

SOCIETY UPDATE



FROM THE MICHIGAN SUPREME COURT HISTORICAL SOCIETY — SPRING 1999

Chief Justice Elizabeth Weaver's extraordinary journey from boardroom to classroom . . . to courtroom

It must have been some campaign. By all accounts, there were more sightings of Elizabeth A. Weaver around Michigan in 1994 than of Elvis in all the years since his death. Those who met her surely remember the tireless Michigan Court of Appeals judge going out of her way to introduce herself. It may have been at a dinner, or in a parking lot, or at some other transitory venue on the campaign trail, but it appears that few were missed. The election tallies for Michigan Supreme Court justice that November said so.

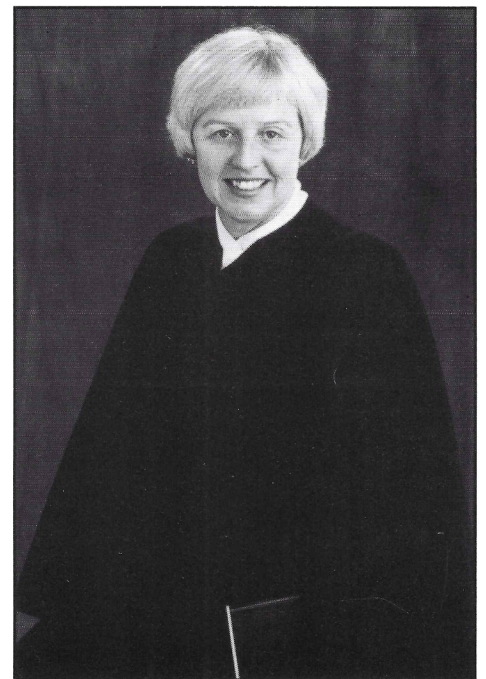
What carried then Judge, now Chief Justice Weaver from Monroe to Gogebic counties – and all the counties in between – in pursuit of a seat on the state's highest court? Animated by public service, Judge Weaver believed she and the justice system could make a positive difference in people's lives. Her confidence had already taken her from Louisiana to Michigan twenty-some years earlier. It had taken her from the classroom to the bench and from probate court to the appellate court. From her perspective, there is always an opportunity to do more.

And where do that confidence and clear sense of purpose come from? She would be quick to credit her parents. "I am continually grateful to them for their love, the guidance, the support and the values they gave us," she said at her investiture as a justice

in 1995. They taught her and her two brothers, for example, that doing one's best was reward in itself; and that doing one's homework trumped TV's "The Lone Ranger." "These were the kind of values that my honest, good parents shared with us and demanded of us. We didn't always think they were our friends, but they were our parents, and I am grateful to have known them."

Her career followed the lessons taught. Raised in New Orleans, Chief Justice Weaver attended Tulane University Law School. There she served as an editor of Tulane Law Review, graduated with honors, and received the Order of the Coif. After school she practiced law in New Orleans with an oil company and a private law firm. To broaden her horizons, she traveled to Michigan, where the Leelanau Peninsula captivated her. As an educator she taught first grade at the Glen Lake Community School in Maple City and served as dean of girls at Leelanau School, a private school in Glen Arbor. Education and the law, she believed, share certain values: They teach responsibility and accountability, both personal and social.

In 1974, Chief Justice Weaver was elected as Leelanau County probate judge and was re-elected to six-year



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President's Message

The days are longer, the weather is warmer and the golf courses are busier. There's no mistaking — spring is finally here! And like the budding trees, such a welcome sight after a long winter, the Michigan Supreme Court Historical Society is also growing.

In our eleventh year, we grew to nearly 500 members. And every year, our ranks are broadened by dozens of individuals who bring their unique perspectives to the preservation of Michigan's legal history.

Financially, we've never been in better health. Our percentage of dues-paid members is at an all-time high; consequently, we are able to offer our members and the public more programs and services.

The *Michigan Supreme Court Historical Reference Guide*, our 273-page book published in 1998, is receiving rave reviews from its readers. In no other publication can one read biographical sketches and view photos of each of Michigan's first 100 Supreme Court Justices.

