

SOCIETY UPDATE



FROM THE MICHIGAN SUPREME COURT HISTORICAL SOCIETY — SUMMER 1999

Society Presents Portrait of Justice Charles L. Levin to Michigan Supreme Court

Sixty years to the day of his bar mitzvah, over 250 friends, family and colleagues attended the presentation of Justice Charles L. Levin's official portrait at a Special Session of the Court on May 6, 1999, in Detroit.

"I am overwhelmed, and I am most grateful . . . by the kindness of their commentary," Levin said of the speakers' comments, which included Chief Justice Elizabeth A. Weaver; U.S. District Court Judges John Feikens and Avern L. Cohn; former Michigan Supreme Court Justices John W. Fitzgerald, James L. Ryan and Dennis W. Archer; and Wayne State Law Professor Janet E. Findlater, a former Levin law clerk.

Considering the caliber of the speakers' comments, it's easy to understand Levin's gratitude. Justice Levin was praised by his colleagues as:

- "a brilliant scholar of the law . . . one of Michigan's great judges," (Feikens);
- "a fair and thorough jurist . . . [who] always demonstrated an understanding of . . . other fellows' predicaments," (Cohn);
- a Justice who could be "counted on to hear all sides of a complicated question, to object or disagree in an agreeable manner, to express his opinions in a forthright manner,"

(Fitzgerald);

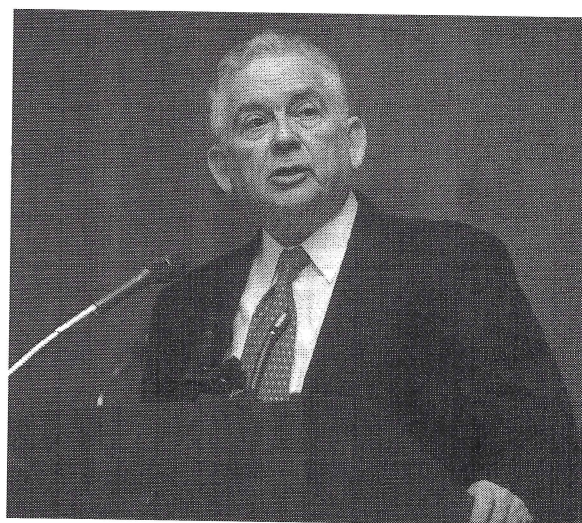
- a Justice who "brought . . . a calm, deliberative and accepting style, an openness to the views of others, a willingness to listen, a patience in hearing arguments in which he had little or no agreement, a willingness to explore the unexplored," (Ryan);

- "brilliant, compassionate, always willing to listen," (Archer);

- and simply, a "scholar and gentleman," (Weaver).

Levin's career had a lighter side, too. Judge Feikens related some "Levin lore" in which former Chief Justice Dorothy Comstock Riley, fearing that Justice Levin would spill coffee in the newly decorated and carpeted robing room, held a series of seminars to instruct Justice Levin on the proper way of pouring and carrying his hot beverage.

In another story, during oral arguments one day, Justice Levin fell backwards out of his chair and bumped his head on the wall behind him. (Justice Levin denies that he fell asleep, as some claim!) The next day he found a crash helmet on his seat, placed there by an anonymous jokester.



"I am overwhelmed..."
Justice Charles L. Levin

Reflecting on a more personal side of Justice Levin's legacy, his son, Fredrick Levin, spoke of family dinners from his childhood during which Fredrick and his two siblings were presented hypothetical cases

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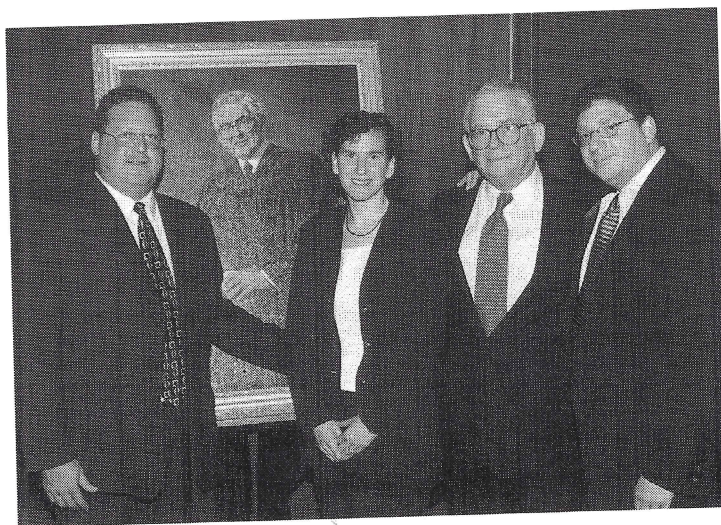
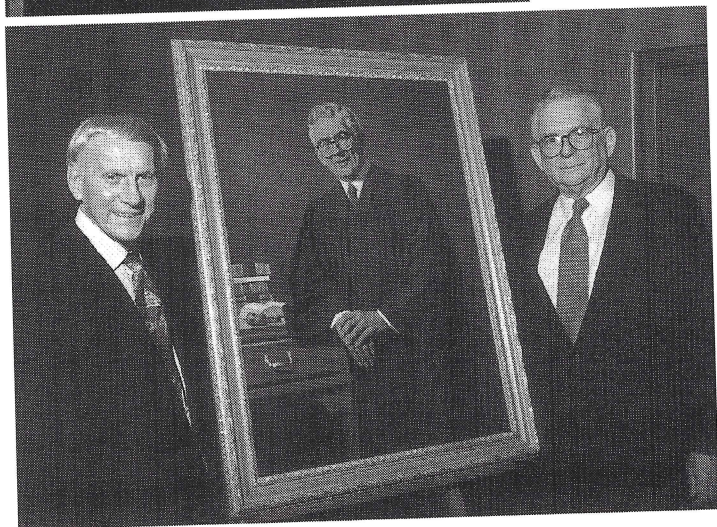
based on the facts of actual cases before the Court. Without revealing where he stood on the cases, Justice Levin went around the dinner table asking each child to give his or her opinion. "He taught us to pay attention to facts . . . the importance of independent thought," Fredrick recalled.

