



Society Update

The Official Publication of the Michigan Supreme Court Historical Society

Summer 2012

Portrait Unveiled!

Conrad Mallett, Jr. Portrait Dedicated in Special Session



On Wednesday, April 25, 2012, the portrait of 97th Michigan Supreme Court Justice Conrad L. Mallett, Jr. was presented to the Court in a special session.

Justice Mallett was appointed to the Michigan Supreme Court in 1990 by Governor James Blanchard. He was only 37 years old. Mallett was subsequently elected in 1992, and again in 1994. He became the first African-American Chief Justice on the Michigan Supreme Court in 1997. Mallett resigned from the Court at the end of 1998.

The portrait of Justice Mallett was painted by Simmie Knox, whose other portrait commissions have included former U.S. President Bill Clinton, U.S. Supreme Court Justice Thurgood Marshall, and boxer Muhammed Ali.

The portrait of Justice Mallett now hangs in the sixth floor rotunda of the Hall of Justice.

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Society Annual Luncheon

April 19, 2012

The Society's 2012 Annual Luncheon was held on April 19th of this year at the beautiful Detroit Athletic Club in downtown Detroit. The Luncheon is hosted each year in honor of the justices of the Michigan Supreme Court, past and present. This year's luncheon was well-attended by many longtime Society members as well as many new faces. The vignette was presented by Lawrence Glazer, author of *Wounded Warrior: The Rise and Fall of Michigan Governor John Swainson*. Discounted copies of the book are available at www.msupress.org with the code M031201 through the end of 2012.



Michigan Supreme Court Justice Brian K. Zahra and former Justice James L. Ryan (1975–1986) pose together outside the Main Ballroom.



Justice Stephen Markman with Judge Cynthia Stephens, Gil Wanger, and John P. Jacobs.



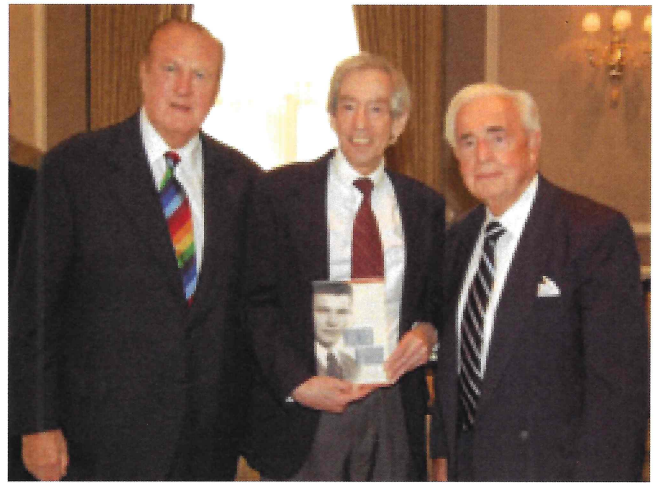
Society members Brad L. Thompson, retired Judge Roman S. Gribbs, Charles R. Rutherford, and Martin Critchell enjoy a moment before the Luncheon begins. Mr. Rutherford was re-elected Vice President of the Society by the Board of Directors at the meeting before the Luncheon.



Michigan Supreme Court Justice Mary Beth Kelly with Mark Armitage, Deputy Director of the State Attorney Discipline Board (I) and Professor Gerald Fisher of Thomas M. Cooley Law School.



An overview of the DAC's Main Ballroom. There were 125 attendees at this year's luncheon.



Society President Wallace D. Riley, Lawrence Glazer, author of *Wounded Warrior: The Rise and Fall of Michigan Governor John Swainson*, and Frank J. Kelley.



Justice Marilyn Kelly with Dennis Pollard, Judge William Giovan, and Jack Coté. She received a standing ovation when it was noted that this would be her last luncheon as a sitting justice.



Chief Justice Young enjoys a moment with Judge Alfred Butzbaugh, Sue Zitterman, Judge Michael Talbot, and Peter Ellsworth.



Attorneys from sponsor Plunkett Cooney pose for the camera. Sadly, longtime photographers Jim Cliff and Sam Cucinella are retiring after this year.



Corporate sponsor Kitch Drutchas Valitutti & Sherbrok are seen sitting at their firm's table.

2012 Coleman Intern Jamie Crist



Hello to the Society!

