



# *Society Update*

The Official Publication of the Michigan Supreme Court Historical Society

## **Michael F. Cavanagh**

Michigan Supreme Court Justice 1983 - 2014, Chief Justice 1991 - 1994





# Michael Francis Cavanagh

(October 21, 1940 - May 20, 2025)

## A Life of Service

by Carrie Sharlow

With his legendary career, there will be so many comments and stories of what Justice Michael F. Cavanagh meant to Michigan's legal community since he joined it in 1966, but perhaps none better show his dedication to service than the time when he showed up for jury duty.

In June 1990, Justice Cavanagh was just completing his first eight-year term as justice of the Michigan Supreme Court. Only forty-nine, he was already a fixture of the judicial system in Michigan, having previously served on the Court of Appeals for eight years and the Judicial District Court.

At that exact moment, Justice Cavanagh's life was fairly busy, as he looked ahead to the end of one term and the beginning of the next, while campaigning to keep his seat on the Court in the upcoming election. As it was, his challengers were keen to portray Cavanagh "as an activist justice whose legal finangling has led to court logjams and inequities of justice."<sup>1</sup>

If anyone had a reason to request an exemption of jury duty, it was Michael Cavanagh. Instead, on Monday, June 4, 1990, he showed up to the Ingham County Circuit Court ready to serve. I would love to have seen the clerk's face when Justice Cavanagh checked in to the jury duty selection area. The justice was well known in the Greater Lansing Area and certainly recognizable at the Ingham County courthouse.

From the newspaper articles, it seems like Justice Cavanagh was eager to have the experience. He, of course, acknowledged his extensive knowledge of the legal system and its processes, but "said he would be careful not to prejudice the other jurors with his comments."<sup>2</sup> And he would make every effort not "to correct a judge or attorney on proper courtroom procedure."<sup>3</sup>

His only thought was "if he [was] chosen and the case should make its way on appeal to the Supreme Court, he would have to disqualify himself from" it.<sup>4</sup>

Obviously, the justice was not picked for jury duty that day, but the story of "The Justice who Came to Jury Selection" was repeated in newspapers across the state.

At Justice Michael Cavanagh's portrait presentation to the Court in 2016 – long after that call to jury duty – Chief Justice Robert P. Young, Jr. remarked that "Certainly, in Michigan, the name Cavanagh is synonymous with public service—especially in a black robe." And while that is true, I think what most shows the late Justice Michael F. Cavanagh's dedication to public service and the rule of law is not a black robe, but that photo of him waiting patiently outside the Ingham County Circuit Court Jury Assembly room for his turn to be called for jury duty.

### ENDNOTES

1. *Confident Choices for Weighty Decisions*, Battle Creek Enquirer (October 28, 1990), p 14A.
2. *Another Side of Justice: Michigan Supreme Court Judge Gets Call to Jury Duty*, The Saginaw News (June 5, 1990), p C-1.
3. *Id.*
4. *Id.*



# Michael F. Cavanagh's Obituary

*Published on Gorsline Runciman Funeral Homes online*

Former Michigan Supreme Court Chief Justice, Michael Francis Xavier Cavanagh, 84, passed away on May 20, 2025, at peace and surrounded in love by his family.

Michael was born on October 21, 1940 to Mary Irene (Timmins) and Sylvester Joseph Cavanagh in Detroit, Michigan. The longest-serving appellate judge in Michigan history, Cavanagh was loved and respected by colleagues on the bench, his law clerks, and attorneys who appeared before him. While he was most proud of his family, Cavanagh will be remembered as a fair and dedicated jurist who served the people of Michigan honorably, treating everyone with dignity and respect.

He was graduated from the University of Detroit High School in 1958 and he received his B.A. from the University of Detroit in 1962. Cavanagh earned his J.D. from the University of Detroit Law School in 1966, and that same year married Patricia Ferriss.

Cavanagh's career began when he was a research attorney for the Michigan Court of Appeals from 1966 until 1967. He was the City Attorney for Lansing from 1967 until 1969, and he was a partner in the law firm of Farhat, Burns, and Story, P.C., from 1969 until 1973.

Cavanagh was elected to the Judicial District Court, where he served from 1973 until 1974. In 1975, he was elected to the Michigan Court of Appeals and served in that position until 1982. In November of 1982, he was elected to the Michigan Supreme Court and re-elected in November of 1990, 1998, and 2006. Cavanagh served as Chief Justice from 1991 until 1995.

