



# Society Update

The Official Publication of the Michigan Supreme Court Historical Society

Spring 2017

## Annual Membership Luncheon Features Vignettes Related to Detroit



The Society will host its 26th Annual Membership Luncheon at the Detroit Athletic Club Thursday, April 20, 2017. The luncheon program, which will begin with registration and short reception at 11:30 a.m., will feature a legal history vignette by State Bar of Michigan President Lawrence P. Nolan and a Report from the Michigan Supreme Court by Chief Justice Stephen J. Markman.

SBM President Nolan's vignette will focus on the Michigan Supreme Court case of *Ferguson v Gies*, 82 Mich 358 (1890). *Ferguson* is a landmark civil rights case in Michigan jurisprudence. The Michigan Supreme Court's decision in *Ferguson* interpreted the Michigan statutes in a more progressive manner than the United States Supreme Court's decision in *Plessy v Ferguson*, 163 U.S. 537 (1896) which upheld state racial segregation laws for public facilities under the doctrine of "separate but equal." It wasn't until 1954, when the United States Supreme Court decided *Brown v Board of Education of Topeka*, 347 U.S. 483 (1954) that the United States Supreme Court caught up with Michigan law, declaring "separate" was in fact not "equal." President Nolan's lecture will examine both the Michigan Supreme Court's opinion and the fascinating personalities of the individuals involved in *Ferguson v Gies*.

The Annual Luncheon program will also feature a Report from the Michigan Supreme Court by its new Chief Justice, Stephen J. Markman. Chief Justice Markman will bring greetings from his colleagues and accept on behalf of the Court an artifact of historic

significance from the Society.

The Society has acquired a presentation cup given to Justice Samuel Douglass in 1857 by the Detroit Bar Association (now known as the Detroit Metropolitan Bar Association). Douglass served as a justice on the Michigan Supreme Court from 1852 to 1857.

In 1890—the same year that *Ferguson v Gies* was decided by the Michigan Supreme Court—the *Detroit News* referred to Douglass as the "Father of the Detroit Bar."

### ABOUT THE SPEAKERS...

**Stephen J. Markman** was selected to serve as Chief Justice of the Michigan Supreme Court in January 2017. Markman was first appointed to the Michigan Supreme Court on October 1, 1999, to succeed Justice James H. Brickley upon his retirement. Markman was elected in 2000 and re-elected in 2004 and 2012. His current term ends on January 1, 2021.

**Lawrence P. Nolan** is the 82nd President of the State Bar of Michigan. Nolan is founder and president of Nolan, Thomsen & Villas, P.C. in Eaton Rapids. He graduated in the inaugural class of Cooley Law School in 1976. Nolan has served as President of the Ingham County Bar Association (2003–2004), on the Board of Directors of Cooley Law School since 1983 and as its board chairman since 2012, as well as on the Society's Board of Directors since 1996 including a 14-year term as treasurer from 2001–2015 and as secretary from 2015–present.

## Justice Robert P. Young, Jr. Announces Retirement



**O**n Wednesday, March 29, 2017, Justice Robert P. Young, Jr. announced during a meeting with fellow justices that he is retiring from the Michigan Supreme Court, effective April 30 or earlier, to return to his former law firm Dickinson Wright.

Young served on the Michigan Court of Appeals from 1995 to January 2, 1999, when Governor John Engler appointed him to the Michigan Supreme Court. Young succeeded Justice Conrad Mallett, Jr., winning the remainder of that term in the election of 2000. Young was re-elected in 2002 and 2010. His current term would have ended on January 1, 2019.

Young served on the Michigan Supreme Court for 18 years, including six years as Chief Justice. Under Young, the Michigan Supreme Court emphasized respect for the Rule of Law and the role of the judiciary in a constitutional republic. Initiatives included improving service to the public by measuring performance, streamlining processes, and utilizing technology to cut costs and better serve people.

“After more than 20 years in the judiciary, with 18 on the Supreme Court, I have decided that it’s time for me to take on the next chapter of my career. I am proud of what I have accomplished, especially



Young is shown here as Chief Justice with the current court. In order of seniority: Stephen Markman and Brian Zahra, seated. Back row: Bridget McCormack, David Viviano, Richard Bernstein, and Joan Larsen.

while serving as Chief Justice. At the time I joined the Court, it was marked by acrimony. When I became Chief Justice, we proved that good people who may differ in their opinions can come together and accomplish important things for the people we serve—and we do it amicably,” Young said.

