

SOCIETY RESTORES DESK OF JUSTICE LELAND W. CARR



Over the 18 years he served the Michigan Supreme Court, Justice Leland W. Carr penned 711 of the 4,800 opinions he heard on the Bench. At least some of those opinions must have been written while he sat at the roll-top desk recently donated to the Society by his family.

The desk was kept in a storage unit in Ann Arbor for several years before Justice Carr’s family contacted the Society in 2008. The desk then spent nearly another year in storage at the Hall of Justice before Beals Furniture Repair and Refinishing was commissioned to restore the turn of the century desk.

Brothers Jim and Dennis Beals began restoring antique furniture in 1989. A true family business, they work together on myriad projects throughout the year at their studio in Haslett, Michigan. The Society chose them because of their extensive knowledge of period furniture and excellent craftsmanship.

Leland W. Carr was born on September 29, 1883, on a farm in Livingston County, Michigan. Carr completed his education at Michigan Normal College in Ypsilanti and the University of Michigan Law School.

Carr’s first experience with public service was as a school teacher in Marine City, Michigan. He served as superintendent of schools there from 1906-1908 and in Ely, Nevada, from 1908-1910.

Carr entered the practice of law in Ionia, first as a private practitioner and later as assistant prosecuting attorney. In 1913, Carr was appointed Assistant Attorney General and moved to Lansing where he lived for the rest of his life. He eventually left the Attorney General’s office to serve as legal advisor to the state highway department.

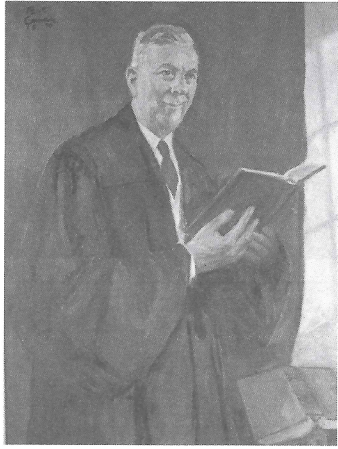
In 1921, Carr was appointed by Governor Alex J. Groesbeck to a seat on the Ingham County Circuit Court. Carr served in this position until 1945 when he was appointed to the Michigan Supreme Court.

Governor Harry F. Kelly--who became a Michigan Supreme Court Justice himself in 1954--appointed Carr when Justice Howard Wiest died on the bench in September 1945. Justice Carr was elected to serve out the rest of Wiest’s term in 1946, was subsequently re-elected in 1947 and 1955, and retired from the Court at the age of 80.

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Justice Leland W. Carr, 68th Michigan Supreme Court justice, served from 1945-1963.

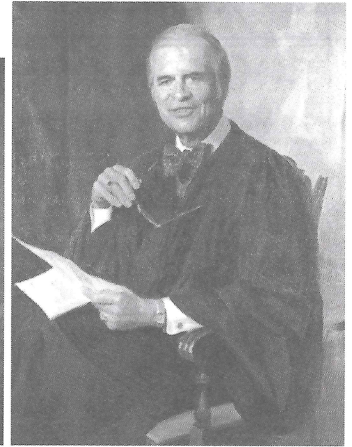
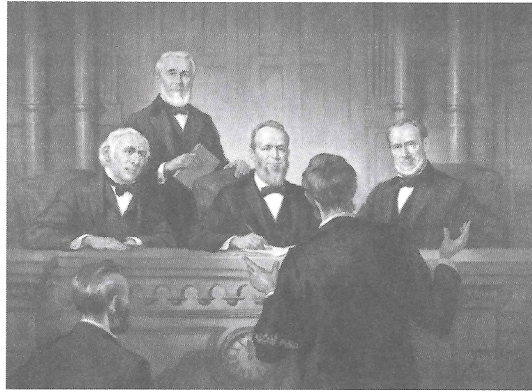
re-elected in 1947 and 1955, and retired from the Court at the age of 80.

The Society is grateful to the family of Justice Carr for donating this unique and historic artifact to the people of the State of Michigan.