My name is Jamie Crist, and I am the 2012 Coleman Intern. Working at the Hall of Justice in Lansing is so rewarding and exciting! I am so lucky to be able to drive down Michigan Avenue towards the Capitol building, to walk into the Hall of Justice with the immortal words “Justice, Equality, Freedom, Truth” emblazoned on the front, or read volumes of Michigan court history older than my grandparents. As an undergraduate law student at Michigan State University, this is exactly where I need to be in order to learn about the way law has shaped Michigan’s history. It is important to understand where Michigan has been to know where it is going. I plan to stay in Michigan to attend law school, hopefully crossing into “enemy territory” at the University of Michigan. In addition to my undergraduate degree in law, I have a minor in Philosophy as well as specializations in Bioethics, Humanities and Society, and Peace and Justice Studies, especially female involvement in law. I plan to use all of this knowledge from my integrative degree to study criminal law with the eventual goal of becoming a judge.

Thus far within the Society, I have researched all of the first female justices of each state in the United States, discovered patterns in their occurrences, and also noted the instance of a female majority court. Michigan, I am proud to say, is at the forefront of Women in Law and Politics, with two female majority courts to date. We were also the sixth earliest state to have a woman on its highest court. The purpose of this research is to eventually create a Notable Women in Michigan Law display in the Learning Center in the Hall of Justice. As a future woman in law, this research is very important to me, and I hope to one day see myself within the ranks of these illustrious women.

I have also spent many hours in the library in the Hall of Justice, seeking to perfect our online record of the special sessions of the Supreme Court. Of particular interest to the Society is the portrait presentations, so I have been ensuring all of the information regarding these presentations is accurate: from the date they were presented to what was said during the session. I have also helped Carrie Pickett, my supervisor and the Society’s Executive Director, take inventory of the portraits within the Hall of Justice and ensure they are properly cared for. All of this work will eventually lead to a massive overhaul of the Society’s website, so look out for that within the near future!

All in all, this is the place I want to be for my summer in East Lansing. I’m learning so much about my future career, doing research that helps advance the Society’s mission, and learning more about myself and what I want for Michigan in the process. I still have a year and a half of my undergraduate education remaining but after that, watch out! I’m hoping to take the field by storm.

I want to thank the Society Board and its members for all the work you do as judges and lawyers for the state of Michigan and her citizens. And thank you for this incredible opportunity as the 2012 Coleman Intern.

Sincerely,

Jamie Crist

Society Law Student Prize MSU College of Law



Left to right: MSU College of Law Dean Joan Howarth, prize winner Sarah Primrose, Society Board of Director Frank J. Kelley, and Society Executive Director Carrie Pickett

Sarah Primrose has been awarded the *2012 Society Law Prize* by Frank J. Kelley of the Michigan Supreme Court Historical Society's Board of Directors. She was chosen for her excellent research and writing as demonstrated in the American Legal History Seminar, taught by Professor Charles Ten Brink at MSU College of Law.

Ms. Primrose has graduated since receiving the award. While at MSU College of Law she served as Articles Editor for the *Michigan State Law Review*. Following graduation, she is pursuing a two-year clerkship with Chief Judge Paul Hyman at the U.S. Bankruptcy Court for the Southern District of Florida in West Palm Beach.

Ms. Primrose graduated Phi Beta Kappa from Pennsylvania State University with a degree in History prior to law school.

She has been published by the *Journal of the Legal Profession* (When Canaries Won't Sing: The Failure of the Attorney Self-Reporting System in the "Cash-for-Kids" Scheme); *University of Florida Journal of Law & Public Policy* (Killing the Messenger: The Intersection Between Sex Trafficking, Planned Parenthood, and the Marginalization of Youth Victims), and the *Children's Legal Rights Journal* (Money & Greed: The Excessive Scope of Judicial Immunity).

"The Attack on Planned Parenthood: A Historical Analysis" was written for the American Legal History Seminar and will be published in the UCLA Women's Law Journal.

The Attack on Planned Parenthood: A Historical Analysis

The Planned Parenthood organization has always been controversial. Yet, there is limited scholarship focused on the organization. In order to fully understand the debate, one must explore the organization from both a legal and historical standpoint. The Article further examines the fundamental tensions inherent in the Planned Parenthood debate including the impact of privacy concerns and moral considerations on court rulings and legislative efforts. Moreover, the Article explores the tension between the legislative branch and the judiciary in the almost century long Planned Parenthood debate.

The Planned Parenthood organization has faced heavy criticism since its founding. Furthermore, the legal system has played a role in limiting the organization's ability to function. Engrained in the Planned Parenthood debate are women's rights concerns, reproductive rights considerations, individual autonomy issues, and the role of public opinion on the functioning of the legislative and judicial branches. The Article provides historical look at the organization's founding as the American Birth Control League to its current widespread presence as an international organization. Additionally, the Article addresses the recent legislative efforts that aim to defund the organization. The Article concludes with a prescription for reconsideration of the benefits of the organization.