Our strong financial base also makes possible programs like the Creighton Coleman Internship, through which the *Reference Guide* was researched and written, and our site on the World Wide Web, which makes Michigan Supreme Court historical information available to thousands.

With each passing season I grow more proud to be associated with this outstanding organization. Thanks to all of you who continue to support the Michigan Supreme Court Historical Society.

— Wallace D. Riley

Chief Justice Weaver

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terms in 1996 and 1982. In 1978, her innovative approach to working with young people in the juvenile justice system brought her national recognition. "Good Morning America" and "People" magazine featured her firm but fair treatment of delinquents. That approach committed delinquents to secured detention, but also included restitution, apologies to victims, community service. It also required juvenile offenders to write essays about the purposes of the laws they violated and why those laws should not have been broken.

Chief Justice Weaver was elected to the Michigan Court of Appeals, 3rd District, in 1986 after twelve years as a probate judge. She was re-elected in 1992. Her interest in juvenile justice and in general court administration never waned. Before and after joining the Court of Appeals, her talents were sought out by Chief Justices Mary S. Coleman, G. Mennen Williams and Dorothy Comstock Riley, and by Governors William Milliken, James Blanchard, and John Engler. On numerous commissions, committees and task forces, she tackled issues ranging from child abuse and neglect to docket control in the probate courts. As chair of the Governor Engler's Task Force on Children's Justice, she helped develop a system for monitoring and reducing child deaths. She also chaired the Trial Court Assessment Commission, which explored ways to measure the state's trial court workload.

In 1994, running for the first time for statewide office, Chief Justice Weaver "cornered every eligible voter

in every part of the state," according to then Court of Appeals Judge Maura D. Corrigan, now herself a Michigan Supreme Court justice. At Justice Weaver's 1995 investiture, Judge Corrigan spoke of her in terms that echoed the chief justice's memory of her parents.

"I read about Justice Cooley and Justices Marston and Potter and Williams and Mary Coleman herself," said Judge Corrigan in noting her research for the ceremony. "I think it's fair to say that in all of those events, people describe the justices who have served on the Michigan Supreme Court as people of honesty, integrity, and energy. Betty Weaver shares these hallmarks of the great justices of our state."

Judge Corrigan described her former Court of Appeals colleague as "a woman of probity" who is "totally without pretense and without pretension." "The best part of Betty Weaver," Judge Corrigan said, "is that Betty Weaver will make you laugh. She has a wonderful sense of humor."

Judge Corrigan wasn't alone in commending Justice Weaver at the investiture.

- The late Court of Appeals Judge Myron Wahls acknowledged Justice Weaver's judicial strengths. "Shortly after she came to the bench, I became acquainted with her several abilities as a judge. On those occasions when we sat with each other, it was a real joy. In most instances, she agreed with me. I said: This as a woman who's going far."

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Chief Justice Weaver

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• Former Wayne Probate Judge Y. Gladys Barsamian described Justice Weaver as a woman who seeks the best in others. "Good-finders know that the best blessings almost always come into our lives disguised as problems. Good-finders know that there is a promise in every problem, a

around, she would forever be known as Aunt Betty. The impact that Justice Weaver has had on the lives of my sister and I is absolutely incredible."

Five years after her investiture, Chief Justice Weaver still intends to have an impact. She is pursuing, in cooperation with the Executive and Legislative branches, completion of the family division of circuit court, which was created by 1996 legislation. "The family division of circuit court began operation a year ago. Much remains to be done," the Chief Justice said upon taking her new position. "The Court will work to ensure that all matters involving families and children are addressed with common sense in a comprehensive and practical manner."

She is also pursuing a statewide computerized court information network for sharing in a more efficient manner vital court data with state and local agencies and the public. Efficient communication, the Chief Justice said, is essential to court productivity.

"I invite all those who have contributed to court reform, and those who have not thus far, to provide ideas and energy as we progress toward the completion of this effort begun by the Supreme Court, Legislature and the Executive," Chief Justice Weaver said. "We know the process will succeed when the participants are motivated by service to the public."

