of questions can help you get started:

- What were you like as a child?
- What are the major influences in your life?
- Who in your childhood memory did you look up to?
- Were you a good student?
- Which teachers or professors affected you most?
- Were there any particular points or observations made by a professor, mentor, or more senior lawyer that profoundly influenced your practice of law? (For a judge—Is there anything in your background that specifically prepared you for your professional life as a judge?)
- What factors affected your decision to become a lawyer?
- What were you like in (name a specific year or years)?
- What relevant historical activities were taking place at that time?
- Do you recall your law school friends? Early career friends? Where are they now? Do you keep in touch?
- Tell me about your early experiences as a lawyer (or judge). How was it starting out?
- Is there a passion that drives you?
- What advice would you give new lawyers? New judges?
- What are the qualities of outstanding lawyers?
- Do you want to name some outstanding lawyers in this state?
- What are your community involvement activities?
- What are your leisure time activities?

For judges specifically:

- Your approach to trying cases, making decisions
- Characteristics of a “good trial.” Can you offer some examples?
- Which of your cases stand out as meaningful in any way? Explain.
- Can you recall any decisions you have handed down that have influenced public policy? In what way?

- What makes you “crazy” (unhappy, impatient, cross) in your courtroom?
- Leadership qualities of judges
- Decisions by judges and decisions by juries – which works better in your view?
- How would the general public view you as a judge?
- What do lawyers think about you?
- What are the hardships, pitfalls, or setbacks you have encountered in your judicial career? Rewards?

The Second Stage of Questions

In order to capture as much as possible from the interview experience, be alert for cues from the narrator to expand on a topic you bring up. You should also have several questions that encourage him or her to expand and explain feelings and ideas. The second stage of questions should encourage your subject to dig deeper into the stories to explain why things happened and how they relate to other events.

A. Explanation Questions

- What caused this event...?
- Why did this happen...?
- What happened next...?
- Can you describe the scene in one word...?
- Can you compare two events...?
- Explain the reason for...?
- What conclusion can you draw...?
- What is your point of view about...?
- Can you describe the scene...?
- Can you explain a photograph...?

B. Judgment Questions

The last group of questions should offer your narrator a chance to talk about the “big picture” by telling about what was good or bad, important or less important. These questions should be asked last because they allow the narrator a chance to sum up and make conclusions. Some examples:

- What was the happiest (funniest or saddest) memory?
- What was your biggest accomplishment?
- What actions would you change if you had a chance to re-live those years again?
- What mistakes did people make during this period or event in history?
- What should people today remember about this time/event?

C. Back-up Questions

Even with your best efforts some people may need some extra questions to encourage them to tell the full story. Don't be afraid to ask for details or explanations. Some examples:

- Why was this important?
- How did the story begin or end?
- What else do you want to tell me about this?
- What important question did I forget to ask you?

A good listener helps make a quality interview. If, when you leave the interview, you feel a warm atmosphere, you are treated like an old friend, and you experience a mental fatigue from listening so hard, then you have been a good listener.

After the Interview:

1. Make sure you have all the necessary forms in your possession: personal data file, agreement, and any exceptions.
2. Agree on dates for typed transcript, for review of the transcript by the interviewer (you) and by the narrator. Narrator should agree to return the transcript within 30 days.
3. Ask the transcriptionist to make the necessary changes on the transcript and delete areas of the cd/dvd as indicated.
4. Set up a follow-up interview if needed with the narrator and the transcriptionist.

FOR COURT REPORTER/TRANSCRIPTIONISTS

1. The volunteer court reporter coordinator from the narrator's judicial district:

Sandy Beebe, sbeebe@cableone.net, Blackfoot, Sixth and Seventh Judicial Districts
Coordinator

Candace Childers, cchilders@co.jerome.id.us, Jerome, Fifth Judicial District
Coordinator

Byrl R. Cinnamon, idbyrlc@adelphia.net, Coeur d'Alene, First and Second Judicial
Districts Coordinator

Dianne Cromwell, dcromwell@cableone.net, Third and Fourth Judicial Districts
Coordinator

or the named interviewer will contact a court reporter to schedule possible dates and times for an oral history interview. Interview will take approximately two hours.

