

MICHIGAN SUPREME COURT

INVESTITURE CEREMONY OF JUSTICE KURTIS T. WILDER

October 17, 2017

CHIEF JUSTICE STEPHEN J. MARKMAN: Please be seated. Welcome to today's investiture ceremony of KURTIS T. WILDER. This is a tradition initiated by our Court back in 1857, at which time we had a retroactive investiture of JAMES WITHERELL, who was a judge of the territory of Michigan, who'd been appointed by President Thomas Jefferson in April of 1808, and we have had investitures on a fairly regular basis since that time.

We welcome this afternoon Governor Rick Snyder, of course without whom none of this would have been possible. We welcome today's speakers, members of the Michigan Judiciary, members of the bar, members of the public, members of the Hall of Justice community, the Michigan wing of the Civil Air Patrol Guard, the Interlochen Chamber Singers, and, of course, we welcome the family members and friends of KURT WILDER, including those who may be watching on closed-circuit TV in Ohio. You can all be very proud of Kurt. And Kurt, I'm told by the way that Lucy is disappointed that you haven't invited her;^[1] you can explain that further, perhaps, later.

What is important to understand about KURT WILDER, this Court's 112th Justice, is that although he is our junior justice, he is at the same time our senior judge. By the time he was appointed to this Court earlier this year, by Governor Snyder, KURT WILDER had already served for more than a quarter of a century on the bench of Michigan. Equally impressively, he had substantial service as both a trial and appellate court judge, at one time serving as president of the Michigan Judges Association. There is little in the judicial realm that KURT WILDER has not seen and considered and decided. In short, KURT WILDER has already experienced one of the most remarkable careers of any jurist of this state. And the appointment that we celebrate today only adds to that luster.

While Kurt's tenure will soon come to an end as this Court's junior justice, it will continue for many years, we hope, as one of the richest and most varied tenures of any person ever to serve in our judiciary. Perhaps even more to the point, however, in his first several months on this Court, Judge WILDER has regularly drawn upon that history and personal experience, and demonstrated clearly the wisdom of this Governor's appointment. He was appointed at a most difficult time for any new justice, in midterm, with the Court's consideration of large numbers of cases and controversies and administrative matters already well and deeply in progress. But Judge WILDER did not miss a beat in contributing thoughtfully and insightfully to Court deliberations, drawing from the deep well of his service on the trial court in Washtenaw

¹ Reporter's note: Lucy is a dog belonging to Michigan Court of Appeals Judge AMY RONAYNE KRAUSE and Kurt E. Krause.

County for many years and from his perspectives in having decided thousands of appeals on the Michigan Court of Appeals.

Each and every day during his first weeks on this Court, KURT WILDER was confronted with difficult ethical and practical questions concerning his participation in ongoing cases; he was required to catch up with his colleagues in resolving complex and nuanced cases in which the rest of the Court had had weeks or months to prepare. And he was obligated to define decision-making principles and premises that he would bring to bear on this new Court, in which every decision to hear or not to hear a case is made through the exercise of judgment of the individual justices.

Justice WILDER has done all this in exemplary fashion, showing himself quickly to be an outstanding fit for this Court in terms of work ethic and preparation, in terms of conscientious attention to detail, in terms of open-mindedness and fair-mindedness, in terms of adherence to principle, and in terms of clarity and insight in his writings and expressions of thought. Kurt has also somehow found the time to become the Court's liaison to the Judicial Tenure Commission, the principal disciplinary agency of our branch of government. And he has increasingly become our authority on issues of courthouse and courtroom security. It is very difficult to imagine any other new justice coming in midterm, as he has, who could have acclimated himself as quickly and as seamlessly as has Justice WILDER.

His legacy on this Court, I am confident, will be felt in many ways in the future. But today, his legacy is that, among other things, he has introduced "Hallelujah" to this courtroom. I will be honest with you that this is not typically how we have opened up our sessions over the years. [Laughter.] Any sounds that have emitted from this courtroom have been considerably less melodic over time. [Laughter.] It is now my honor to introduce to serve as today's master of ceremonies, one of the most distinguished members of our bar, Dick Rassel, chairman of the very venerable law firm of Butzel Long, one of whose alumnus is being recognized here today. Dick.

MR. RICHARD RASSEL: Thank you, Justice MARKMAN. Good afternoon and welcome, everybody. Before we post the colors, I would like to acknowledge the very, very large number of dignitaries that we have with us today—elected officials and judges—so I am going to read off this list. Please hold your acknowledgments until I have completed this list; it is quite lengthy and it is obviously a reflection of their belief in you, Justice.

From the Supreme Court, obviously, we have the justices of the Supreme Court: Justice MARKMAN, Justice ZAHRA, Justice LARSEN, Justice MCCORMACK, Justice VIVIANO, and Justice BERNSTEIN.

Federal Judges: Honorable David McKeague, Honorable Victoria Roberts.