At the close of the presentation ceremony, Chief Justice Elizabeth Weaver presented Justice Levin with a one-of-a-kind volume of Michigan Reports containing selected opinions written by Levin.

The commissioning of official Court portraits of retired Supreme Court Justices is a Michigan tradition more than 150 years old. The Charles Levin portrait, painted by Joseph Maniscalco of Bloomfield Hills, is on display in the Michigan Supreme Court Courtroom in Lansing. It is the eightieth portrait in the Court's historical portrait collection, which is displayed in various locations throughout the state.



Left: Chief Justice Elizabeth A. Weaver, with former Chief Justice Dorothy Comstock Riley, presents Justice Levin a special edition volume of selected landmark opinions authored by Justice Levin during his twenty-four years on the Court. **Below left:** Joe Maniscalco, the portrait artist, and Charles Levin. **Below right:** Justice Levin with his children (left to right) Arthur, of Farmington Hills; Amy Ragen, of Seattle; and Fredrick, of Los Angeles.



Charles L. Levin, 86th Justice Career Highlights:

- 1926 – Born April 28, in Detroit
- 1946 – Received B.A. degree from University of Michigan
- 1947 – Received L.L.B. degree from the University of Michigan Law School; admitted to Michigan Bar
- 1949 – Admitted to New York Bar
- 1953 – Admitted to Bar of the Supreme Court of the United States
- 1954 – Admitted to District of Columbia Bar
- 1966 – Elected to Court of Appeals
- 1972 – Elected to the Michigan Supreme Court
- 1973-1996 – Authored 557 opinions while serving on Michigan Supreme Court
- 1973-1996 – Served with fellow Justices Thomas M. Kavanagh, Thomas E. Brennan, Thomas G. Kavanagh, John B. Swainson, G. Mennen Williams, Mary S. Coleman, John W. Fitzgerald, Lawrence B. Lindemer, James L. Ryan, Blair Moody, Jr., Dorothy Comstock Riley, James H. Brickley, Michael F. Cavanagh, Patricia J. Boyle, Dennis W. Archer, Robert P. Griffin, Conrad L. Mallett, Jr., and Elizabeth A. Weaver
- 1997 – Retired from Michigan Supreme Court
- 1999 – Dedicated portrait to Court, May 6

President's Message

In 1998 the Michigan Supreme Court Historical Society launched the Coleman Internship, named after former Chief Justice Mary Coleman's late husband, Judge Creighton S. Coleman. The internship is awarded annually to an undergraduate honors student who is interested in performing historical research on behalf of the Society.

Our first Coleman Intern was Jill Moore, who at the time of her internship was entering her senior year at St. Mary's College in Notre Dame, Indiana. Jill was able to uncover biographical data for each of Michigan's first 100 Supreme Court Justices. She also assembled an index to Special Sessions of the Court, as well as a chronologic chart of Court Justices by year, listing the composition of each Court since 1805. In performing that research, Jill compiled information that had *never before been assembled*, thereby making an invaluable contribution to the Society. As you know, the product of Jill's labors was published in December 1998 in the *Michigan Supreme Court Historical Reference Guide*. (See page 6 for ordering information.)

Now, kicking off the second year of the program, we are as excited as ever about this year's Coleman Intern and the topic he's been assigned to examine. Scott Noto, who is profiled in the column at right, is a highly qualified and motivated young man who has proven himself to be a thorough and enthusiastic historian. He has been assigned to research and write about the history of the Michigan Supreme Court, and the final product will be published in a booklet that will be made available to the public, especially visitors to the Supreme Court in Lansing.

We are confident that Scott will be just as successful in the program's second year as our first Coleman Intern was in the first.

Watch for announcements on the progress of the 1999 Coleman Internship in upcoming issues of *Society Update*.

— Wallace D. Riley
President

1999 Coleman Intern Selected

The Michigan Supreme Court Historical Society is pleased to announce the selection of Scott A. Noto as the 1999 Coleman Intern.