2. The court reporter willing to participate in a specific interview process will discuss with the interviewer the equipment to be used. While it is preferable for the court reporter to use his or her own equipment, other recording equipment is available through the ILHS. (*See*: p. 15)
3. The court reporter and interviewer will reach an agreement on the date the transcript draft will be sent to the interviewer. At that date, send a copy of the draft transcript to the interviewer and to the narrator. These can be pdf files sent by e-mail.
4. The narrator will have 30-days to review the transcript. **THE EXPECTATION IS THAT THE NARRATOR WILL SELDOM HAVE CORRECTIONS OR CHANGES AND ANY CHANGES SHOULD BE MINOR.** The narrator will discuss changes with the interviewer only.
5. The interviewer will then contact the court reporter/transcriptionist, discuss any possible revisions for the court reporter to make, and determine a date for the material to be finalized.
6. After all changes/revisions have been made to the transcript and cds/dvds, the court reporter/transcriptionist will make three copies of each (three cds or dvds and three written transcripts): one each for the narrator, one for the ILHS file, and one for the Idaho State Historical Society archives, unless there are any exceptions that have been requested by the narrator. . A flat fee of \$15 per interview for your out-of-pocket costs will be reimbursed by the ILHS. Send invoice by mail to Idaho Legal History Society Oral History Committee, c/o Cameron Burke, Clerk of the Federal Court, U.S. Courts, 500 West Fort Street, Box 039, Boise, Idaho 83724, or by email to Cameron Burke at Cam_Burke@id.uscourts.gov.

AT THE OUTSET, IT IS THE RESPONSIBILITY OF THE INTERVIEWER TO ENSURE THAT THE NARRATOR'S WISHES ARE HONORED REGARDING REVISIONS, TIMETABLES, AND RESTRICTIONS TO USE THE INTERVIEW MATERIAL.

The interviewer will send or deliver the original copy of the transcript, cd/dvd, personal data file, and all signed agreements, including exceptions, to the Idaho Legal History Society Oral History Committee, c/o Cameron Burke, Clerk of the Federal Court, U.S. Courts, 500 West Fort Street, Box 039, Boise, Idaho 83724

and

one copy of the transcript, cd/dvd, personal data file, and all signed agreements, including exceptions, to the Idaho State Historical Society, c/o Kathy Hodges, Oral Historian, Idaho State Historical Society, Public Archives and Research Library, 2205 Old Penitentiary Road, Boise, Idaho 83712-8250. (*See*: Policy and Procedure pp. 16-17)

7. The Oral History Committee of the Idaho Legal History Society will follow up with the Idaho State Historical Society to ensure that the wishes of the narrator are noted and become part of the permanent oral history archive.

The collaborative work of the narrator, interviewer, and transcriptionist over a short period of time will ensure a fine oral history for the use of historians and the public into the future.

For forms and further information, consult the following pages:

Introductory letter: p. 9

Personal data sheet: pp. 10-11

Oral History Agreement, rationale and exceptions, pp. 12-14

Digital equipment instructions, p. 15

Policy and Procedure (Idaho Legal History Society-Idaho State Historical Society)
pp. 16-17

Deed of Gift, pp. 18-19

Mr. or Ms.
Address

Dear :

Members of the recently established Idaho Legal History Society are currently working on an oral history project which will capture and record in narration form the important chronicles and stories of prominent lawyers and judges in Idaho. It is our hope to record and preserve these stories for future generations to foster awareness and enhance understanding of the historical role and long-term significance of Idaho courts, lawyers, judges, and the legal system.

As one of the trained interviewers for this project, I would like to interview and record your history, including specific details and anecdotes from your life, important cases you have been involved in, and your special insights on the law and the legal system in Idaho.

I am hoping that you will be willing to spend some time with me to share your stories regarding your legal career. Accordingly, I would like to visit with you for about an hour regarding the types of questions I will ask for this oral history. At the same time, I would like to collect copies of any material that you think important to keep in your historical file at the federal court in Idaho. These may include copies of your updated curriculum vitae, documents regarding significant cases you have tried, legislation that you have sponsored or written, family memoirs, and similar material.

At the time of this first discussion, we can cover any questions you have about the process and goals of the oral history project, the steps for completing an oral history file, concerns about ownership, editing, and/or exceptions for use to the final archive on file. We can also schedule our 1½ to 2 hour interview, which will possibly be attended by a court reporter who will act as recorder and transcriptionist.

In about a week, I will call you to determine a time that is most convenient for our visit. This is an exciting endeavor for the Idaho Legal History Society, and I look forward to our visit. Thank you for your interest in participating in this project.

