



Society Update

The Official Publication of the Michigan Supreme Court Historical Society

Summer 2014

Justice John Dethmers Eugene Wanger Donates Photos of 69th Justice



In January Society Life Member Eugene Wanger made a donation of four portraits of former Justice John R. Dethmers to the Society's collection.

The four portraits include the two color photographs pictured above—most likely used for television spots in Justice Dethmers' final campaign for the Supreme Court in 1970—as well as a pencil drawing and a black and white photograph. Mr. Wanger acquired the four portraits from the estate of his childhood friend, Bob Dethmers, the son of Justice Dethmers.

Justice John Dethmers was appointed to the Michigan Supreme Court by Governor Harry F. Kelly in August 1946. The two would eventually serve together on the Court from Kelly's election in 1954 to January 1, 1971, when both men left the Court. Interestingly, both Dethmers and former Governor Kelly were replaced on the Court by former Governors John Swainson and G. Mennen Williams.

Dethmers was only 42-years-old when he was appointed to the Michigan Supreme Court to

replace Justice Raymond Starr who had been appointed to the federal court. This made Dethmers, born October 15, 1903, the first Michigan Supreme Court justice to have been born in the Twentieth Century.

Dethmers was elected to the remainder of Starr's term the following April and subsequently re-elected twice more in 1953 and 1961. The 1963 Constitution extended his final term by two years and a day: from December 31, 1969, to January 1, 1971. He did not win his final election in November 1970 and died the following November.

During his almost 25 years on the Michigan Su-

preme Court, Dethmers served nearly a quarter of that time as Chief Justice, which makes him the longest-serving Chief Justice in the history of the Michigan Supreme Court.

Although Dethmers was active in politics, eventually serving as the Republican Party's state chair, he was critical of judicial legislating. In fact, it may have been this posi-



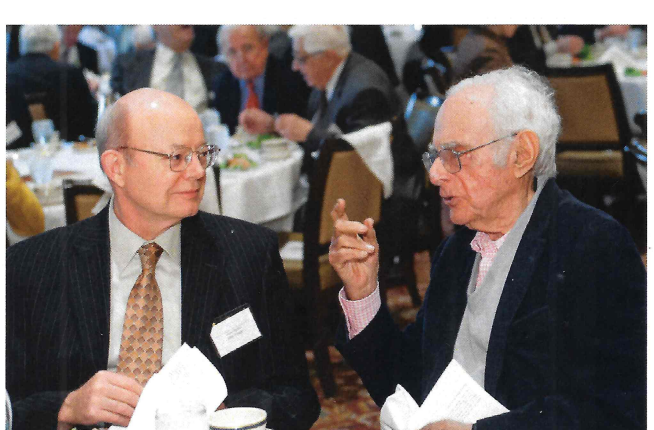
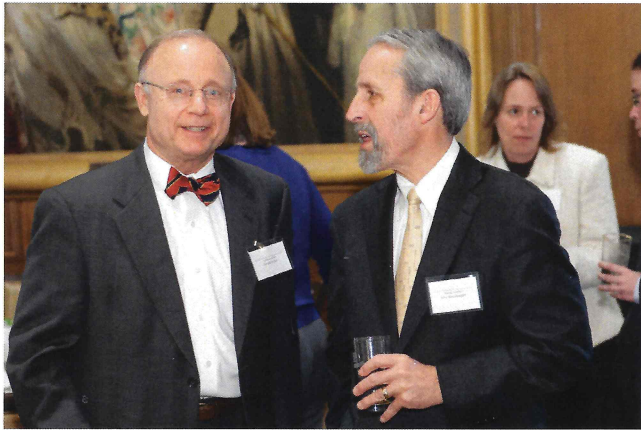
Society Life Member Eugene Wanger is seen here seated with Justice Stephen Markman at the Society's recent Annual Luncheon.