Chief Justice Weaver is fond of noting the words of her immediate predecessor: "The job of chief justice is like running a \$200 million company on the side with no pay." In addition to her administrative duties as

chief justice, there is her work as a justice. This entails reviewing 200-300 applications for leave to appeal each month, reviewing 35 to 50 cases for conference several times a month; preparing 12 to 18 cases for each month of oral argument; writing majority opinions, concurrences and dissents; preparing for administrative meetings concerning court rules, discipline issues, board appointments and the like several times a month; attending to educational and communication responsibilities; and performing a variety of civic obligations, including speeches, classroom visits, and conferences.

Needless to say, Chief Justice Weaver knows thoroughly the institution she serves and its ability to touch individual lives. She also knows the effort needed to make those important connections. Now is her best opportunity to help the judiciary do so, and as always, she's on the move.

"... people describe the justices who have served on the Michigan Supreme Court as people of honesty, integrity, and energy. Betty Weaver shares these hallmarks of the great justices of our state."

— Justice Maura Corrigan at Chief Justice Weaver's 1995 Investiture Ceremony.

rainbow in every storm, a warmth in every winter; our Betty Weaver is a good-finder."

• Randall Taylor, a friend of Chief Justice Weaver's now living in New Jersey, remembered a young teacher in 1970 who, over the course of one summer, helped a budding discipline problem buckle down in school and set a standard of excellence. "By the time the summer rolled

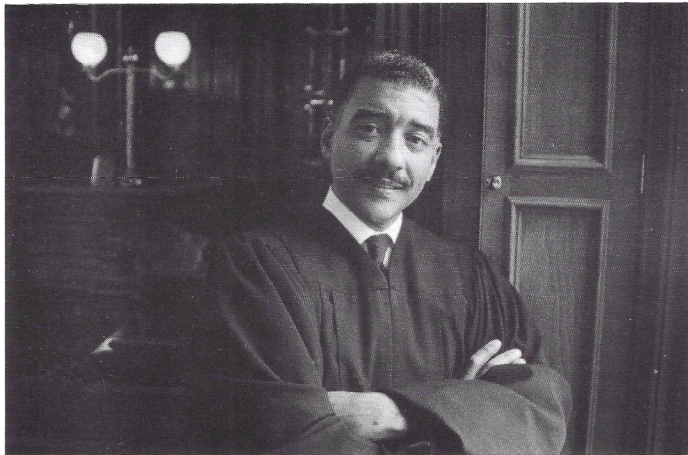
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The end of an era:

Conrad L. Mallett, Jr. resigns from Court



Editor's note: Conrad L. Mallett, Jr. made history in 1997 when he became the first African-American Chief Justice of the Michigan Supreme Court. In December 1998, he resigned from the Court to practice law in the private sector; and in January 1999, he joined the Board of Directors of the Michigan Supreme Court Historical Society.

The following resolution from the State Bar of Michigan was presented to Chief Justice Mallett upon his retirement from the Court.

Photo by Doug Elbinger.

RESOLUTION

WHEREAS Conrad L. Mallett, Jr. has resigned from the Supreme Court of the State of Michigan after eight years of service, including two years as Chief Justice of Michigan. His tenure on the Court has been marked by vision, a dedication to the highest principles of the legal profession, and an unswerving devotion to the fulfillment of the American promise of "Equal Justice Under Law."

Justice Mallett was named to the Court in December, 1990 by Governor James J. Blanchard. He was elected to a two-year term in 1992, and to a full term in 1994. On January 2, 1997, he was unanimously elected by his colleagues as Chief Justice, the first African American to be so honored in Michigan.

Prior to his membership on the Court, Justice Mallett was a partner in one of southeast Michigan's most respected law firms, Jaffe, Raitt, Heuer & Weiss P.C. He had earlier served as Director of Legal and Governmental Affairs for the Governor of Michigan, Senior Executive Assistant to the Mayor of Detroit, and as an attorney in Michigan's oldest law firm, Miller Canfield Paddock & Stone P.C.

Justice Mallett is an exemplary product of Michigan's parochial elementary and public middle and senior high school systems. He attended Wayne State University for two-and-a-half years before completing his undergraduate degree at the University of California at Los Angeles. His post-graduate studies were at the University of Southern California Law School where he earned M.P.A. and J.D. degrees.