Michigan Court of Appeals: Honorable JANE BECKERING, Honorable MARK BOONSTRA, Honorable THOMAS CAMERON, Honorable AMY RONAYNE KRAUSE, Honorable JANE MARKEY, Honorable PATRICK METER, Honorable CHRISTOPHER MURRAY, Honorable PETER O'CONNELL, Honorable BROCK SWARTZLE.

From the district courts: Honorable Janice Cunningham, Honorable Michael Gerou, Honorable Eugene Hunt, Honorable Julie Phillips.

From the probate court: The Honorable Linda Hallmark, Honorable Darlene O'Brien, Honorable Kathleen Ryan.

From our circuit courts: The Honorable Martha D. Anderson, Honorable Laura Baird, Honorable Margaret Bakker, Honorable Mariam Saad Bazzi, Honorable Annette Berry, Honorable Nancy Blount, Honorable Kathleen Brickley, Honorable Archie Brown, Honorable Melissa Cox, Honorable Paul Cusick, Honorable Thomas Evans, Honorable Edward Ewell, Honorable Patricia Fresard, Honorable John Gillis, Honorable Stephen Gorsalitz, Honorable Adel Harb, Honorable Michael Hathaway, Honorable Timothy Hicks, Honorable Hala Jarbou, Honorable Shalina Kumar, Honorable Charles LaSata, Honorable Pam Lightvoet, Honorable Qiana Lillard, Honorable George Mertz, Honorable Lita Popke, Honorable Paul Stutesman, Honorable Joseph Toia, Honorable Jon Van Allsburg, Honorable Michael Warren, Honorable Christopher Yates.

Retired judges among us: The Honorable Alfred Butzbaugh, Honorable Barry Howard, Honorable Jerry Rosen and Honorable Justice ROBERT YOUNG.

Lastly, elected officials: Senator Margaret O'Brien, Senator Tonya Schuitmaker, Representative Joseph Bellino, Jr., Representative Abdullah Hammoud, Representative Brandt Iden, Representative Larry Inman, Representative Klint Kesto, Representative Tom Leonard, Representative Eric Leutheuser, Representative Jeff Noble, Representative Lana Theis. Please join me in [indiscernible]. [Applause.]

UNIDENTIFIED INDIVIDUAL: Will the Color Guard please post the colors. [Colors posted.]

MEMBER OF THE COLOR GUARD: Colors turned.

MEMBER OF THE COLOR GUARD: Ladies and gentlemen, please join me in the Pledge of Allegiance.

THOSE IN ATTENDANCE: I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

MEMBER OF THE COLOR GUARD: Thank you.

MR. RASSEL: Our Pledge was led today and the Color Guards were from Saline's Michigan Civil Air Patrol. Thank you very much. At this time, we will have the invocation. Reverend Emily Campbell from Justice KURTIS WILDER's church in Plymouth, Michigan. Welcome.

REV. EMILY CAMPBELL: Let us now ask God's blessing upon this ceremony and upon God's calling on Kurt's life. Let us pray. Gracious God, you have given us the gift of life and the determination to use our lives in the service of your people. We thank you for Kurt, for his willing heart, for his wise mind, for his deep and meaningful faith. We pray your blessing on his tenure as a justice of the Michigan Supreme Court. May your Holy Spirit help him every single day to act justly, to love mercy, so that he might forever walk humbly with you. We pray your blessing this day on all who seek to serve your people in need. This we pray, in the name of Jesus Christ. Amen.

THOSE IN ATTENDANCE: Amen.

MR. RASSEL: As Justice MARKMAN indicated, Justice WILDER has brought "Hallelujah" to the Michigan Supreme Court. Please join me in welcoming "Hallelujah." [Interlochen choir sings *Hallelujah*.] [Applause.]

MR. RASSEL: That is not something you see in the Court every day. I'm doubly humbled to be here today. First of all, rarely if ever in my lifetime, have I ever addressed an audience as distinguished as this one. There is just a lot of brain power in this room, and I'm truly humbled to be here. Second, I was really very, very humbled to be asked by Justice WILDER to participate in this ceremony. I met him many years ago when he was a young lawyer, and I was a striving kind of middle-aged partner. And all I can tell you is, he managed to keep me out of a lot of legal mud puddles over the years. And for that I am deeply grateful and still grateful.

Justice WILDER asked me to do two things today—very simple: first, to make very brief introductions of all of our speakers. And I apologize in advance to all of our distinguished speakers. There are many things that could be said about you today that won't be said. You'll be introduced and everybody pretty much knows who you are, anyways, but I apologize that I'm not going to do justice to you. Second, he asked me to keep the program going and to end this sometime before midnight, or sunset, or much earlier than that. I will endeavor to do just that—partially out of fear, because sanctions were kind of hinted at if I didn't succeed, so I intend to do that. So, I intend to fulfill both of those requests. Let me move right then to our principal speaker today, the Honorable Rick Snyder, our 48th Governor; he needs no introduction and you are getting the first of the very short introductions, Governor Snyder.

