



# Society Update

The Official Publication of the Michigan Supreme Court Historical Society

Winter 2015

## The Year Ahead President's Report by Wallace D. Riley

This may well become known as the **Year of the Book**. Certainly for fans of Harper Lee's *To Kill a Mockingbird*, whose long-awaited second book *Go Set a Watchman* will be released this summer, that is true. However, as you may not be aware, the Society is also re-entering the book trade this year.

The second edition of the *Michigan Supreme Court Historical Reference Guide* is being published by MSU Press and will be released in March. This edition has been updated and standardized by legal historian David G. Chardavoyne, whose other books include *A Hanging in Detroit* and *The United States District Court for the Eastern District of Michigan: People, Law, and Politics*.

Besides the biographies of all of the justices, this edition contains the Court's top cases—the Verdict of History project written by Professor Paul Moreno and first published in the *Bar Journal* in 2008–09.

And for anyone who appreciates our historic portrait collection, this book will be a must-read as it contains full-color images of all of the portraits dedicated to date. Information about how to order is shown below.

In conjunction with the publication, our **Annual Luncheon** will feature a vignette by David Chardavoyne. Please mark your calendars for **Thursday, April 16!**

The Court of Appeals marks its 50th anniversary this year and will be celebrating with an event at the Hall of Justice on Thursday, April 30. Many of the justices who have served on the Michigan Supreme Court first served on the Court of Appeals, including our founder, Dorothy Comstock Riley, whose 1976 appointment made her the first woman on the Court of Appeals.

Which leads us to the second big project, long in the making, making 2015 such an exciting year. The *First Women on the Michigan Supreme Court* exhibit in the Learning Center was conceived after the death of our founder, Dorothy Comstock Riley, in 2004. The new exhibit recognizes the contributions Dorothy and her fellow justices Mary Stallings Coleman and Patty Boyle made to Michigan legal history, and does so in a way that is accessible for our next generation of citizens, the grade-school students who tour the Learning Center each year.

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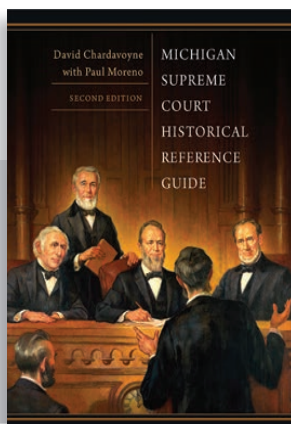


NEW TITLES

LOCAL HISTORY ■ LAW

### Michigan Supreme Court Historical Reference Guide, 2nd Edition

David G. Chardavoyne, with Paul Moreno



MARCH 2015

978-1-61186-155-6  
cloth, 8½ x 11  
328 pages  
color images, b&w  
images, notes,  
index

\$34.95 (S)

This second edition of the *Michigan Supreme Court Historical Reference Guide* contains the biographies of Michigan Supreme Court's justices from its territorial beginnings in 1803 through 2015. It includes summaries of twenty top cases of the Michigan Supreme Court, which contextualize the eras in which the justices were on the bench, giving a greater depth of understanding to both who the justices were and the historical significance of the cases they decided. A rich reference for historians and attorneys, this book also includes valuable charts detailing election dates and candidates as well as court compositions (who served with whom); lists of chief justices and the ten longest—and shortest—serving justices with dates of service; and a history of the structural evolution of the Michigan Supreme Court.

# The Year in Review: Executive Director's Report

Carrie Sampson

The past year was a good one for nurturing many of our projects closer to completion. It was the first year after our silver anniversary, and in many ways, the beginning of some new history.

As President Riley shared in his report, two major projects are being unveiled this year: *The Michigan Supreme Court Historical Reference Guide, 2d* and the Learning Center exhibit *First Women on the Michigan Supreme Court*. These projects wouldn't have been possible without the dedication and leadership of our Board of Directors. Nor, without your interest, would there have been much purpose. History needs an audience.

History also needs financial support; your contributions make it possible for us to do interesting things that advance our mission. The new book will bring to life justices long-gone as well as introduce a wider group of readers to some of the best, most-significant opinions of the Michigan Supreme Court. The new exhibit will inspire young people as well as remind them of how much women have achieved.