The Society neither supports nor opposes the views presented in the article written by Ms. Primrose. It is provided for your interest.

Society Law Student Prize Wayne State University College of Law



Stefanie Phillips at her Wayne Law graduation.
She is the 2012 Society Law Prize winner.

Stefanie Phillips has been awarded the *2012 Society Law Prize* by former Justice Patricia J. Boyle of the Michigan Supreme Court Historical Society's Board of Directors. Ms. Phillips was chosen for her excellence in legal history at Wayne State University College of Law.

Ms. Phillips recently graduated from Wayne Law. Prior to law school, she graduated Phi Beta Kappa and *magna cum laude* from Wayne State University with a degree in classics.

During law school, Ms. Phillips interned for Chief Judge Gerald Rosen of the United States District Court for the Eastern District of Michigan.

She worked for the Free Legal Aid Clinic (FLAC) where she was a student attorney and member of the Board of Directors. FLAC is a student-run organization that helps indigent survivors of domestic violence with family law matters in Wayne County.

Ms. Phillips also participated in moot court and was a semi-finalist in the Cardozo/BMI Entertainment and Communications Law Moot Court Competition in New York. She also wrote the brief for the team that competed in the ABA's National Appellate Advocacy Competition.

Phi Beta Kappa: The Nation's Oldest & Most Widely Known Academic Honor Society



Image courtesy of
www.pbk.org

Both of the Society's 2012 Spring *Law Prize* winners are members of Phi Beta Kappa, as are 38 U.S. Supreme Court justices, including seven of the current nine.

The nation's oldest and most widely known academic honor society, Phi Beta Kappa was founded by five students at the College of William and Mary in 1776 during the American Revolution.

The principles of freedom of inquiry and liberty of thought and expression, symbolized on Phi Beta Kappa's distinctive gold key, still lay the foundations of personal freedom, scientific inquiry, liberty of conscience, and creative endeavor.

Each year, about one college senior in a hundred, nationwide, is invited to join Phi Beta Kappa.

Happening on the website...

www.micourthistory.org

Inspiring quote by Abraham Lincoln: *"The leading rule for the lawyer, as for the man of every other calling, is diligence. Leave nothing for tomorrow which can be done today."*



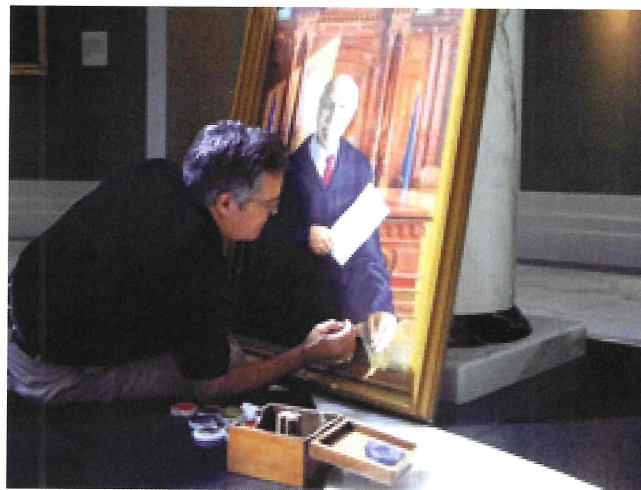
Father



Son

Father & Son Supreme Court Justices

James Witherell was appointed to the Supreme Court for the Territory of Michigan by President Thomas Jefferson in 1808. He served until 1828. His son Benjamin, who was 11 years old when Witherell brought his family to Michigan, sat on the Michigan Supreme Court during its July and October terms in 1857. To learn more about each, please visit the biographies section of our website at www.micourthistory.org.



The portrait of **Thomas G. Kavanagh** was recently touched up by none other than the man who painted the portrait in 1994, Sam Knecht. The portrait medium is egg tempera, which is older than oil painting and uses egg yokes, water, and dry pigments. Knecht was influenced by artist Andrew Wyeth, whose best known work is *Christina's World*. The original process took about 80 hours. To continue reading, please visit our website at www.micourthistory.org.

Website Survey

The Society is planning a re-design of our website at www.micourthistory.org and we're seeking YOUR input! Please consider these questions and submit your answers to the Society's office by the end of July.

- 1) What do you believe is the goal, or what should be the goal of, the Society's website?
- 2) What is the most important thing visitors should take away from their experience on the website?
- 3) What are your favorite parts of our website currently? What do you think needs to be changed?

Thank you for your input!

Responses should be emailed to cpickett@micourthistory.org OR printed and faxed to (517) 373-7592 OR mailed to MSCHS, 925 W. Ottawa Street, Lansing, MI 48915.



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Mission Statement

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

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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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