GOVERNOR SNYDER: Well, thank you, Dick, for that concise introduction. That's much appreciated. Chief Justice MARKMAN, justices of the Court, it's an honor to be here. It's not often I have the opportunity to come enjoy the hospitality of the judicial branch. It's great to be with you. I'm proud of your outstanding record. And that was one of the key issues with looking at who to put on the Court, was how to keep up with the standard you've set. You've set a good benchmark showing the rest of the country how good justice is done. And I want to compliment you and thank you for your outstanding service. So, thank you.

It's great to see so many other judges here; it's wonderful. It's also great to see my colleagues from the legislative branch. Speaker Leonard and your team, it's wonderful to have you here. I think we have a new benchmark that we need to strive for. Those of you that don't know, from the judicial branch, quite often during late nights, during lame duck, other things,

there's a group of legislators that go out and sing in the Capitol rotunda. And they're actually—I thought they were outstanding, but we have a new bar here. So, you might want to see if they want to brush up a little bit, Tom, before they get into the holiday season for singing, because that was wonderful.

It's great to be here. I would like to share a few comments about Justice WILDER. First of all, there are two key attributes I would say I was looking for in terms of who I thought would be a great member of this Court. The first one was part of our normal appointments process. We go through a rigorous process. Beth Clement and our team does a wonderful job of going through opinions looking for analytical skills, logical skills, rule-of-law skills, looking for one of the brightest minds you can find to join this fine group; to say, you have to have those fundamental skills to be on this Court, to keep up with the standards that this Court has set. And I'm proud to say, Kurt, you did an outstanding job. You've got a fabulous track record that you should be proud of. And as we sat down—I sat down personally with the justice and we discussed a number of these issues. And I'm proud of how you handled that, the responses you gave me, and your conviction, and thought process on how to go through that. So that was half of it.

The other part, though, is—and quite often people can view the law as a cold thing. But we're talking real people's lives. So the other one is—is about humanity and compassion, and how that fits into the equation. And this was outside of the normal review process. The nice part of this particular situation is, I'd had a personal relationship with Kurt that went back quite a few years now, probably approaching close to 20 years.

We first met by being on the board of a community group. And that group was to be an advocate for African-American and Latino musicians. About how to encourage more music education for them, about how to create new opportunities, about how to change the environment for those fine young people to have careers. And that's something where I got an appreciation for this man's heart. You can see it in the music by having these fine people sing here today. But it was about caring for people at the deepest level, with compassion, with caring, with concern. And that needs to be part of the law, too. And so the amazing part is, it was great to find an individual that combined both those attributes—the analytical skills, the logic needed and the heart and the compassion to say justice is not heartless; it's about recognizing how we can do well together.

And I appreciated that service and I look forward to you having a very bright career on this Court. You're joining an outstanding group of people. They should be proud and I want to see this tradition continue. So thank you for giving me an opportunity to congratulate you and wish you the best. I know you're going to continue your music; you're already showing you're bringing new attributes to the Court already. You've set a higher bar now for the legislative—and I won't even talk about where the executive branch is; we're at the bottom of this pyramid of music. So thank you for the opportunity to join you today. And again, I want to wish the best to the justice and all the Court for outstanding work. Thank you so much.

MR. RASSEL: Our next speaker comes to us from [whispering] Ohio. [Laughter.] Welcome. Harvey Kugelman is a distinguished attorney from Cleveland, Ohio. And he

happened to have been a high school classmate, as I understand it, of Justice WILDER's; now, I personally would not have the nerve to ask a high school classmate of mine to have a mic at a session like this. But he has great faith in you and we hope we can share some thoughts that are sharable from Mr. WILDER's childhood. Harvey Kugelman.

MR. HARVEY KUGELMAN: What a great day. Justices, all the justices here, and judges, and distinguished guests. I guess I'm here on deep background. I've known Kurt a long time, a very long time. So long that I think when we met, I had a lot of hair, he was skinny as a rail. We go back to high school maybe when we were 15 years old or so. We were classmates, we played sports together, we hung out together, we had road trips together. We had countless nights and endless discussions about everything that you could imagine—what we wanted to do, what we wanted to be like, about really everything.

I don't really have any scandalous Kurt stories to share, sorry to disappoint everyone, but maybe that's why he's here today. I know we're probably—neither of us are reckless in vehicles anymore; he once pinned me between two cars with his vehicle, but I still walk. I once knocked out his rear taillights, actually a car belonging to his formidable mother. And we both lived to tell about it, which was not a given.

I want to just reach out and say something about Sarah and Nate Wilder who aren't—weren't able to be here today. The apple certainly doesn't fall far from the tree. Sarah Wilder is one of the most formidable people I have ever met in my life. She's a force of nature. Nate Wilder is an extremely good man. And when I look at Kurt, I see both of them in him. I see Sarah's formidable nature, and I see Nate's calmness. Kurt is always calm. Actually, I saw him angry once. I know he was angry because he told me, "I'm angry." [Laughter.]

I would think that the traits that make him such a good person are perfect for serving on this great bench. He is obviously smart. He's rational. As I said, he's calm, and he really is an exceptional listener. One of the things I've learned—not just talking to him, but just by being around him—is that I'm an interrupter. When I want to get to the point, I tend to interrupt people to just get to the point. Kurt will always let everybody say the last thing that's on their mind before responding. And every time I'm around him, after a while I just think, well, I should do that. Because it's an exceptional trait, and I think it's served him well his entire life. And I'm sure it's served him well on the bench.