Why does a reflection on the past year have so much to do with what's planned for the current one? Because preparing for these projects was the work of the past year. Convening meetings with editors and writers, exhibit designers and docents was the work of 2014.

Our membership grew by sixteen new members in

2014. Five dues paying members attained life member status (over \$1,000 in cumulative contributions). But we also said our final goodbyes to several other longtime supporters including portrait artist Patricia Hill Burnett. Our membership roster is at the back of this issue.

We had another successful luncheon—our largest yet—last April. It never seems possible when we are planning this event that the weather will bring anything but slush, but every spring we see tulips blooming outside the DAC.

Some other things happened last year as well. Justice Cavanaugh's historic term came to an end. Interestingly, this is the first time since 1958 that there is no one whose name ends in "avanagh" on the Michigan Supreme Court (Thomas M. Kavanagh served 1958–1975 and Thomas G. Kavanagh served 1969–1984).

Richard Bernstein, who was elected in Justice Cavanaugh's place, makes history of his own for the Court. He is the first justice who is legally blind; he campaigned on the promise of "blind justice."

You also may have noticed that my last name has changed. I was married this past summer. While this is not part of Supreme Court history, it is notable in that my spouse and I met in the hometown of 40th Justice Aaron McAlvay and our wedding was held on his 167th birthday.

## 2015 Society Member Contribution Form

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

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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!*

# Court of Appeals 50th Anniversary



stock Riley (COA 1976–1982) and the only woman to serve as chief judge, Maura D. Corrigan (COA 1992–1999).

The other judges to move from the Court of Appeals to the Michigan Supreme Court include John W. Fitzgerald, Thomas Giles Kavanagh, Charles L. Levin, Michael F. Cavanagh, Elizabeth A. Weaver, Marilyn Kelly, Clifford W. Taylor, Stephen J. Markman, Robert P. Young Jr., Brian K. Zahra, and Alton T. Davis.

First row (from left): Thomas Giles Kavanagh, Chief Judge Pro Tem John W. Fitzgerald, Chief Judge T. John Lesinski, and Judge John Watts. Second row (from left): Donald E. Holbrook, John H. Gillis, Louis D. McGregor, Timothy C. Quinn, and Robert B. Burns.

The Michigan Court of Appeals was created by the Constitution of 1963, Article VI, Section 1. When the Court opened its doors for operations on January 12, 1965, a caseload of 365 cases were transferred from the Michigan Supreme Court to the nine new judges.

Eighty-two judges have served on the Michigan Court of Appeals bench—41 reached the court initially by election and 41 by appointment of the Governor.

Thirteen judges have gone on to serve on the Michigan Supreme Court, including the first woman on the Michigan Court of Appeals, Dorothy Com-

stock research staff was a first of its kind when Chief Judge T. John Lesinski introduced it in 1968. Since its inception, thousands of attorneys have started their careers with the Court of Appeals and gone on to distinguished careers in Michigan jurisprudence including Justice Michael F. Cavanagh, who worked as an attorney for the Court of Appeals and Justice Maura Corrigan who clerked for Judge John Gillis.

Both Michael O'Hara and Thomas G. Kavanagh took advantage of their ability under the law, as former justices, to be designated to the Michigan Court of Appeals. Justice O'Hara served from 1968 until his death in 1978; Justice T.G. Kavanagh left the Michigan Supreme Court in 1984 and died in 1997.

## 1978 Court of Appeals



First row (from left): Thomas M. Burns, Donald E. Holbrook Sr., Chief Judge Robert J. Danhof, Chief Judge Pro Tem John H. Gillis, Robert B. Burns, Jerome Bronson. Middle row (from left): Glenn S. Allen Jr., Nathan J. Kaufman, Daniel F. Walsh, Dorothy Comstock Riley, George N. Bashara Jr., Walter P. Cynar. Third Row (from left): Donald E. Holbrook Jr., William R. Beasley, Vincent J. Brennan, Richard M. Maher, Michael J. Kelly, and Michael F. Cavanagh.