Scott, a Grand Rapids native, will enter his fourth year this fall at the University of Chicago, where he is majoring in U.S. history. "I am very excited and grateful to the Society to have this opportunity,"

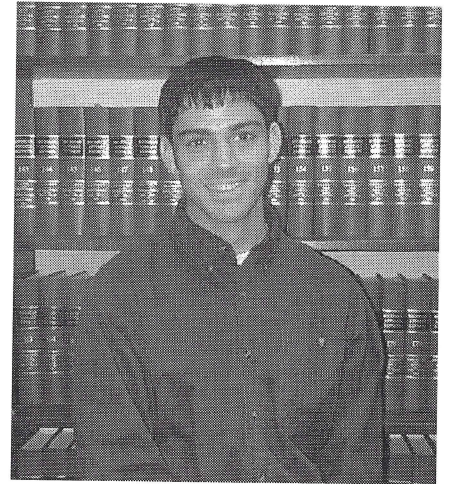
Scott said. "It will enable me to use my research and writing skills in area in which I have a lot of interest — law and history," he continued.

Choosing this year's intern was not easy, according to Society executive director Jill Wright, who reported that more than a dozen outstanding individuals applied. "What set Scott apart from the crowd," Wright said, "was an independent research project he undertook in the summer of 1998 — a project not related to school credits or a grade, but one undertaken purely for the sake of learning and contributing knowledge."

A descendant of Italian immigrants who settled in the Grand Rapids area, Scott was interested in learning more about his family history as well as contributing towards a topic that, to his surprise, had not received much attention. Thus, while many of his peers were relaxing and taking a break from academics, Scott spent last summer perusing local historical documents, interviewing local historians, and reporting his findings in an article published in the *Grand Rapids Press*. Scott is also developing a paper about Italian immigrants in Grand Rapids that will be published in *Grand River Valley History*.

As the Michigan Supreme Court Historical Society's Coleman Intern for 1999, Scott will write a general history of the Michigan Supreme Court, focusing on established topics, such as the Big Four, as well as searching for lesser-known facts and nuances. The culmination of his research will be published in a pamphlet that will be made available to the public.

Scott graduated from Deerfield Academy, Deerfield, Massachusetts, in 1996. At the University of Chicago he has been active in the Pre-Law Society, College Democrats, and the Ice Hockey Club. In the fall of 1998, he studied abroad in Rome, which enabled him to pass his proficiency exam in Italian. After graduating from UC, Scott plans to study law.



Scott Noto, 1999 Coleman Intern



New Society member inspired by Big Four

During a Youth in Government tour of the Michigan Supreme Court in 1984, Stephen Tupper, then a high-school junior, caught his first glimpse of the "Big Four" — the portrait of Justices Campbell, Christriancy, Cooley and Graves that hangs in the Court's lobby.

He learned that Michigan's contribution to modern society was not limited to automobiles; it also had a strong legacy in the law.

"I'd always been proud to be a native of Michigan, from the splendor of the Great Lakes to its eminence as the automobile capital of the world. But when I learned about the Big Four, I was even more impressed by our state's intellectual contribution to the nation," Stephen said.

More than a decade later, when Stephen entered Wayne State University Law School, he became reacquainted with the Big Four. His admiration for the four nineteenth

century jurists deepened as he studied the intricate details of their opinions. "As I studied the law, it seemed the Big Four's opinions kept popping up in unlikely places. It was then that I realized what a big contribution they made to law — even as it's practiced over a century later," Stephen said.

When it came time for his graduation from Wayne State Law School, Stephen's mother, Mrs. Ellie Tupper, came up with some unique gift ideas, but she didn't know where to find them. After phoning several organizations, Mrs. Tupper was put in touch with the Michigan Supreme Court Historical Society. She explained her request, and the Society was glad to help.

Here Stephen Tupper poses with his law school graduation gifts: a custom-framed, 20- by 24-inch print of the Big Four, and a leather-bound set of Michigan Reports Volumes 16-30, which contain Justices Campbell's, Christriancy's, Cooley's

Member News

Honorary/Memorial Contributions

The Society thanks these donors for their voluntary honorary and memorial contributions made between January and June, 1999:

From Justice Dorothy Comstock Riley, in honor of **Professor Joseph D. Grano** — \$100.00

From Judge Avern Cohn, in honor of the marriage of **Justice Charles L. Levin and Judge Helene N. White** — \$250.00

From the law firm of Riley and Roumell, Detroit, in memory of **Randall Calkins, son of Gary L. Calkins** — \$100.00

New Members

The Society welcomes its newest members:

Sue Ellen Eisenberg, Attorney, Bloomfield Hills

Scott R. Harrison, student, Thomas M. Cooley Law School, Lansing

Jennifer Mead, Attorney, Simplified Employment Service, Auburn Hills

Stephen L. Tupper, Associate, Dykema Gossett, PLLC, Bloomfield Hills

Mary O. Tyler, student, Thomas M. Cooley Law School, Lansing



and Graves' opinions.

The Society is pleased to welcome Stephen Tupper as of its newest members.

Members interested in obtaining their own prints of the Big Four, past Michigan Supreme Court Justices or other special print requests should contact the Society at 517-346-6419.