“I will be returning to the firm that opened its arms to me 30 years ago. I look forward to focusing on an appellate practice at Dickinson Wright and helping grow this part of the firm,” Young continued. “I will be forever grateful for the opportunity to serve the people of Michigan, but I’ve always believed that sometimes you just know when it’s time to move on to another challenge.”

A screenshot of a web browser showing an article on 'THE JOURNAL' website. The article title is 'HER STORY: MEET FOUR LEADING LADIES WHO CHANGED HISTORY'. Below the title is a portrait of Justice Dorothy Comstock Riley. The website header includes 'SHINOLA' and 'FRIDAY, MARCH 17 2017'. Navigation links for SHOP, PEOPLE, PLACES, PRODUCT, MAKERS, NEWS, and VIDEOS are visible. Social media icons for Facebook, Twitter, and others are also present.

### Justice Dorothy Comstock Riley Featured by Shinola for Her-Story Month

Detroit’s Shinola company, a luxury seller of watches and other items, recently featured Justice Dorothy Comstock Riley in a story in its online Journal. The story also included profiles of three other great Detroit women, for a story related to Women’s History Month. Also featured in the piece was late portrait artist Patricia Hill Burnett, whose work includes the portraits of several Michigan Supreme Court justices, most recently former Chief Justice Clifford Taylor’s portrait, presented in Fall 2011.

## Toxic Tort Case Is Subject of Summer Moot Court Program



Students from the 2016 program stand in front of the portrait of Justice Dorothy Comstock Riley. Their team was named for her.

This summer from July 17–21 the Michigan Supreme Court Learning Center will host the 11th annual high school moot court program known as “Exploring Careers in the Law.” The program is offered to students who will be entering grades 10 through 12 in the fall of 2017 as well as 2017 high school graduates.

This summer’s program focuses on a toxic tort case. The plaintiff sued an energy company, claiming he became ill after exposure to toxic fumes from an oil spill in the Kalamazoo River.

A handful of openings remain, as of this publication. The program also seeks coaches to assist the student teams. Participants meet Monday, July 17 through Friday, July 21, from 9 a.m. to 12:30 p.m. each day at the Hall of Justice in Lansing. For more information, contact Rachael Drenovsky at (517) 373-5027 or [drenovskyr@courts.mi.gov](mailto:drenovskyr@courts.mi.gov).



Justice Richard Bernstein, the Court’s liaison to the Learning Center, offered this advice to students interested in the law: “Writing, writing, writing, and rewriting so readers clearly grasp your message, is critical. Add to that the ability to express yourself verbally, coupled with an emphasis on well-rounded curriculum and you will be prepared for a legal career.”

### 2017 Society Member Contribution Form

Please use this form to renew your annual membership or make an additional financial contribution.

Name \_\_\_\_\_

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Individual membership \$150.00  
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Please detach this form and mail to: Michigan Supreme Court Historical Society, 1st Floor Hall of Justice, 925 W. Ottawa Street, Lansing, MI 48915. *Thank you!*

TOTAL PAYMENT \$ \_\_\_\_\_

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1st Floor, Hall of Justice  
925 W. Ottawa Street  
Lansing, MI 48915

### Mission Statement

The Michigan Supreme Court Historical Society, a non-profit 501(c)(3) corporation, collects, preserves, and displays documents, records, and memorabilia relating to the Michigan Supreme Court and the other Courts of Michigan, promotes the study of the history of Michigan's courts, and seeks to increase public awareness of Michigan's legal heritage. The Society sponsors and conducts historical research, provides speakers and educational materials for students, and sponsors and provides publications, portraits and memorials, special events, and projects consistent with its mission.

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Dorothy Comstock Riley

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*Society Update* is published quarterly by the Michigan Supreme Court Historical Society. Writing submissions, article ideas, news, and announcements are encouraged. Contact the Society at: 1st Floor Hall of Justice, 925 W. Ottawa Street, Lansing, MI

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## Annual Membership Luncheon Registration

Invitations to this year's luncheon have been mailed to all current Society dues members. If you misplaced your invitation, or did not receive one, and would still like to attend, please use this form.

Name: \_\_\_\_\_

Guest: \_\_\_\_\_

\$100 per person

\$800 for a table of 8/\$1,000 for a table of 10

Make checks payable to *Michigan Supreme Court Historical Society* and mail to 925 W. Ottawa Street, Lansing, MI 48915.

Or, use our online registration at  
[www.micourthistory.org](http://www.micourthistory.org)