# 2015 Coleman Intern

The Society is pleased to present the sixteenth Coleman Intern. The internship program, named for Justice Mary Stallings Coleman and her husband Judge Creighton Coleman, was started in 1998.



Hello, my name is Kevin Cunningham and I am currently a senior at Michigan State University studying history and Spanish. I have always been interested in the discipline of history and I have always found myself in wonder and great curiosity of the people of the past and why societies and individuals have acted in certain ways. My interests in history have focused, primarily on nineteenth century American intellectual history as well as nineteenth century American-Cuban relations. Outside of my studies, I have become a part of the rich social environment at MSU. I have joined several organizations at MSU that look to promote and stimulate educational opportunities, including being a docent at the Michigan State Museum of Natural Science and Culture, the chairperson of the Dean's Student Advisory Council, a mentor to international students looking to become acclimated to American culture, and the Editor and Chief of the *Michigan Undergraduate Journal of History*. I have found each of these experiences rewarding in its own way, and beneficial to my own personal growth and understanding of other people.

After I graduate from this May, I intend to work for nonprofits before I apply to go to law school. I have always had a great fascination for the law, and I have always had a curiosity about all the different components that create a well-organized and effective court system. In light of this, I am excited to say that I will be working on a history of the Court Reporter's office as the Spring 2015 Coleman intern. When I received the opportunity to interview with the Michigan Supreme Court Historical Society, I was very excited to speak with a nonprofit organization whose mission is to collect, preserve, and display documents, records, and memorabilia relating to the Michigan Supreme Court as well as promote public awareness about the history of Michigan's courts and rich legal heritage.

## **Bronco! Western Michigan University Thomas M. Cooley Law School**

On August 13, 2014, the law school begun by one Michigan Supreme Court justice (Thomas E. Brennan) and named for another (Thomas M. Cooley) announced that it had added a new name to its title, reflecting its new affiliation with Western Michigan University. The Society has enjoyed a supportive relationship with both schools in the past. In the early days of the Society, Cooley Law School gave us office space as well as research assistance for the first edition of the *Michigan Supreme Court Historical Reference Guide*. More recently, the school has supported the Society through both individual and corporate memberships. Western Michigan University has been a great source of historical research for the Society. First, as the breeding ground for our Big Four Writing Project, and more recently, where Professor Mark Hurwitz studied the historical evolution of Michigan's hybrid electoral system.

# Society Presents Law Prize at MSU College of Law



From left: Carrie Sampson, Society executive director; Hon. Michael G. Harrison, Society Board of Directors; Marie Rauschenberger, prize winner; Joan Howarth, Dean of MSU College of Law; Professor Charles Ten Brink. Photo courtesy of MSU College of Law.

## *A Passion for Special Education Issues*

Former Judge Michael G. Harrison on behalf of the Society's Board of Directors was recently at Michigan State University College of Law to present the \$500 *Law Student Prize*. The student selected was Marie Rauschenberger, a second-year law student, who received the highest grade in Professor Charles Ten Brink's American Legal History Seminar this past fall. Ms. Rauschenberger's paper was on the history of state constitutional provisions that affect funding for students with disabilities.

Ms. Rauschenberger received a B.A. in English from Michigan State University in 2011 and then completed an M.A. in English at Arizona State University in 2013, primarily studying the Victorian era because of her love of history and literature. She debated whether to pursue a PhD in English or go to law school, since she has a passion for special education issues, given that her younger brother has Autism.

This past summer, Ms. Rauschenberger worked as an extern at the Michigan Supreme Court in the Michigan Judicial Institute, assisting with the Exploring Careers in the Law summer moot court program by giving presentations to the student participants on legal research and oral advocacy.

Ms. Rauschenberger works as a teaching assistant for several classes and is a member of the *Michigan State Law Review* and the Women's Law Caucus.

**Exploring Careers in the Law** is a half day moot court program for 10th–12th grade students that runs July 20–24. Applications will be available on the Court's website <http://courts.mi.gov> beginning March 2nd.

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## Annual Luncheon

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### *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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