His tenure as Chief Justice has been marked by his leadership in advancing the administration of justice in Michigan. He has led the effort to merge probate courts with circuit courts which has served to strengthen the justice system by reducing administrative and jurisdictional conflicts. He also was a leader in obtaining legislative approval of construction of a Michigan Hall of Justice which will bring together the Supreme Court, Lansing-based Court of Appeals offices, and the State Court Administrator's Office in a single facility.

Chief Justice Mallett will long be remembered by the State Bar of Michigan for his tireless efforts towards fostering greater cooperation and understanding between the Supreme Court and the State Bar's leadership. He has been a friend, a motivator and an inspiration to the leadership of the State Bar. The benefits of that strengthened relationship will continue to be seen for many years.

Now, Chief Justice Mallett has returned to the private sector after a long and noteworthy career in public service. He leaves with the thanks of all lawyers in Michigan, and their best wishes for a healthy and prosperous future.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the State Bar of Michigan, that the highest commendation and thanks be accorded to the Honorable Conrad L. Mallett, Jr. for his remarkable leadership as the 60th Chief Justice of Michigan, and that a copy of this tribute be conveyed to him as a symbol of the high esteem and affection in which he is held by the State Bar of Michigan.



Hear ye, hear ye!

Society news, events & announcements

New Justices sworn in

MAURA D. CORRIGAN. Enduring frigid temperatures and bone-chilling winds, the Court's 101st Justice, Maura D. Corrigan, along with 20 other elected state officials, was sworn into office by Governor Engler on January 1, 1999.

Justice Corrigan was elected to the Court in 1998. She graduated magna cum laude from Marygrove College with a Bachelor of Arts degree in 1969, and cum laude from the University of Detroit Law School with a Juris Doctor in 1973. Justice Corrigan served as a law clerk to the Honorable John Gillis of the Michigan Court of Appeals, worked as an assistant prosecuting attorney in Wayne County from 1974 to 1979, and was appointed Chief of Appeals in the United States Attorney's Office for the Eastern District of Michigan. In 1986, she was promoted to Chief Assistant United States Attorney, the first woman to hold that position. In 1989, Justice Corrigan became a partner in the law firm of Plunkett & Cooney, specializing in litigation and appeals. In March of 1992, she was appointed to the Michigan Court of Appeals by Governor Engler. In November of 1992, she was elected to a partial term and then reelected in 1994 to a full six-year term. After receiving the nomination of her colleagues, the Supreme Court appointed her as Chief Judge of the 28-judge appeals court and its 250 employees in 1997. She served two

years as Chief Judge before commencing her term as Supreme Court Justice.

She has participated in numerous community and professional activities and has won many awards for her



Justice Maura D. Corrigan, center, with her mother, Mae Corrigan, left, and friend Chris Hunt, right.

professional achievements, including the U.S. Department of Justice Director's Award for Outstanding Performance as an Assistant U.S. Attorney and the Federal Bar Association's Leonard Gilman Award as the 1989 Outstanding Practitioner of Criminal Law. She has also published in journals such as the Wayne Law Review and University of Toledo Law Review.

Justice Corrigan is married to Wayne State University Law Professor Joseph D. Grano and is the mother of Megan and Daniel.

ROBERT P. YOUNG, JR.

Detroit's newly restored Gem Theatre -- itself a historic landmark that drew national headlines when it was moved five blocks in

1998 -- was the setting for the investiture of the Court's newest member, Justice Robert Preston Young, Jr., on February 18, 1999.

Justice Young was appointed by Governor Engler to fill the vacancy created by former Chief Justice Conrad Mallett. He received a bachelor's degree and graduated cum laude from Harvard College in 1974, and a Juris Doctorate from Harvard Law School in 1977. He practiced law for 15 years with the law firm of Dickinson, Wright, Moon, Van Dusen & Freeman, then in 1992 was named vice president, corporate secretary and general counsel of AAA Michigan. Young was appointed to the Michigan Court of Appeals, 1st District, in 1995; he was then elected to that Court in 1996. He has served as a member of the Michigan Civil Service Commission and the Central Michigan University Board of Trustees.

Justice Young is married to Dr. Linda Hotchkiss, a psychiatrist. They are the parents of two boys, Robert, 15, and Barrett, 12.