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Annual Luncheon



April 10, 2014





Michigan Supreme Court Historical Society 2014–2015 Board of Directors

Seated left to right: Judge Fred Borchard, Professor John Reed, Lawrence Nolan, President Wallace Riley, Charles Rutherford, Mary Massaron Ross, Judge Avern Cohn, and Judge Denise Langford Morris. *Standing left to right:* Peter Ellsworth, Janet Welch, Carl Herstein, Matthew Herstein, John Fedynsky, Ronald Keefe, Julie Fershtman, Bruce Courtade, Justice Charles Levin, Judge Alfred Butzbaugh, John Jacobs, and Stephen Valentine, Jr. *Not pictured:* Judge Michael G. Harrison, Frank Kelley, Richard Reed, and Justice James Ryan.

Society Board of Directors Welcomes Julie Fershtman



The Board of Directors elected Julie I. Fershtman to a one-year term at its April 10 Board meeting, held in conjunction with the Annual Luncheon in Detroit. Ms. Fershtman fills the vacancy created by the death of former Justice Patricia Boyle, who passed away unexpectedly in January.

Ms. Fershtman is a past president of the State Bar of Michigan (2011–2012) and is involved in the American Bar Association as Vice-Chair of a committee of the Tort, Trial, and Insurance Practice Section. She is a Trustee of the Michigan State Bar Foundation and a Fellow of the American, Michigan, and Oakland County Bar Foundations.

Ms. Fershtman is a shareholder in the Farmington Hills office of Foster Swift Collins and Smith. She concentrates her practice in the areas of general insurance defense, insurance coverage, business litigation, premises liability, and sporting and recreational liability. She is considered one of the nation's leading practitioners in equine law and is a frequent author and speaker on legal issues.



Circuit Judge Leland Carr (left) is pictured here with Special Prosecutor Kim Sigler in 1944, by the *Detroit News*. The two were part of the grand jury that was convened in August 1943 to investigate massive corruption in state government. As the one-man grand jury, Judge Carr was able to subpoena witnesses, take their testimony, indict and issue warrants, commit to jail for contempt or cite for perjury; however, he was absorbed in his family and loved to teach (from the *Milwaukee Journal*, March 8, 1945). Carr was appointed to the Michigan Supreme Court by Governor Harry F. Kelly on September 24, 1945, shortly after the grand jury concluded. Sigler went on to be elected Governor in 1947 and 1948.

Leland Carr: A Snapshot

by Laurie Dawson

Leland Walker Carr must have been a busy man when this photo was snapped by the *Detroit News* in 1944. His one-man grand jury investigation into Michigan state government corruption resulted in 130 arrests and 60 convictions, including the lieutenant governor, 12 state senators, and 11 state representatives. (Read a fictionalized account of this in Judge William Whitbeck's novel *To Account for Murder*.) But Judge Carr wasn't just busy at work. His five-bedroom home (complete with two staircases and a dumbwaiter) on Sycamore Street was a beehive of activity as well.

Leland Carr and his wife Irene were the proud parents of four children, who, in 1944, ranged in age from 17 to 30. The family was busy that year, with school, parties, weddings, and babies. And of course, the war affected everything.

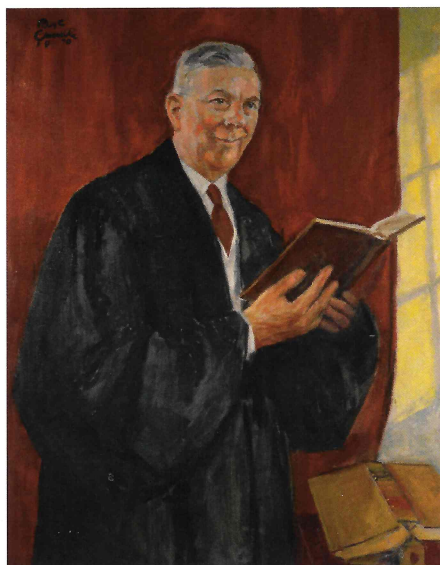
Leland's wife Irene served on the Lansing School Board and was active at the Central United Methodist Church. That year, she cared for her grandchildren, addressed the church congregation, presented the keynote address at the opening of the city's new Sexton High School, and drove her children to airports, train stations, and army bases.