Cavanagh ties Justice James V. Campbell for longest service on the Michigan Supreme Court. He sat with 22 other justices and participated on panels with 2,005 different cases argued. He wrote 277 dissents, 120 majority opinions, 65 unanimous opinions, and 95 concurring opinions. He ruled on nearly 100,000 cases during his tenure on the Court—more than half of what the Court has ever ruled on.

While Chief Justice, in 1992, he initiated what is now one of his most important legacies: the unique partnership the Supreme Court and the courts of our state have with the tribal courts and judges throughout Michigan. Along with Chief Judge Michael Petoskey of the Grand Traverse Band of Ottawa and Chippewa Indians, Cavanagh established the Michi-

gan Indian Tribal Court/State Trial Court Forum, bringing state and tribal court judges together to explore the overlapping issues facing their respective courts and to find common ground in their solutions. This partnership produced significant statewide reform, including the enactment of the Michigan Indian Family Preservation Act.

In 2014, under Cavanagh's leadership, the Court reestablished the Tribal State Federal Judicial Forum.

Cavanagh also oversaw the construction of the Michigan Hall of Justice which opened in 2002. It was important to Cavanagh that the building's courtrooms were round in honor of the peacemaking and sentencing circles used by tribal courts.

When he wasn't on the bench, you would find Cavanagh in a trout stream or watching sports. He was an unwavering fan of the Lions, the Tigers, the Spartans, the Red Wings and the Toronto Maple Leafs (Patricia hales from Canada and the two were married in Toronto).

While Cavanagh was proud of his public service, he considered his family his greatest accomplishment. He had five siblings, including his brothers Paul J. Cavanagh (Shirley), and former Mayor of Detroit, Jerome P. Cavanagh (Kathy), and his sisters Eleanor Mack (John), Ann Kellett (Charles), and Margaret Joan Murphy (Fred). He had thirty-four beloved nieces and nephews. Cavanagh and his wife of 59 years had three children who he was incredibly proud of: Jane E. Cavanagh, Michael F. Cavanagh Jr. (Katie), and Megan K. Cavanagh (Jim Gaul). Cavanagh, also known as "Papa Cav," adored his grandchildren, Brennan Patrick Cavanagh (Lauren), Seamus Michael Palmer Cavanagh, Georgia Grace Taylor, Eloise Patricia Taylor, Keegan Michael Patrick Cavanagh, Sabrina Gaul and Drew Gaul, and his great-grandchildren, Rowan Patrick Cavanagh, Cashel Edward Cavanagh, and Emer Rose Cavanagh.

A visitation for Michael will be held on Wednesday, May 28, 2025 from 4:00 PM to 8:00 PM, with the rosary being prayed at 7:30 PM, at Gorsline Runciman Funeral Homes East Chapel, 1730 E Grand River Ave., East Lansing, MI 48823. A Mass of Christian Burial will take place on Thursday, May 29, 2025 at 11:30 AM, with a one-hour prior visitation from 10:30 AM to 11:30 AM, at St. Thomas Aquinas with Father Michael Murray presiding, 955 Alton Rd., East Lansing, MI 48823.

## Justice Chief Megan K. Cavanagh's Remarks at the Presentation Of The Portrait Of The Honorable Michael F. Cavanagh

*Nine years before his death, Justice Michael F. Cavanagh's portrait was unveiled at the Hall of Justice. Some of his daughter's remarks at the event are presented below, all the more meaningful with his passing.*

I'm in a somewhat unique position because of my professional career as an attorney and appellate practitioner. I get the opportunity daily to appreciate and benefit from all of these many contributions that he has made. I get to advance my clients' causes to this Court and to the Court of Appeals in this building that he helped construct. I get to study the words he has written in the reporter and apply them—as well as often tried to distinguish them—this body of law that he has created. And now whenever I walk into this building to apply the law he has helped create to my client's case, I get to see this portrait and to get to see his smiling face.

But I would also like to share with you on a more personal level what I see when I look at the portrait. Things that may be less obvious to others, but are just as significant to me and the rest of us that love him. I see my nephew Brennan's and my nephew Seamus's kind, humble, Irish-blue eyes. I see my brother Mike's capacity for holding and considering other's perspectives, even those that are different from his own, and his commitment to and love for a strong, supportive partner and the families they have created. I see my sister Jane's

intelligent and sometimes slightly irreverent humor, and her dogged persistence to hold true to what she believes. I see my nephew Keegan's dry, keen wit and unapologetic confidence in who he is as an individual. I see my Eloise's genuine awe and enjoyment of the good things her life holds and gratitude for the opportunities to love and enjoy the people that we are blessed to call family. And I see my Georgia, my own great dissenter, who challenges not only the premise of your belief, but also at times your reasoning and your conclusion. Who, through her considered questions, challenges you to test and refine not only the foundation of your position, but more importantly, the outer edges of your position, leaving you, more often than not, with the better reasons and more appropriate, circumscribed decision. And perhaps above all, I see the tireless effort, sacrifice, patience, and wise counsel of the woman who has stood behind him and beside him for fifty years, the person who has contributed more to making the man in the justice in this portrait than anyone or anything else. And as I said before, it's a truly fantastic portrait of a truly remarkable man, a man that I have the privilege to call my dad.