My perspective of more than 40 years of watching Kurt is that he's really a natural and will be a natural at this. No one is more at ease, and I think he is comfortable observing all the necessary judicial canons. He is thoughtful, and he is kind, and he is deliberate. And that is not something that I think he had to develop all that hard. That is who he is; that's his natural state of being. Michigan has a good man I'm proud to call my friend. And I think all of you will be very proud to call him Supreme Court Justice WILDER. Thank you.

MR. RASSEL: Our next speaker is truly a legend of the Michigan Bar, and he's the man that I hope to be if I ever grow up. Charlie Rutherford was called to the bar more than 60 years ago. He is the President of the Michigan Historical—Supreme Court Historical Society and a living legal legend. Charlie.

MR. CHARLES RUTHERFORD: May it please the Court, Mr. Chief Justice, Associate Justices, Justice WILDER's friends and family. Thank you for this opportunity to be part of today's special event. As indicated, I'm Charles Rutherford, President of the Michigan Supreme Court Historical Society. This Society was created by then Chief Justice DOROTHY COMSTOCK RILEY on April the 19th, 1988. Our mission then, as now, is to protect, preserve, display documents, records, and memorabilia relating to the Michigan Supreme Court and other courts of Michigan. Most notably, this includes the historic collection of justices' portraits that you see throughout this building. Once a justice leaves the bench, their portrait is painted and then dedicated back to the Court in a special session. The rest of our mission is to promote the study of the history of Michigan courts and to increase public awareness of Michigan's legal heritage.

One of the ways we do this is through the publication of a newsletter, four times a year. The Society is a membership-driven, nonprofit organization. We host an annual luncheon every year at the Detroit Athletic Club for our members, featuring a presentation about a legal history—history topic. Our annual luncheon will be held on a very special date: April the 19th, 2018, which is exactly 30 years to the date the Society was incorporated as a nonprofit 501(c)(3). On behalf of the board of directors of the Michigan Society, I invite you to consider joining the Society as a dues-paying member today and help us to continue our good work. For further information about joining, visit our website at www.michcourthistory.org. Thank you very much.

MR. RASSEL: Our next speaker is another member, a very distinguished member, of the Michigan Bar. Elizabeth Hardy is a named partner in the law firm of Kienbaum Opperwall Hardy and Pelton. She is a member, a very distinguished member, of the American College of Trial Lawyers. She is also a former governor, two-time governor of Wayne State University and very active beyond the bar in many, many affairs. Elizabeth.

MS. ELIZABETH HARDY: Governor Snyder, Justice WILDER, members of the judiciary and distinguished guests. I first met Judge, now Justice WILDER in his early tenure in the Michigan Court of Appeals. Since that time, I've unfortunately had only a few opportunities to appear in front of him while he was on the Court of Appeals. But in those contacts and in crossing paths with him over the years at numerous professional events, I have come to know Justice WILDER as a thoughtful, fair-minded, engaged judge, who listens patiently and with respect to the arguments of advocates who appear before him. Those impressions were reinforced recently when Justice WILDER was nominated by Governor Snyder to the Michigan Supreme Court and appeared before the State Bar Judicial Qualifications Committee as part of the nomination process.

Prior to being interviewed by the JQC, a background investigation was conducted so that those on the screening committee who did not have experience with Justice WILDER would know what practitioners around the state thought of his qualifications and reputation as a judge. As part of that process, a wide cross-section of practitioners in the state were interviewed and their comments were shared with the committee. While I must speak in generalities to avoid revealing the otherwise confidential work of the JQC, there was, not surprisingly, an overwhelming consensus among those interviewed about how Justice WILDER was viewed in his judicial role.

The descriptions repeatedly used by practitioners in connection with Justice WILDER were thoughtful, open-minded, exceedingly patient, respectful of advocates and their clients, and willing to let practitioners present their clients' case and oral argument, even when he wasn't hearing anything that would make a difference in the outcome, and despite the propensity of certain advocates to be long-winded and redundant.

While many judges lose their patience in such scenarios, without exceptions, practitioners commented that Justice WILDER would demonstrate patience and respect for the process. He recognizes how important it is for the advocates and their clients in our judicial system to be heard, separate and apart from the outcome of the case.

Participation in professional bar activities and community service was another contribution of Justice WILDER that practitioners recognized during the nomination process. Appellate judges are not often well known by the professional bar or the public due to the nature of their position, unless they make a special effort to circulate in public forums. Justice WILDER received high marks from the bar and the public in this regard. He gives freely of his time to civic and philanthropic endeavors and is frequently in attendance and circulating at receptions sponsored by different legal organizations. And he is not simply present; he is approachable, friendly, and generous with his time.