Sincerely,

**Idaho Legal History Society (ILHS)
Oral History Project
Personal Data Record**

NARRATOR'S NAME _____

Address _____ **Telephone** _____

E-Mail _____

Date of Birth _____ **Place of Birth** _____

Year Came to Idaho _____ **Year Came To Area Now Lived In** _____

Education _____

Military Service (branch, rank, dates, DD2-12) _____

Occupation(s) (what, where, when) _____

Principal Activities and Interests Other Than Livelihood _____

FAMILY:

Spouse (1st) _____ **Date and place married** _____
Date of Birth _____ **Place of Birth** _____

Spouse (2nd) _____ **Date and place married** _____
Date of Birth _____ **Place of Birth** _____

Spouse (3rd) _____ **Date and place married** _____
Date of Birth _____ **Place of Birth** _____

Children	Date of Birth	Place of Birth
_____	_____	_____
_____	_____	_____
_____	_____	_____

Father's Name: _____ Date, Place of Birth _____
Date, Place of Death _____ Ancestors' Homeland(s) _____
Occupation(s) _____

Mother's Name: _____ Date, Place of Birth _____
Date, Place of Death _____ Ancestors' Homeland(s) _____
Occupation(s) _____

Brothers and Sisters (married names)	Date of Birth	Place of Birth
_____	_____	_____
_____	_____	_____
_____	_____	_____

ADDITIONAL NOTES:

Idaho Legal History Society (ILHS) Explanation of Oral History Agreement

This following contract form (next two pages) has been approved by the Idaho Legal History Society for use by interviewers.

The form is designed to obtain for ILHS complete ownership of oral history memoirs, including entire tapes and transcripts, free from any claim of the narrator, interviewer, audio and/or video producer, editor and transcriptionist.

Possible claims considered were those based upon copyright and privacy and publicity rights.

Regarding copyright, it arises automatically, upon fixation in any medium, in the author, or creator, of any form of expression. For example, literary, dramatic, musical, artistic works, and software are protectable by copyright. The owner of copyright has the exclusive right to reproduce the copyrighted work, to prepare derivative works, to distribute copies of phonorecords of the copyrighted work, to perform the copyrighted work publicly, or to display the copyrighted work publicly.

Copyright protects the form of expression rather than the subject matter of the writing. For example, a description of a machine could be copyrighted, but this would only prevent others from copying the description; it would not prevent others from writing a description of their own or from making and using the machine. This is why the ILHS form indicates that the narrator can make any use of the "information" in the memoirs. However, the tapes and transcript, as well as the copyrights for them, become the property of ILHS.

When the ILHS form is filled in completely, ILHS will own the copyright in the oral history memoirs, subject only to the specific exemptions filled in by the narrator near the middle of the form. A list of exemptions for the narrator to consider is attached. These form exemptions should be considered if the narrator indicates a desire to limit any of the rights given to ILHS. To the extent a form exemption applies, it should be copied into the space provided. If a narrator expresses a desire for an exemption not specifically mentioned, it may be carefully custom-drafted in the space provided.

Regarding the narrator's privacy and publicity rights, the Oral History Agreement is designed to accommodate them by allowing the narrator 30 days after receipt to review and correct the memoirs. It is understood by ILHS that material in the memoirs not objected to by the narrator will include a waiver of the narrator's privacy and publicity rights. Correction requests by the narrator must be promptly relayed to the interviewer. The Society reserves the right to edit the transcripts, for example, to protect the privacy of third parties.

Also, the Oral History Agreement provides for receipt of gifts and loans to ILHS of artifacts and other personal property. Receipt of these things need be reflected in the proper spaces provided in the form. In addition, these things need be carefully handled and logged into the inventory of ILHS.

Idaho Legal History Society (ILHS)

Oral History Agreement

I, (narrator), for valuable consideration received, do hereby grant to the Idaho Legal History Society (hereinafter the Society) legal title and all literary, privacy and publicity rights, including copyright, to my oral history memoir listed below.

It is agreed that access to the compact discs, audio and/or video recording(s), and edited transcripts shall be available to qualified researchers under the Society’s use policy. I authorize the Society to edit, publish, and license the use of my oral history memoir in any manner and in any media that the Society considers appropriate, and I waive claim to royalties or any other consideration that may be received by the Society as a consequence thereof.

I impose the following exceptions to this Agreement.

This grant does not preclude any use that I may want to make of the information in the recordings. I understand the Society will allow me thirty (30) days after receipt of the draft of the oral history memoir by me for review and corrections, if any. After that, the Society will own the memoir in its entirety.