In 1944, the Carr's oldest daughter, Dorothy, and her husband Russell Houvener, bought a new home in Kenmore, New York. The home was near Russ' job in Buffalo and provided the space they needed since they had recently welcomed a daughter, Leland and Irene Carr's first grandchild. It was not until after the war that the Carrs learned that Russ had been working to improve Union Carbide's ability to refine uranium for the atomic bomb.

While attending medical school at the University of Michigan, second daughter Ruth Carr met fellow student John Carney. They were wed on July 24, 1944, in a quiet, war-time wedding with just 20 guests. They started their next semester in July, and in October 1944 were offered internships at Los Angeles County General Hospital, at that time the largest civilian hospital in the world.

Youngest daughter Clarice spent 1942 and 1943 accompanying her new husband Bob Dawson to army

Carr continued...



Justice Carr's official portrait.
He served on the Michigan Supreme Court from 1945 to 1963.

Carr Junior, graduated from Sexton High School in June 1944, but didn't turn 18 until April 1945. In September 1944 he declined a scholarship from the University of Michigan, choosing to stay home with his parents until he was inducted into the Army after his birthday. In the interim, he studied German intensively at Michigan State College.

Irene Carr's sister, Cora Lindlow, was a librarian at the state library, who documented the Carr family in photos and writing. Cora kept a journal, and from these she extracted dates and significant events to preserve for posterity. She typed up the entries, bound the pages with construction paper and embroidery floss. Events in this article are from "Happy Memories Volume II, 1939-1945."

****This article and newspaper photo were submitted by Leland Carr's granddaughter Laurie Dawson.****

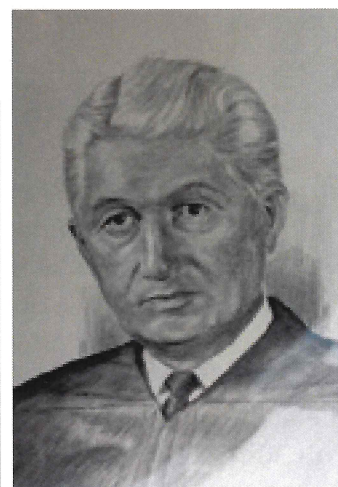
posts in Oklahoma, California, and Louisiana. In June 1944, Bob left his wife and 10-month-old son with his in-laws in Lansing. He shipped out to France in late August 1944; Clarice and the baby lived with the Carrs until Bob returned home in 1945.

Leland and Irene Carr's only son, Leland Walker

Dethmers continued...

tion that prevented him from ascending to the U.S. Supreme Court as it appeared might happen in the 1950s. During a meeting of the Chief Justices in Los Angeles Dethmers made remarks about the inappropriateness of judicial legislating, which reportedly displeased U.S. Supreme Court Chief Justice Earl Warren. When Justice Harold Burton retired, President Dwight D. Eisenhower appointed Potter Stewart instead.

Eugene Wanger and his wife, Marilyn, also a Michigan attorney, presented the Dethmers photos to the Society during a meeting with the Society's executive director in their home near the Lansing country club this past winter. Mr. Wanger is well-known for his donation in 2010 of materials from the 1963 Constitutional Convention, to which he was a 28-year-old delegate, to the State Archives. The Society is extremely grateful for his contributions!



Exploring Careers in the Law:

July 21-25

The Learning Center will host Exploring Careers in the Law, a week-long moot court program for high school students interested in legal careers. Students will act as justices and attorneys, arguing and deciding whether the police may conduct the warrantless search of a cell phone incident to arrest.

The agenda includes a variety of activities that incorporate writing, research, and public speaking. There are small- and large-group discussions, role plays, behind-the-scenes tours, and time to rehearse, both in and out of the courtroom. Guest speakers will include members of the judiciary, court staff, and appellate attorneys. Throughout the week participants will work with attorneys and law students to prepare their oral arguments and opinions.