The transition to the Michigan Supreme Court will undoubtedly impinge upon the time that Justice WILDER has available for staying in contact with the bar and the community. But hopefully that will be temporary and not permanent. On behalf of the bar and the public, I would like to congratulate and thank Justice WILDER for his contributions as a member of the judiciary, our profession, and convey the hope and the desire that he continues to be an engaged, thoughtful, approachable member of the judiciary as you have been for the past several decades. Thank you.

MR. RASSEL: Thank you, Elizabeth. Our next speaker really needs no introduction, especially if you're from southeastern Michigan, because he's been on the—present on the public scene in our region for—it seems like decades. How that is possible for a man with very few grey hairs on his head, I have no idea. Our next speaker is the Honorable Wayne County Sheriff, the Honorable Benny Napoleon.

MR. BENNY NAPOLEON: If it pleases the Court, for the record, Benny Napoleon appearing on behalf of my good friend, Justice WILDER. Richard, I have to deliver some bad news for you, though, because I'm going to upset your time now. Because when the justice called me and told me that I was going to speak this afternoon, he said that I could talk as long as I want to. [Laughter.] So I prepared this 40-minute speech, and he really said I could talk as long as I want to, as long as I'm done in a couple minutes, so I am. I really won't be long.

My relationship is kind of different with the justice. You—I think the Governor kind of summed up all of the positives of the appointment and why he was placed on the Court, and I echo all of that. And those are things that I was going to say. But I'm going to say something different now, Justice. I probably know Justice WILDER in a different way. When I was told that, by my good friend Mario Murrow, when he was campaigning for his last election, Mario

calls me up and says, Benny, need you to do me a favor. And I said, and what is that? He says, I need you to take Justice WILDER around Wayne County and help him campaign. I'm like, Justice WILDER, from the Court of Appeals, from Washtenaw County? And he said, that same Justice WILDER. And we had an opportunity to spend long, long days and nights together. And I have come to know him to have a very bright and agile mind. This man is very smart.

He has a beautiful temp—a beautiful spirit, a beautiful temperament. He is very concerned about average, everyday people. And so it was easy for me to spend that time with him, take him to some places where, as you said, folks just don't know the judges on our courts maybe the way they should. But with him, he took—he went into some places, quite honestly, I thought he was gonna look at me and say, uh, Benny, are you sure you want to take me in here?

But the guy is courageous, and that's what—one of the things I admire about him most. He was never reluctant, hesitant, or with the least bit of problem going into any venue speaking to people from all walks of life. And he was very comfortable every place we went, explaining to people what the Court does, what his philosophies were, and very careful—*extremely* careful—not to talk outside the bounds of judicial ethics. But he is a very compassionate and caring person. And one thing that I do know for sure, only God knows what is on a person's heart and mind. But I can tell you that I am confident when Judge WILDER goes to sleep at night, he sleeps really good knowing that he has done the people's work and the Lord's work. God bless you, Justice.

MR. RASSEL: Our last speaker before taking the oath is the Honorable BRIAN ZAHRA.

JUSTICE BRIAN ZAHRA: Thank you, Richard. Governor Snyder, Sheriff Napoleon, members of the federal and state bench, members of our state Legislature, friends and family of Justice WILDER. It's my pleasure and honor to speak here today.

Kurt, thank you so much for including me in this celebration. My remarks are very consistent with those offered by the many distinguished speakers we've already heard from, and this is for good reason. KURT WILDER is one of those people you can't say enough good things about. No matter how one encounters Kurt, you're simply left with a good impression. Simply stated, Kurt is a very good man.

Governor Snyder, you showed our state how it can function with relentless, positive action. Kurt has lived his life with relentless, positive action for as long as I have known him. And I have known him for a very long time. We have a special bond. A long time ago, we both served as young, probably too young Circuit Court judges—too, not t-w-o but t-o-o. I won't tell you how long ago that was, but it was back in the day when your cell phone wasn't smart and few of us had e-mail addresses. I was in Wayne County and Kurt was in Washtenaw. We both learned a great deal in the trial court trenches.

More than 18 years ago, Kurt and I were invested on the Court of Appeals together, with Judge Jeffrey Collins. And this was at the Second Ebenezer Baptist Church in Detroit. Kurt and I served together on the Court of Appeals for over 12 years, and my law clerks tell me that we served together and decided over 300 cases on panels together. I have observed or worked with

Kurt on a number of different projects, personal and professional, and some even political. As a result, I have much to admire about Kurt.

As I thought about how to organize my remarks, I came up with a list of reasons why I admire Kurt, reasons that left me confident that he will be an outstanding justice of our Michigan Supreme Court. I wanted to do a David Letterman-style Top Ten Reasons I Admire Kurt list, but Kurt quickly vetoed that, claiming it would—he was concerned it would take too much time. Those of you in this room who were at our Court of Appeals investiture 19 years ago know that we really don't care how long something is going to take at an investiture. The Reverend Edgar Vann told us afterwards that our investiture was longer than his Sunday service.

