Court Historical Society
NEWSLETTER
Eastern District of Tennessee

May 2020

New Attention to Our Art

The historic New Deal artwork in two of our Eastern District of Tennessee courthouses, plus the ceiling mural in the former Knoxville federal courthouse, has gained some recent attention.

We credit this to a Dalton, Georgia, veterinarian, **Dr. Jimmy S. Emerson**. He is a photography enthusiast with a deep interest in artwork from the 1930s Depression era.

His goal is to have photographs of all of these works placed on the webpage "Flickr," which describes itself as "almost certainly the best online photo management and sharing application in the world." He has already added to it photographs of the Greeneville art and the Knoxville ceiling mural, and will eventually add the Chattanooga mural photo.

"'Flickr' is probably the largest source of pictures" of Depression era art, Dr. Emerson said. He created the New Deal art section on the webpage some time ago, and since then, others with interest in that same art have joined and added more photographs.

His interest in New Deal art grew from what he called a mystery about the fate of a 1930s mural that once was in the Brewton, Alabama, U.S. Post Office. He said there is a question about whether it was painted on the wall or on canvas. Dr. Emerson is originally from Alabama.

The post office moved in 1965, and some say the mural was removed and later "lost," Dr. Emerson said. But there is suspicion, he said, that it was painted over after the new tenants moved in "and the employees complained about having to look at the mural every day."

The Brewton mural was titled *Logging*. A photograph of it appears with this article. It was painted by the same artist (**John von Wicht** of New York), who painted the *Goddess of Justice* mural on the ceiling of the former U.S. Post Office and Courthouse in Knoxville, which housed the federal court from 1934 to 1998.

Dr. Emerson wanted to see von Wicht's art in person, so in mid-February, he asked for guidance from the Court Historical Society about how he could obtain permission to photograph the Knoxville mural. We paved the way for him to do so and told him about the other New Deal art in our courthouses. They are:

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Processing Prisoner Lawsuits

Lawsuits filed by prisoners have long been a part of the federal court system, but the way they are processed in the offices of the federal court clerks has greatly improved over the years.

Around 1960 and in the years following, the federal judiciary began to see an increase in the filings by prisoners. As a result, a pilot program was begun in 1975, creating the position of Pro Se Law Clerk, whereby a lawyer was appointed by the pilot courts to process prisoner filings for the judges.

"Pro se," of course, means "on one's own behalf" and can apply to any lawsuit filed by any individual for himself or herself, but the title "pro se law clerk" in the federal courts applies to law clerks who deal exclusively with cases filed by prisoners, differing from the law clerks who routinely assist district judges and magistrate judges.

In those earlier years, petitions by prisoners would arrive in the courts' mail in all forms–written or printed on any kind of paper available to the prisoner and, as with most litigants who file without the assistance of a lawyer, in wording that often made it difficult to establish the kind of relief being sought. This has improved today and will be explained below.

In 1981, the pilot program was expanded to a few more courts, and in 1987 the Judicial Conference of the United States expanded it further, adopting a resolution recognizing the pro se law clerk program as "a valuable and cost-effective legal resource which works in a centralized manner for a district court as a whole. . . . Pro se law clerks provide services which do not duplicate, but rather complement, the assistance provided by personal law clerks or legal assistants."



John Owings

But the Eastern District of Tennessee didn't get its first pro se law clerk until September 1988.

The appointee was a young lawyer named **John Owings**, who served until September 1990. Today he is a partner in the Knoxville law firm of Owings, Wilson & Coleman and is a longtime member of the Court Historical Society.

The EDTN has a special unit that handles all of the district's

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New Attention to Our Art

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Teakwood sculptures *Man Power* and *The Resources of Nature* in Courtroom 420 in the James H. Quillen U.S. Courthouse in Greeneville. They had been in the former U.S. Post Office and Courthouse in Greeneville since 1939 and were moved to the new courthouse when it was completed in 2001.

The *Allegory of Chattanooga* mural in the third floor courtroom of the Joel W. Solomon Federal Building and U.S. Courthouse in Chattanooga.

Dr. Emerson was unaware of the Greeneville sculptures until we told him about them. On his visit to Knoxville on February 26 to make photographs of the ceiling mural, he drove on to Greeneville to photograph those pieces. He knew about the Chattanooga mural (but he has not yet seen it). He was scheduled to photograph it in early March but was delayed indefinitely by the onset of the coronavirus quarantine.

When he learned that von Wicht painted the Knoxville mural on a wall surface (the ceiling), he said, "It makes you wonder if he didn't also paint the Brewton mural on the wall and not on canvas."

So, was it "painted over"? The mystery remains.

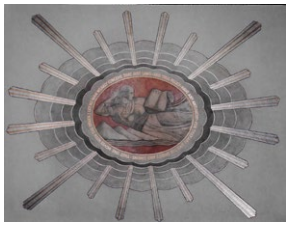
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The artworks named in the above article were commissioned under the federal government's Public Works of Art Project (PWAP), 1933-34, and the Works Progress Administration (WPA), 1935-43. Some 10,000 artists were commissioned to produce work for the federal government under these programs.

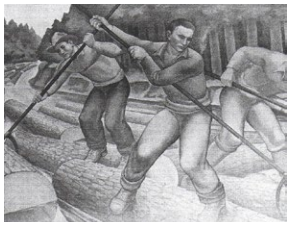
The sculptures at our newer courthouses, the Howard H. Baker Jr. U.S. Courthouse in Knoxville (*Beloved Woman*, in the courtyard) and the James H. Quillen U.S. Courthouse in Greeneville (gold symbols circling the tall column in the lobby), were commissioned under the federal government's Art-in-Architecture Program, which was established in 1963. Under terms of this program, overseen by the General Services Administration, one-half of one percent of the estimated construction cost of each new federal building is reserved to commission artists to design artworks that can be meaningfully integrated into the overall federal building project.



Allegory of Chattanooga



Goddess of Justice



Logging

Processing Prisoner Lawsuits

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prisoner petitions today, the Prisoner Litigation Unit, which consists of two full-time pro se law clerks, a part-time pro se law clerk, a part-time death penalty law clerk, and a deputy clerk of court who serves as the Pro Se Writ Clerk. She coordinates the filing of the cases and follows the processing of them to the end.

Prisoner Litigation Units were formed last year in the federal courts after a Pro Se Management Review Team of the AO recommended ways to streamline prisoner filings and processing procedures in order to improve the management of these cases in a more consistent and efficient manner.

Filing procedures for prisoners have been more convenient for them for some time, because they benefit from the use of their institution's library and computers, on which they can access the court's webpage. The page contains the court's Local Rules and forms designed for pro se litigants to use in preparing their petition. These also make it easier for the pro se writ clerk to process the cases. Unlike in ordinary cases, where the plaintiff is responsible for service of process, in prisoner cases, the U.S. Marshals Service handles service of process on the person or persons being sued.

Prisoners seek various kinds relief--to be transferred to another unit, another institution, or ask that a prison official be fired or reprimanded.

About 225 prisoner petitions are filed each a year. Few result in hearings. In the past five years, prisoner filings have resulted in three trials and six hearings. In addition, there were six hearings in death penalty cases during that period.

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OF THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE, INC.

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Man Power



The Resources of Nature