Justice Carr's desk and chair can be found in the Hall of Justice's Conference Center, just beyond the first floor rotunda.

Collecting and preserving the memorabilia of the Court has been part of the mission of the Society since it was founded in 1988 by then Chief Justice Dorothy Comstock Riley.

WANTED: HISTORIC COURT ARTIFACTS



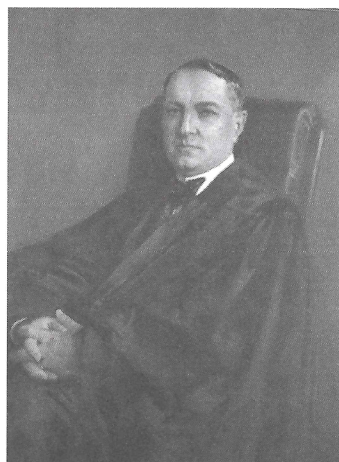
What do these two paintings have in common? Both display historic court artifacts that the Michigan Supreme Court Historical Society would like to find and add to our memorabilia collection.

The clock in the center of the bench in the portrait of the Big Four justices above has been missing since the Court moved from the old Supreme Court chambers in the Capitol on December 6, 1973.

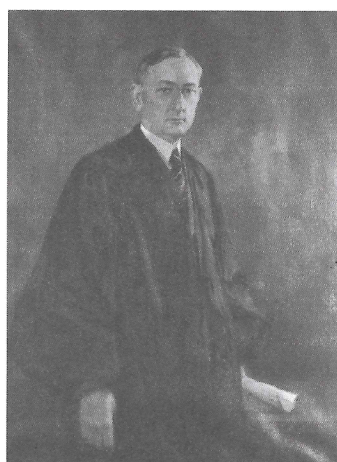
G. Mennen Williams was known for his trademark green and white polka dot bow tie, which was given to him as an inauguration gift in 1948 by his brother Dick.

If you have historic Court items that you believe should be part of our collection, please contact the Society's Executive Director Carrie Pickett at (517) 373-7589 or cpickett@micourthistory.org.

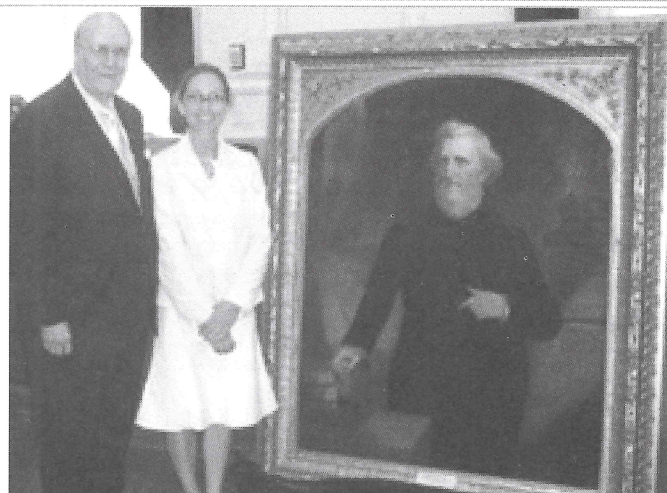




John E. Bird, 44th Justice



Ernest A. Snow, 53rd Justice



Society Vice President Charles R. Rutherford and Executive Director Carrie Pickett with the portrait of Judge Wilkins.

Bird, Snow Portraits Sent to Chicago

The Michigan Supreme Court Historical Society, in conjunction with the Saper Galleries in East Lansing, have sent two paintings by Mathias Alten to Chicago for an estimate on restoration. Both paintings have developed a greenish tint, as you can see from the above photo reproductions.

Alten, a German-born painter who lived from 1871-1938, was known as the Dean of Michigan Artists. A comprehensive catalogue raisonné documenting more than 1,700 of Alten's paintings has been established online by James Straub. To see more, visit www.mathiasalten.com. Alten painted the portraits of five Michigan Supreme Court justices.