I think Kurt was really concerned about my dark sense of humor. In any event, I made a list of five reasons why I admire Kurt and here they are:

First, I admire Kurt because of his deep devotion and love for his family. While I rarely see his children, Alycia and Klif, I feel like I know them. Kurt's heart is bursting with pride for his children. He shares in their joy and he feels their pain and wants to ease it when they are in times of pain and suffering. Not only is he a dedicated father, he is also an exemplary and dedicated son to his parents, Nathaniel and Dr. Sarah Wilder. It is no small task to be fully dedicated to both your children and your parents, but Kurt does it with seeming ease. I admire KURT WILDER greatly for his devotion to his family.

Second, I admire Kurt because he is a man of deep faith, who lives that faith each and every day. Kurt is the kind of person who always has time for others, to lend a hand, to listen, to provide a shoulder to lean on. Kurt never turns down a friend, never. Moreover, Kurt is not ashamed to pray for you, or to suggest that one might find peace in heart and mind through prayer. In a day where religious freedom is under attack, it takes great courage and conviction to live one's faith. I admire Kurt greatly for his devotion to his faith.

Third, I admire Kurt because he's so even-tempered. No matter what the challenge, he never lets his emotions get the best of him. When you've been a judge for 25 years, this is quite a remarkable accomplishment. I often wondered what his secret was. And I recently learned from Connie, his longtime administrative assistant, that Kurt lives his life by the self-implementation of what youth hockey coaches and other youth coaches know as the 24-hour rule. I've been a youth hockey coach for 12 years, and every year I start off with a parent meeting. And I say to the parents, I'm sure you're going to see many things this season that you'll find frustrating or upsetting; please don't present them at the rink after the practice or the game. Please wait 24 hours and if you're still upset about it after that time, we can calmly talk about your concerns. Kurt implements this rule as part of his life—it's part of his way of life. Instead of responding with anger and frustration—and there are plenty of times when you are a judge or a justice of the Michigan Supreme Court where you are frustrated or even angry—Kurt takes that 24-hour period to let cooler heads prevail. He never gives up his principles; instead, his principles are clearly set forth because of his self-restraint. I admire Kurt greatly for his even-tempered disposition.

Fourth, I admire Kurt because when the workday is done, you won't find him at the bar. And to quote Jerry Seinfeld, "not that there's anything wrong with that." [Laughter.] Indeed, at the end of many of our long conference days, I find myself with some of my colleagues—I won't mention who—and we're sipping on a glass of wine solving the world's problems, if we can't solve the problems of our Court. What I mean by this is that when Kurt's day is done, it is not done. Kurt injects himself into his community. He gives of his time and talents to such marvelous organizations as the Detroit Symphony Orchestra, Interlochen Center for the Arts, and Detroit Children's Hospital Foundation. Kurt, I admire you greatly for your ability to perform your professional and personal duties in life so well, yet still find time to give back to your community.

Last and certainly not least, I admire Kurt because he's honest, straightforward, and plays by the rules. Needless to say, playing by the rules is a big deal for a judge or a justice. Kurt understands that obtaining equal justice under law, the foundation of our judicial system, can only be achieved when the rule of law is applied equally to all litigants who come to court. Kurt will never put his thumb on the scale of justice to achieve a result that is not dictated by the law. He will follow the law, even when he does not like the law.

In this regard, I'm not sure whether this admirable quality about Kurt is the product of his many years of experience on the trial and appellate court, or from his experience as a high school football official. As you might imagine, being an official is much like being a judge or a justice; you need to know the rules and you have to have the courage and conviction to apply those rules appropriately, even when the masses are yelling for a different result. You simply can't change the rules in the middle of the game. Regardless of where Kurt honed his skills, I am confident in saying, Kurt knows when to throw a flag, but he also knows when to pick it up. In fact, picking up a flag takes a lot of courage, and Kurt will not hesitate in doing what's right in upholding our Constitutions and the rule of law in our state.

Governor, when Justice YOUNG announced his retirement, I must admit I was very concerned. Justice YOUNG contributed so much jurisprudentially and administratively to make Michigan a better place to live, raise a family, and do business. The departure of Justice YOUNG left a huge void on our Court, and making this appointment could not have been easy. But Governor, I thank you for appointing KURT WILDER the 112th justice of the Michigan Supreme Court. I was thrilled to hear the news that my dear friend and rock-solid former colleague would be joining our bench. And today I am honored to formally welcome him to the Michigan Supreme Court. Justice WILDER, congratulations and welcome.

MR. RASSEL: Mr. Chief Justice, having heard the consistent remarks about the man that we all really love, I believe the time has come for the oath of office.