Also, I grant legal title and all possessory rights to the following artifacts and personal property to the Society:_____ (list)

Also, I hereby loan to the Society for the purpose of making copies, documenting and/or recording the following: _____ (list)

Date_____

Narrator (sign)_____ (print name)_____

Interviewer, Audio and/or Video Producer, Editor and Transcriptionist (*who hereby assign their entire interest in the memoir to the Society*)

(sign)_____ (date)_____ (print name)_____

(sign)_____ (date)_____ (print name)_____

(sign)_____ (date)_____ (print name)_____

(sign)_____ (date)_____ (print name)_____

Exceptions to the Idaho Legal History Society Oral History Agreement

The parties agree:

Narrator, please initial:

___ The entire tape and transcript shall be closed to all users until _____.
date

___ The entire tape and transcript shall not be made available to anyone other than the parties hereto until _____.
date

___ The entire tape and transcript may not be made available to anyone without my express permission until _____ after which they may be made available to general research.
date

___ The entire tape and transcript shall not be made available to anyone other than the parties hereto until _____ except with my express permission.
date

___ The following page(s) _____ of the transcript and the corresponding section of the tape shall be closed to all users until _____ except with my express permission.
date

___ The Society will not authorize publication of the tape or the transcript or any substantial part thereof during my lifetime without my permission, but the Society may authorize researchers and others to make brief quotations therefrom without my permission.

___ The Society will not authorize publication by others of the tape or the transcript or any part thereof during my lifetime without my express permission.

___ I reserve all literary property rights to the entire tape and transcript until _____ (date), at which time all these literary property rights shall vest in the Society.

___ Other: _____

**Idaho Legal History Society (ILHS)
Oral History Project**

Quick Steps for Using Digital Recorders

1. If not in location with power, make sure you have fully charged AA batteries.
2. Turn power on (on the side of the recorder.)
3. Make sure you have a flash card installed. To check this, open the door on the end of the recorder (closest to you when viewing display) and pull the door gently towards you. Also make sure that you have at least one back up flash card. (NOTE: The 1 GB card will only record for about 1 hr. 25 min.)
4. Plug in power and microphones. Make sure to insert both left and right microphone jacks. To prevent feedback, turn speaker volume (on side) all the way toward the microphone cables.
5. Attach microphone assembly to stand.
6. Ensure that the word "mic" appears on the upper right side of the display screen. This signifies that the input is the microphone.
7. Complete a test recording and play it back to make sure that you have set up the system correctly. To do this, simply hit record, say something like "Test 1, 2, 3" and then hit STOP. To play this back, push PLAY/PAUSE. Make sure to turn speaker volume back up to hear test.
8. To record over the test, push MARK and you should go back to "000:00:00."
9. Begin your recording by hitting the red REC button. To stop, hit STOP.
10. When interview is completed, place a yellow post it note on the flash card with the date and person interviewed. Turn in or send to Cam Burke's office.
11. Check availability and reserve equipment with the following persons:

Cameron Burke, Clerk of the Federal Court, Boise

Cam_Burke@id.uscourts.gov, 208- 334-1361

Ronda Buck, Deputy in Charge, Coeur d'Alene

Ronda_Buck@id.uscourts.gov, 208-664-4925

Diane Hutchinson, Deputy in Charge, Pocatello

Diane_Hutchinson@id.uscourts.gov, 208-478-4144

**Idaho Legal History Society
Policy Regarding Oral History Materials**

1. The Idaho Legal History Society (hereinafter the Society) currently owns, and will own in the future, legal title and all rights, subject to specific exceptions, to oral history memoirs embodied in compact discs, audio and/or video recording(s), and edited transcripts.
2. The Idaho State Historical Society (hereinafter the State Agency) currently has, and will have in the future, facilities to store and catalog the oral history memoirs, and capability to make them available to the public.
3. Both the Society and the State Agency have policies for preserving and making available the oral history memoirs which are, for the purposes of this agreement, compatible.

THE PARTIES AGREE:

1. The Society will promptly make available to the State Agency a copy of the oral history memoirs (and related agreements) as each one becomes available to the Society.
2. The State Agency will receive, log in, catalog, and make available to the public the copy of the oral history memoir according to the State's standard procedures regarding use and restrictions to access to the documents.
3. Legal and equitable title to the oral history memoir shall at all times remain with the Society.
4. All gifts to the State Agency will include a Deed of Gift form that has the following language: "Copyright is retained by the Idaho Legal History Society. Any restrictions noted on the Society's Oral History Agreement will be honored by Idaho State Historical Society."
5. Transcripts located at the Idaho State Historical Society's Public Archives and Research Library (2205 Old Penitentiary Road, Boise, Idaho 83712-8250) may be loaned according to standard interlibrary loan agreements, subject to any listed restrictions.