Other Portrait Restoration Projects

Society Vice President Charles R. Rutherford and Executive Director Carrie Pickett attended the unveiling of Judge Ross Wilkins' portrait by the Historical Society of the United States District Court for the Eastern District of Michigan on August 4. The ceremony was held in Judge Robert Cleland's courtroom at the Theodore Levin Courthouse in Detroit.

The Michigan Supreme Court Historical Society contributed \$2,500 to the restoration of the portrait. The painting was removed from its ornate frame at the courthouse and then taken to the Detroit Institute of Arts for treatment. Small tears were repaired and layers of grime and discolored varnish were removed.

Have you paid your dues for 2009?

The Society accepts Visa, MasterCard, and American Express. Please call (517) 373-7589 to make your payment by phone, or mail to: Michigan Supreme Court Historical Society, 1st Floor Hall of Justice, 925 W. Ottawa Street, Lansing, MI 48915. Information can also be faxed to (517) 373-7592.

Name _____

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* Individual Membership: \$100

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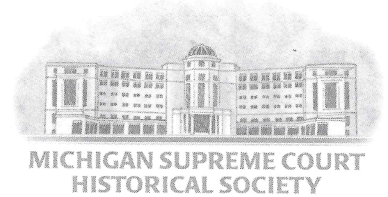
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TEST YOUR KNOWLEDGE!

of Michigan Supreme Court History



1. He was the first Justice of the Territorial Supreme Court and was instrumental in planning the city of Detroit and in creating the University of Michigan. *(Hint: his last name begins with W.)*
2. These two justices are the only father and son to have both served on the Michigan Supreme Court. *(Hint: their last name begins with W.)*
3. This justice, who lost an arm in the Civil War, is thought to be the first justice to serve on the court who was born in Michigan. *(Hint: his last name begins with M.)*
4. This justice amputated his own leg after being injured in a battle in World War I. *(Hint: his last name begins with K.)*
5. This justice is well-known for having written several books based on his experiences as a lawyer in the Upper Peninsula, the most famous of which was turned into an Academy Award-nominated film. *(Hint: his last name begins with V.)*
6. These two justices share the same first and last name. Because they served on the Court at the same time, they were given nicknames based on their middle initials: one was called "Thomas the Good" and the other was called "Thomas the Mighty." *(Hint: both last names begin with K.)*
7. This justice was the first African-American to serve on the Michigan Supreme Court. After leaving the Court, he served as general counsel to General Motors. *(Hint: his last name begins with S.)*
8. He was the youngest man to serve as Chief Justice of the Michigan Supreme Court. After his departure from the Court, he founded a law school in Lansing, Michigan. *(Hint: his last name begins with B.)*
9. Born in Canada, this justice was a decorated war hero who lost both legs after volunteering to identify and clear landmines on the battlefields of France during World War II. *(Hint: his last name begins with S.)*
10. This justice, who was known for his green and white polka dot bow tie, was given the nickname "Soapy" because his maternal grandfather was the founder of a line of shaving lotions. *(Hint: his last name begins with W.)*
11. As a child, this justice met Franklin D. Roosevelt and Herbert Hoover due to her mother's position in the Department of Justice. As an adult, she became the first woman justice of the Michigan Supreme Court. *(Hint: her last name begins with C.)*
12. She was the first Hispanic-American woman to be elected to a state Supreme Court, and in 1992, she received more votes than President-Elect Bill Clinton. *(Hint: her last name begins with R.)*

Complete a majority of the questions above correctly to receive a complimentary copy of the *Michigan Supreme Court Historical Reference Guide*. Send your answers to: MSCHS, 925 W. Ottawa Street, Lansing, MI 48915 or email to cpickett@micourthistory.org.

Society Law Student Prizes Awarded at U. D. Mercy and MSU Colleges of Law



Society Vice President Charles R. Rutherford and Rose Merithew at the University of Detroit Mercy School of Law.



Dean Joan Howarth, Professor Charles Ten Brink, Stephanie Fields, and Frank Kelley at the Michigan State University College of Law.