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Justice Robert Young taking his oath of office. Pictured left to right: sons Robert Young III, age 15, and Barrett Young, age 12; Dr. Linda Hotchkiss, wife; Justice Young; Judge Damon J. Keith.

Historical Profiles: The Big Four

Editor's note: The following two biographical sketches are the first in a series of excerpts from the Michigan Supreme Court Historical Reference Guide, published by the Society in 1998 (see back page for ordering information), that will be printed in upcoming issues of this newsletter. The first profile focuses on the "Big Four" as a Court; it is followed by an individual profile on James V. Campbell, one of the Big Four.

Watch upcoming issues of Society Update to read about the other three Big Four Justices, as well as the other 100-plus Justices.

The Big Four

SERVED FROM 1868-1875

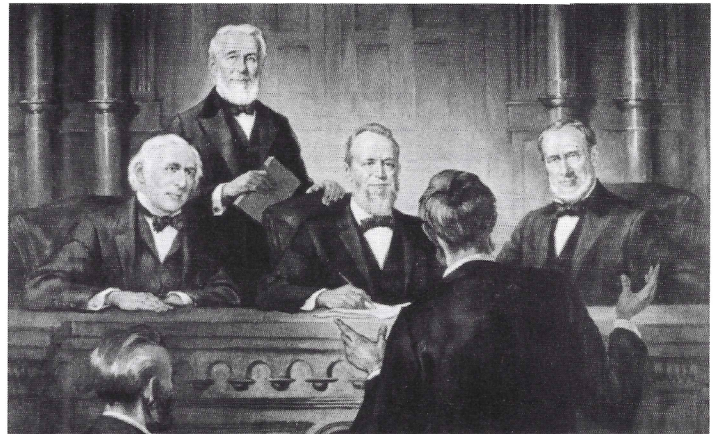
The history of Michigan's Supreme Court begins with the State Constitution of 1850, stating that judges of the Circuit Courts would also serve as judges of the Supreme Court, for a six-year term. This initial arrangement was unsuccessful.

In 1857, the Michigan Legislature created a permanent State Supreme Court, sitting en banc. This first Court was comprised of James V. Campbell and Isaac P. Christiancy. In 1864, Thomas M. Cooley was appointed to the Bench while serving as first Dean of the University of Michigan Law School. When Cooley became Chief Justice in 1868, Benjamin F. Graves was elected to the Court. Their association continued until Justice Christiancy was elected to the United States Senate in 1875.

Known as men of exceptional scholarly attainments, these four Justices possessed to a high degree the fair-mindedness essential to a jurist. Each was capable of expressing his views in opinions marked by vigor and clearness of expression.

It was not long before Michigan's Supreme Court was recognized throughout the United States as a strong judiciary, ranking with the best in the land. The Court worked with a new Constitution in the formative years of Michigan's statehood. It was instrumental in sharpening judicial procedures and resolving constitutional issues.

To this day, jurists, lawyers, and legal scholars recognize Campbell, Graves, Cooley, and Christiancy as "The Big Four" in Michigan's Supreme Court history.



Michigan Supreme Court Justices Campbell, Graves, Cooley, and Christiancy. Portrait by John S. Coppin; gift of Mr. and Mrs. Frank G. Mixer to the State Bar of Michigan.

Society news, events & announcements . . .

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Annual Membership Luncheon. The Society's annual membership luncheon is being held Thursday, April 22, 1999 at noon at the Kent Country Club in Grand Rapids. U.S. Court of Appeals Judge and Society Board Member James L. Ryan is presenting the legal vignette: "The Story Behind Justice Thomas M. Cooley's Departure from the Court." All members and any persons interested in Michigan Supreme Court history are invited to attend. Tickets are \$20.00 and can be obtained by calling the Society at 517-346-6419.