CHIEF JUSTICE MARKMAN: What a wonderful ceremony this has been for this Court, and what a wonderful testament to our newest justice. By your accomplishments and character, Justice WILDER, you've earned the right today to take this oath. It's what binds you for as long as you serve on this Court, to abide by the requirements of the law, requirements of the Michigan Constitution, and the requirements of the United States Constitution. And there's no stronger bond, as you know, between people than an oath where it invokes the Almighty. In the end, of

course, it is not the oath that makes us believe in the man or the woman, but the man or the woman that makes us believe in the oath. And I and your new colleagues firmly believe that you are the kind of man who makes us believe in this oath today, and that is what makes this moment a significant one. Please raise your right hand and repeat after me:

CHIEF JUSTICE MARKMAN: “I, KURTIS T. WILDER—”

JUSTICE WILDER: I, KURTIS T. WILDER—

CHIEF JUSTICE MARKMAN: “do solemnly swear—”

JUSTICE WILDER: do solemnly swear—

CHIEF JUSTICE MARKMAN: “that I will support the Constitution of the United States—”

JUSTICE WILDER: that I will support the Constitution of the United States—

CHIEF JUSTICE MARKMAN: “and the Constitution of the state of Michigan—”

JUSTICE WILDER: and the Constitution of the state of Michigan—

CHIEF JUSTICE MARKMAN: “and that I will faithfully discharge the duties—”

JUSTICE WILDER: and that I will faithfully discharge the duties—

CHIEF JUSTICE MARKMAN: “of the office of Justice of the Michigan Supreme Court—”

JUSTICE WILDER: of the office of Justice of the Michigan Supreme Court—

CHIEF JUSTICE MARKMAN: “according to the best of my ability—”

JUSTICE WILDER: according to the best of my ability—

CHIEF JUSTICE MARKMAN: “so help me, God.”

JUSTICE WILDER: so help me, God.

CHIEF JUSTICE MARKMAN: Congratulations. [Applause.]

JUSTICE WILDER: [Justice WILDER dons robe]. Thank you. It’s official now.

MR. RASSEL: Honorable members of the bench and all the rest of us, I give you the Honorable Justice KURTIS WILDER.

JUSTICE WILDER: May it please the Court, Mr. Chief Justice and justices of the Supreme Court. In my 33 years as a licensed attorney, I’ve never had the opportunity to say those words,

and since it is my distinct hope that I'm not afforded the opportunity to say them from the other side of the bench anytime soon, I thought I would just see what they sound like. [Laughter.]

In all seriousness, thank you to Chief Justice MARKMAN for presiding over this ceremony and administering the oath of office. And thank you as well to my esteemed colleagues for how warmly that you've welcomed me as your new colleague, for your commitment to serve the citizens of this state with the utmost integrity, and for your intellect and your work ethic. Whatever the quality of my abilities as I join this Court, I know that I can only improve by following the example each of you sets every day.

Former Chief Justice YOUNG called to say that he was unable to be here, but I did want to thank him for his years of dedication and service to this august body and for his varied contributions to the administration of justice and of the fabric of the law in this state. And I also wanted to personally thank him for retiring, so I that I could have this seat. [Laughter.]

Governor Snyder, I want to thank you for the trust that you've placed in me and the high honor you have bestowed on me by appointing me to serve in this role. And I commit to do everything in my power and control to create the opportunity for someone now or 20 years from now to see my appointment to this Court as one of your outstanding decisions as Governor; so thank you very much.

And Reverend Campbell, you offer the most thoughtful prayers, and you and the entire First Pres family, many of whom are here today, have been a source of spiritual nourishment and also an example of Christian love. So thank you for being here today.

As you heard, unfortunately, my parents, Nathaniel Wilder and Dr. Sarah Wilder, are not able to join us in person. But they are here very much in spirit and as well in my heart; I believe they are watching—at least I hope they are—the live feed from Cleveland. There was some difficulty getting that to work earlier, so I hope that was resolved. And I also have family in other parts of Ohio, Oklahoma, Florida, New Jersey, and Australia who could not be here today. I'm very grateful for the support of my family and for God's grace. And as I said at the time of my appointment, the fact that I've achieved anything at all, let alone the opportunity to serve on the Michigan Supreme Court, is, as I believe, a tribute to my parents.

My parents graduated from Tuskegee Institute before it was a university and traveled north to settle in Ohio. My father was a soil conservationist, before his retirement, with the United States Department of Agriculture for more than 30 years. He never took a sick day, and he was one of the first African-American soil conservationists hired by the state of Ohio or within the state of Ohio by the federal government. My mother was a dietitian/nutritionist and educator for almost 50 years. And she was the first African-American president of the Ohio Dietetics Association. As the 112th justice of this Court, but also its fifth African-American justice, I understand the legacy of service that my parents have left for me to follow. Mom and Dad, I hope you're watching; I love you and may God continue to bless you.

As you saw, my children, Alycia and Klif, have been here today to participate with the ceremony, and I want to express my love and thanks to them and ask them to stand to be recognized.

I want to thank all of you who are here in the courtroom to—for being here today, to share in this special day. Thank you to the judges, the Speaker and other legislators, and other elected officials who took the time to come here to celebrate. And thank you to so many I've worked with over the years, who've helped to mold me as a lawyer and a judge; in particular, Tony Smith and U.S. Court of Appeals Judge David McKeague at Foster Swift, Dick Rassel and Bob Verduyse at Butzel Long, my colleagues at the Washtenaw County Circuit Court, and my colleagues on the Michigan Court of Appeals.

Dick, I want to thank you for serving as the master of ceremonies. I have such high regard for you and consider it a high honor to have you here today.