In January 2008, the Board of Directors of the Michigan Supreme Court Historical Society approved the creation of a law student prize. The intention of the program is to raise awareness of Michigan's legal history among both law students and law school faculty, which is in keeping with our stated mission of promoting the study of the history of Michigan's courts and increasing public awareness of Michigan's legal heritage.

The *Michigan Supreme Court Historical Society Law Student Prize* recognizes excellence in legal history, appellate, or jurisprudential scholarship by one student each year from each of the state's five law schools. Winners receive a complimentary copy of all Society publications, a five-year Society membership, and a \$500 cash prize.

In August 2009, the first prize was presented to Rose Merithew, who graduated in May from the University of Detroit Mercy School of Law by Society Vice President and fellow UDM alumnus Charles R. Rutherford. While a student at the law school, Ms. Merithew participated in Project SALUTE (Students and Lawyers assisting U.S. Troops Everywhere), a mobile law office that offers information and aid to veterans with benefits issues. It's estimated that about one-third of all veterans don't have anyone helping them with their benefits process, and that at least a half-million veterans either don't understand the benefits they're entitled to, or haven't filed to receive them.

The second prize was awarded to Stephanie L. Fields at the Michigan State University College of Law by former Michigan Attorney General Frank Kelley, who has served on the board of the Michigan Supreme Court Historical Society since 1999.

Ms. Fields was selected from 19 other students in the highly competitive American Legal History seminar, taught by Professor Charles Ten Brink last fall. Ms. Fields, who was presented with her prize on Veteran's Day, served in the United States Navy as an enlisted person for five years before going to law school. She is considering joining the JAG Corps upon law school graduation.

Upon conclusion of the law student prize presentation at MSU College of Law, Frank Kelley told Ms. Fields that she "would never regret becoming a lawyer." The Society believes that the law will not regret having attorneys like Rose Merithew and Stephanie Fields to represent it.



Above: Paul A. McCarthy in front of the Michigan Supreme Court at Cooley Law School's Auburn Hills campus
 Top right: East Kentwood students catching the bus.
 Bottom: High school students in Lansing watch the simulcast.

Taking the Court to the People

Parents often sign releases agreeing to give up their child's right to sue if the child is injured on a school trip or while participating in sports. But are such waivers legally valid? That's the question the Michigan Supreme Court considered recently when it heard oral arguments in *Woodman v. Kera*.

While the Court normally hears oral argument at the Hall of Justice in Lansing, this was the fifth time the Court has heard cases off-site as part of its "Court Community Connections" program, aimed principally at helping high school students to have a better understanding of Michigan's judicial branch.

The case was heard October 29, 2009, at the Auburn Hills campus of Thomas M. Cooley Law School.

Students from Pontiac High School attended the session at the Auburn Hills campus, which was simulcast to Cooley Law School campuses in Lansing and Grand Rapids and viewed by students from Eastern High and Seventh Day Adventist schools in Lansing and East Kentwood High School in Grand Rapids.

Teachers were given details about the case in advance of the October hearing and students had an opportunity to discuss the case with legal professionals before viewing the oral arguments. Afterward, Pontiac students met with attorneys in the case for a debriefing. Students at the Lansing and Grand Rapids campuses participated in discussions led by Cooley law professors.

John Nussbaumer, dean of Cooley's Auburn Hills campus, said the *Woodman* case is particularly appropriate for a student audience. "This case presents us with the important question of the scope of a parent's authority over a child," he said. "Both the trial court and the Court of Appeals acknowledged the practical problems that would likely follow from a ruling that parental waivers are not legally valid. On the other hand, courts are bound to follow the law. So this case has at its core an even more basic issue: should courts base their decisions on the law only, or should they take into account the impact that their rulings will have on society? This case gives students a valuable opportunity to confront that question."

Chief Justice Marilyn J. Kelly, on behalf of the Court, thanked Thomas M. Cooley Law School; the Oakland County, Ingham County, Grand Rapids, and D. Augustus Straker bar associations; the Association of Black Judges of Michigan; and attorneys Scott L. Feuer and Paul A. McCarthy, who argued the case and debriefed the students.