Idaho Legal History Society-Idaho State Historical Society Oral History Procedures

1. All files (which include a typed transcript and cd/dvd) shall have as integral components of the file, the signed Idaho Legal History Society's oral history agreement, with exceptions, if any, attached, and the narrator's personal data file, as completed by the interviewer and the narrator.
2. The original material will be filed in the administrative offices of the federal court in Boise. A copy, including signed agreements and exceptions, will be provided to the narrator, including typed transcript, audio recordings, and digital video, if any.
3. Another copy of the material, including signed agreements and any exceptions, will be provided to the Public Archives and Research Library of the Idaho State Historical Society. The Idaho Legal History Society will bear the expense of copying and sending material.
4. The oral history material gifted to the Idaho State Historical Society will include a signed and dated "Deed of Gift" form, which has the following language: "Copyright is retained by the Idaho Legal History Society. Any restrictions noted on the Society's Oral History Agreement will be honored by the Idaho State Historical Society."
5. The Public Archives and Research Library of the Idaho State Historical Society will retain a copy of the original oral history interview with the appropriate forms in the ISHS archives. A public use copy will be made available, unless the material is specifically dated for release at a later time.



IDAHO STATE HISTORICAL SOCIETY

610 North Julia Davis Drive Boise, Idaho 83702 (208) 334-2120

DEED OF GIFT

_____			<input type="text"/>
Donor name			Accession number

Address			

City	State	Zip Code	Telephone

I accept the conditions outlined in the Collection Policies on the reverse of this sheet, and hereby give, grant and convey the gift described above to the Idaho State Historical Society.

Donor	

Idaho State Historical Society	Date

This form should include the following information: Donor Name "Idaho Legal History Society (the Society)." Before the acceptance of the conditions language include the following: "Copyright is retained by the Idaho Legal History Society. Any restrictions noted on the Society's Oral History Agreement will be honored by the Idaho State Historical Society."

**GENERAL OUTLINE
IDAHO STATE HISTORICAL SOCIETY COLLECTION POLICIES**

1. The Idaho State Historical Society, an agency of the state of Idaho, was established in 1907 to acquire, preserve, interpret, and make available for research use, materials that illustrate the history and development of Idaho and the Northwest.

All title for gifts to the Library and Archives or Museum collections is conveyed to the Idaho State Historical Society.

2. **LIBRARY AND ARCHIVES COLLECTIONS** are comprised of materials whose primary purpose is for research and are maintained in an open and free library to all members of the public. Acceptable materials will generally relate to the documentation of the history of Idaho and the Northwest and will include state and local archives, manuscripts and printed records, photographs and negatives, prints, maps, and other historical source materials.

Literary rights: Unless otherwise restricted by copyright or by the donor and agreed to by the Society at the time of acquisition, all literary rights are conveyed to the Idaho State Historical Society. The Library and Archives can assume no responsibility for misuse of literary or copyright restrictions by users of unrestricted materials beyond normal professional library ethics and standards. Material placed in the Library and Archives is primarily for research and, unless restricted, will be used for that purpose.

3. **MUSEUM COLLECTIONS** are used for exhibit, research and educational purposes, usually in a visual manner. Acceptable material will consist of artifacts of cultural, historical or technological significance in the illustrations of Idaho history. The Museum reserves the right to determine when or how such material will be used. Because the Museum has a flexible exhibit policy for educational and preservation purposes, artifacts on exhibit can be expected to rotate frequently.

4. Gifts to the **LIBRARY AND ARCHIVES** or to the **MUSEUM** are considered outright and unrestricted donations to be used in the best interests of the Idaho State Historical Society. Usually, accepted gifts are considered extremely important or the best available at the time acquired. However, no individual or institution can predict nor govern the changing attitudes of future generations, nor guarantee permanency beyond the best available preservation procedures.

It is sometimes impractical to evaluate all material at the time of acquisition. Upon evaluation some material may be declared expendable. In addition, certain material already in existing collections may become expendable by acquisition of better examples. Expendable material includes surplus, duplicate, non-relevant or material of deteriorated condition or limited use.

Such material will be used in the best interests of the Society, including but not limited to sale and exchange programs to acquire other needed materials, loans to schools and other institutions, and disposal if the condition or value so warrants. Declaration of any material as expendable shall be made by appropriate staff and is subject to review by the Director of the Idaho State Historical Society.

5. Donations may be tax deductible. However, the Idaho State Historical Society cannot appraise donations for tax purposes. For the protection of the donor, it is recommended that such appraisals be done by a disinterested third party and before title to the material is conveyed to the Idaho State Historical Society.