SOCIETY LAW STUDENT PRIZES

The University of Michigan Law School



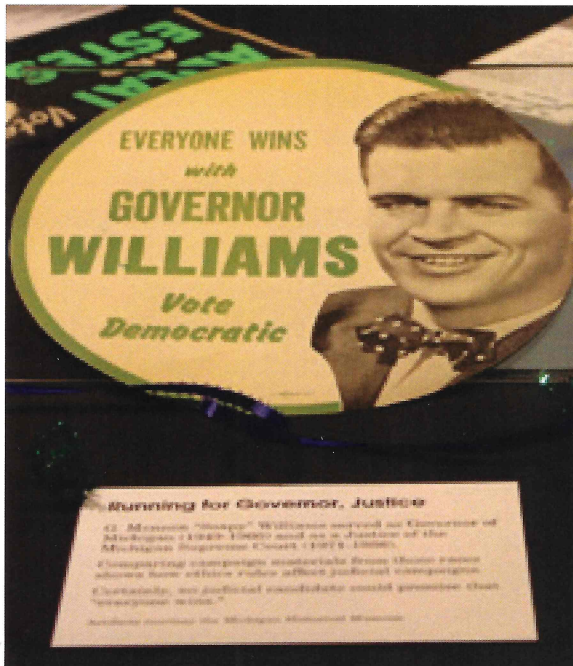
Justin Silver has been awarded the Society's Law Student Prize for 2014 at the University of Michigan Law School. Mr. Silver received the award for his outstanding work in Professor Leonard Niehoff's seminar on the life and work of Justice John Voelker. Professor John W. Reed presented Mr. Silver with a \$500 prize on behalf of the Society. Among Mr. Silver's interests are international travel, including a trip to Antarctica. He has graduated since receiving the award this past spring and has joined Sullivan and Cromwell in New York City.

Michigan State University College of Law



Judge Michael G. Harrison recently presented Jason Lee of Michigan State University College of Law with a \$500 prize on behalf of the Society. Mr. Lee was recognized for outstanding work in Professor Charles Ten Brinks' American legal history seminar. Mr. Lee was a Sergeant in the U.S. Army prior to law school and did one tour in Afghanistan. He was the 2014 Class President and a Notes Editor on the Law Review. He has graduated since receiving the award and begins clerking for Judge Samuel Mays in the Western District of Tennessee in August.

G. Mennen Williams Exhibit in the Learning Center



As part of the Michigan Supreme Court Learning Center's Law Day celebration on May 1, a temporary exhibit featuring artifacts and images from Justice G. Mennen Williams' gubernatorial and judicial campaigns opened.

The national theme for Law Day 2014 is "American Democracy and the Rule of Law: Why Every Vote Matters." Tours highlighted voting rights and the responsibility to vote for students in grades 4–12 from schools in Detroit, Okemos, Otsego, and Riverview, as well as a group of Korean officials attending a visiting professionals program through Michigan State University. Visitors participated in mock voting with specially prepared ballots, sponsored by the Lansing City Clerk.

The G. Mennen Williams memorabilia is on display to demonstrate how judicial campaigns differ from those for other political offices because of the duty to refrain from inappropriate political activity under the Michigan Code of Judicial Conduct. Williams is one of six Michigan Supreme Court Justices who also served as Michigan's Governor.

The exhibit will remain on display through June 30. The Learning Center is open from 9 a.m. to 4 p.m. Monday through Friday.



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2014 Society Member Contribution Form

Please use this form if you would like to begin or renew an annual membership to the Society for 2014. We are a 501(c)(3) nonprofit organization so all contributions are tax-deductible for federal income tax purposes.
Thank you for your support!

Individual \$100.00
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Please detach this form and mail to: Michigan Supreme Court Historical Society, 1st Floor Hall of Justice, 925 W. Ottawa Street, Lansing, MI 48915.

Visit www.micourthistory.org to pay online!

TOTAL PAYMENT \$ _____