The simulcast is available through the State Bar of Michigan's Virtual Courts link at <http://www.michbar.org/courts/virtualcourt.cfm>. Scroll down to Oral Arguments for October to watch the video online.



Justice Michael Cavanagh converses with Cooley Law School Professor Gerald Fisher and attorney Stephen K. Valentine, Jr.



New Advocate Jennifer Clark from the Calhoun County Prosecutor's Office poses with the Court.

MSCHS Advocates Guild Hosts 3rd Annual Advocates Dinner

On Wednesday, October 21, 2009, the Michigan Supreme Court Historical Society's Advocates Guild hosted its 3rd Annual Advocates Dinner with the justices of the Michigan Supreme Court.

The event was held at the Hall of Justice in Lansing. Attendees were encouraged to arrive a few minutes before the official start of the evening in order to have their photos taken with the justices inside the Michigan Supreme Courtroom. The justices graciously posed for 26 photos in total. Attendees who chose to have their photos taken with the Court received 8x10 color prints, signed by all seven justices, a few weeks after the dinner.

The reception was held in the rotunda on the sixth floor, overlooking the Capitol mall, with hors d'oeuvres served in the justices' private conference room. Again open this year for attendees to explore was the justices' robing room, adjacent to the conference room.

Attendance at the dinner was significantly higher than in the first two years of the event. This is due to the fast pace with which the Advocates Guild is growing. Currently, there are 80 attorneys who have become part of this exclusive group.

One of the unexpected highlights of the evening was when those gathered joined together to sing "Happy Birthday" to Justice Michael Cavanagh, who spent his birthday with the Advocates Guild.

Chief Justice Marilyn J. Kelly thanked the members of the Advocates Guild for their service to the law and closed her remarks by saying, "As Shakespeare wrote, 'Do as adversaries do in law/Strive mightily, but eat and drink as friends.' Tonight we eat and drink as friends, and I look forward to seeing you before the Court again soon, as all of us strive mightily in the service of the law."

Are You an Advocate Who Hasn't Joined the Guild Yet???

All attorneys who have appeared before the Michigan Supreme Court in calendared appeals are eligible for inclusion in the Advocates Guild.

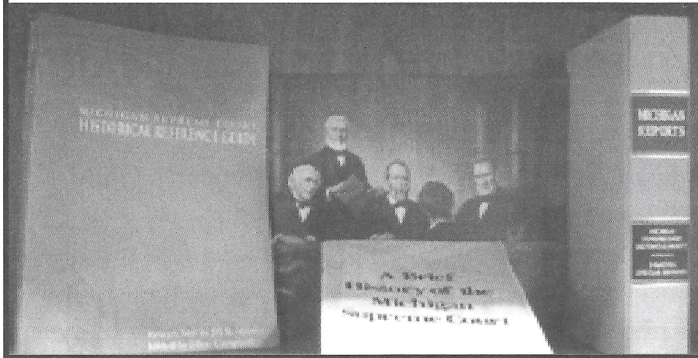
Annual membership dues are \$150.00 which includes \$100 for Historical Society membership and the \$50 Advocates Guild dues.

For more information about the Advocates Guild and to join, please visit the Society's website at www.micourthistory.org.

Questions should be directed to Executive Director Carrie Pickett at (517) 373-7589 or by emailing cpickett@micourthistory.org.

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To Order Your Favorite
Historical Society Publication Now!**

*Michigan Supreme Court Historical
Reference Guide*.....\$15
Index to Special Sessions.....\$35
A Brief History of the Michigan Supreme Court.....
.....No Charge
8x10 Color Photograph of the "Big Four"
Compilation Portrait.....\$10



Mission Statement

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

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Dorothy Comstock Riley

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Society Update is published quarterly by the Michigan Supreme Court Historical Society. Writing submissions, article ideas, news and announcements are encouraged. Contact the Society at: 1st Floor Hall of Justice, 925 W. Ottawa Street, Lansing, MI 48915 Phone: 517-373-7589 Fax: 517-373-7592

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HISTORICAL SOCIETY**