Charles L. Levin Portrait Presentation. Retired Justice Charles L. Levin's official portrait will be presented to the Court during a Special Session on Thursday, May 6, 1999 at 11:00 a.m. at the City-County Building, 13th floor auditorium, Detroit. The portrait, painted by Joseph Maniscalco of Orchard Lake, will be hung in the Supreme Courtroom in Lansing. The historical collection currently contains

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Historical Profiles: James V. Campbell

James V. Campbell

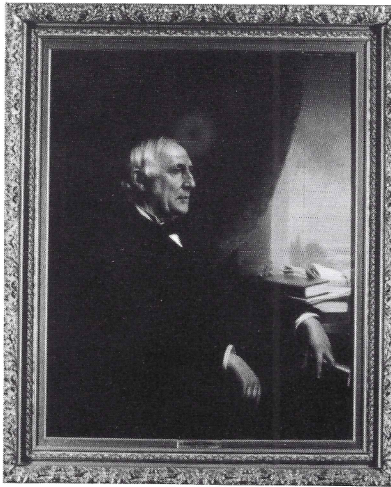
24th Justice

SERVED FROM 1858-1890

James V. Campbell was born on February 25, 1823, in Buffalo, New York. While still an infant, his family relocated to Detroit where he resided until his death.

Campbell was admitted to the Bench in 1844, and practiced law until he joined the Michigan Supreme Court in 1857. He served on the Court for thirty-two years, until the time of his death in 1890.

Campbell possessed a talent to teach as well. In 1859, he was chosen as a Marshall Professor of Law in the University of Michigan Law Department. He taught and influenced many young lawyers for twenty-five years. Former student and later colleague, Isaac Marston, said of Campbell's teaching, "In the delivery of his lectures, he did not, like the others, state a legal proposition and then seek to illustrate or explain, but from the commencement to the end, he talked in that easy, flowing strain which all who



heard him can remember so well, and which made it so difficult to take notes."

Campbell also possessed a talent to write with ease. "On taking up his pen his thoughts seemed to come so easily there was no stopping to think for the proper word, or how to construct a sentence . . . his writings . . . flowed in a continuously smooth and graceful manner," Marston also remarked.

Literary pursuits were his favorite hobby and he gathered his research on the State of Michigan in a

book entitled, *Outlines of the Political History of Michigan*.

Due to his immense workload and devotion to the activities surrounding the love of the law, Campbell socialized infrequently. In fact, Judge Henry Brown commented that at times, he seemed to shun social interaction. However, this did not detract from his reputation as a wonderful jurist and teacher.

James V. Campbell died on March 26, 1890.

Announcements, continued

87 portraits, which are displayed in Supreme Court offices and other state agencies in Lansing and Detroit.

U.S. Supreme Court Justice coming to Lansing. United States Supreme Court Associate Justice John Paul Stevens will address the State Bar of Michigan's annual meeting in Grand Rapids on September 15, 1999. Justice Stevens was appointed to the U.S. Supreme Court in 1975 by President Gerald Ford, a Grand Rapids native and member of the Michigan Supreme Court Historical Society.

Michigan Supreme Court Historical Reference Guide. Copies of this 273-page book, published by the Society in 1998, are still available! Read about Michigan's first 100 Supreme Court Justices and learn how these remarkable men and women helped shape the legal framework of our great state. The price is \$10.00 for members and \$15.00 for non-members. Call 517-346-6419 to order by phone, or clip and mail/fax the order form on back page.

World wide web. The Society's web site -- www.micourthistory.org -- is now online. Visitors to the site can learn about the Society's programs and history, read biographies and view

portraits of Justices past and present, read transcripts of Court Special Sessions, read current and archived issues of Society newsletters, and "jump" to the Michigan Supreme Court's official web site. More features will be added over the next few months, and the Society welcomes your input! Call 517-346-6419, or complete a comment card on the web site, to share your comments and suggestions.

Coleman Internship. The search for the 1999 Coleman Intern is officially underway, and a selection will be made by mid-May. Watch for a profile on the selected intern in the summer issue of Society Update.

Order the Reference Guide

Call (517) 346-6419 to make payment by phone, or complete and mail/fax this form to: MSCHS, 306 Townsend Street, Lansing, MI, 48933. Fax: (517) 482-6248.

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Thank you!

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The Michigan Supreme Court Historical Society is a nonprofit, 501(c)(3) corporation dedicated to preserving documents, records and memorabilia relating to the Michigan Supreme Court. The Society produces publications, special events and other projects to achieve its goals in education and restoration. Current officers and directors are:

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