Thank you, Harvey, for coming up from Cleveland to be a part of this day, from the band and orchestra department to the softball fields, to our respective journeys to the practice of law, we've never lost that bond that we had almost from the very time we met, and I appreciate everything that you've been to me.

Thank you, Charlie, for your kind and thoughtful words on behalf of the Michigan Supreme Court Historical Society.

Liz, you are an advocate's advocate and the consummate and formidable professional. And I'm grateful for your words and support here today.

Sheriff, you've been an exemplary sheriff and an exemplary friend. Thank you for your wonderful comments.

Brian, Justice ZAHRA, you have been a great colleague and a jurist on the Wayne Circuit bench, at the Court of Appeals, and now here, at the Supreme Court. Maybe you were too young for the circuit court, but I wasn't. [Laughter.] You've paid me a huge compliment today with your remarks, and I'll do my best to continue to live up to them.

And Steve, Chief Justice, it's an honor to serve on this Court with you as Chief Justice. You've always been a wonderful example of how to serve with dedication and commitment to the rule of law.

Let me also please recognize my judicial assistant of 24 years, Connie Fuller. I don't know if she's—where she is. Is Connie in the—please stand and be recognized. I commend her for putting up with me for all these years, to my great benefit. I want to recognize my current law clerks, Tamara York Cook, Charlynn Turner, Adam Pavlik, and Hal Stanton. And if they're in here, would you please stand? And any of my former law clerks and interns who were able to be here today, please stand to be recognized. These were all the people that have kept me on the straight and narrow all these years, so I'm very grateful to all of them.

Since I have a 25-year record of service as a judge, I'm not going to dwell today on my judicial philosophy, but I do want to say a few things, because over those 25 years I've tried to maintain the same philosophy. I believe that my job is to say what the law is, not what it ought to be; to give a reasonable interpretation to the constitutional provisions and statutes that are before us as a Court, upholding the rule of law. I respect the separation of powers that our framers so ably designed. And yet I understand that the powers granted to the judiciary must be wisely, carefully, thoughtfully, and compassionately exercised toward the end of equal justice under law.

I have always believed that a decision of any court must not only be fair, but it also must appear to be fair. That does not mean fairness in the eye of the judge or in the eye of the court. But fairness is the law governing the conflict that issue demands. This requires that particular care be given to explain the basis of any decision so that, to the extent possible, even a losing party can understand the logic of the decision against him or her. I pledge to approach my work here at the Supreme Court, deciding the cases and controversies before us, with diligence, integrity, and seriousness as our work here deserves and demands.

And I will accord respect to my talented colleagues, listening carefully to their beliefs about how we should decide particular issues, and firmly but respectfully advocating for my view of the law if we disagree. I will do my best to treat all parties and their attorneys with dignity and respect. And, in our important administrative work, I pledge to listen and learn about the challenges of making our One Court of Justice a reality of justice for the judges, staff, and citizens who work and appear in our lower courts every day, so that I can exercise wise judgment in my administrative role on this Court.

Thank you to the Michigan Wing Civil Air Patrol Honor Guard for coming up to post the colors for us today and leading us in the Pledge of Allegiance. Thank you to the Detroit Symphony Civic Orchestra alumni who are going to be providing background music for the reception, which follows in the rotunda. I've served on the board of the Detroit Symphony Orchestra for nearly eight years, all of that time on its education committee. And I've been proud of the accomplishments of the Civic Youth Ensemble Players, many of whom, like my daughter, Alycia, continue to play professionally.

Finally, I want to give special thanks to the Interlochen Arts Academy Chamber Singers and their director, John Bragle. I've served nearly 10 years as a trustee at Interlochen. And, in addition to her time with the Detroit Symphony Civic Orchestra, my daughter Alycia is also an Interlochen Camp and Academy alum. So Interlochen, with all of its amazing student talent, some of which you have witnessed here today, its amazing faculty and staff, and its amazing legacy in Michigan history holds a very special place in my heart. I tried to get my son to go to Interlochen, too, but he's too independent. I am informed that Interlochen is making history here today by being the first to provide music during an investiture ceremony here at the Supreme Court. So thank you for being here today.

Now let me conclude by inviting you to enjoy the refreshments in the rotunda after the Court has been closed. I'll do my best to thank each of you personally for being here today.

And thank you for this great honor that you've bestowed upon me by your presence here. It is a true joy, an honor and blessing, to serve as a justice on this Court. Thank you.

MR. RASSEL: Once more, the Interlochen choir, and this I'm sure will be moving. [Interlochen choir sings *America the Beautiful*.] [Applause.] Ladies and gentlemen, that arrangement was prepared especially by Director Bragle for this investiture. It was extraordinarily moving. Thank you all for being here today. Please join Justice WILDER for light refreshments in the lobby.

CHIEF JUSTICE MARKMAN: The only thing I can say in response to that is, aren't there two or three more verses to the song? [Laughter.] Well, thanks to everyone in this room. This has been a wonderful occasion, a wonderful day for this Court, and a wonderful day, I believe, for all the people of our great state. Thank you for being here. We stand adjourned.