# Eulogy Given by Former Chief Justice Bridget Mary McCormack

*May 29, 2025 at St. Thomas Aquinas*

Thank you to the Cavanagh clan for letting me be part of honoring my friend, Mike.

I first appeared before Justice Michael Francis Xavier Cavanagh as a lawyer in the MSC courtroom more than a decade before I had the privilege of serving with him. The court asked me to represent a prisoner who had prevailed without a lawyer on a state habeas claim in the Court of Appeals, and the MSC granted leave.

Like every advocate, by the time of the argument, I didn't see any way I could lose—I felt badly for the assistant attorney general who had to argue for the state.

You know what happened next. I did lose—5-2 (or really 4.75 to 2.25, but that's not important right now).

But Mike wrote a brilliant dissent, and while I know now how many other cases he was focused on at the time, my client and I were confident he was as focused on this case as we were. That he heard and understood us. In other words, thanks to *James Jones v. MDOC*, Mike and I became close in 2003; he just didn't know it yet.

In December 2012, shortly after my election, I drove to Lansing to have lunch with him—our first 1:1 meeting. I was super nervous—I mean, he was the author of that significant dissent in *James v. MDOC*. But as you all know, my nervousness lasted about 30 seconds. Mike put me immediately at ease with his warmth and humor.

From that day, Mike was my guide, teacher, and friend. He showed me how to do my new job with grace, humility, and humanity. That listening to colleagues and advocates, especially when they had a different point of view, was more important than being wise or right. That behind every case number is a person seeking justice.

The numbers tell one story of Mike's service: In more

than four decades on the job, 32 of them were on the Michigan Supreme Court. In his Supreme Court service, Justice Cavanagh sat with 22 colleagues, took part in 2,005 fully-argued cases and almost 100,000 total matters, more than half of everything the modern Court has decided. He left a written legacy of 557 signed opinions—120 majority opinions—65 unanimous, 95 concurrences, and a record-setting 277 dissents—before retiring in 2014 as the longest-serving appellate judge in Michigan history.

Mike's innate talents made him a master of collegial decision-making—wit, curiosity, decency, and patience. He would affirm your work while suggesting improvements that made it better. I never heard him raise his voice. His timing was legendary—he could cut any amount of tension with an unexpected, hilarious comment. When he disagreed with you, he did it agreeably, even charmingly, and asked you for an update on your kids in the next breath.

But Mike's work was as much about building bridges as writing law. In 1992, as Chief Justice, he reached out to Michigan's tribal court judges to create the Michigan Indian Tribal Court/State Court Forum. He recognized that while we are separate sovereigns, we have the same goals. We all want to protect Michigan's children and families.

That partnership, built on Mike's vision of mutual respect, transformed how our state and tribal courts work together and remains a model—a metaphor—for a divided country. We have more in common than not. We all love our kids. We want our families to be healthy and safe and have opportunities. We can learn from one another. And 1 plus 1 can equal a lot more than 2.

I witnessed firsthand the depth of Mike's pride in and love for his children and grandchildren. I know you all did too. When Megan argued before our Court, he

**May the worst days ahead be better than the best of the day behind.**

would recuse himself, of course, and then hurry back to the conference room to watch her on the large screen. He lit up with a mash-up of professional admiration and fatherly pride. I didn't know Megan yet. But I knew Mike as Megan's dad.

Patsy, Mike Jr., Jane, Megan and all of Mike's grandchildren and great-grandchildren, we have all heard this Irish proverb from Mike many times:

*May the worst days ahead be better than the best of the days behind.*

I know that feels like magical thinking for you since last week.

Society has done itself a great disservice by dispensing with the traditional rituals of mourning, which evolved over centuries and had a purpose—rituals like wearing black for a year to signal your grief to people who might not know, silently. Imagine riding on a crowded bus on a hot August day when the doors open and someone dressed all in black gets on. You'd give that person your seat, or at least some space; you'd be careful not to jostle them. You might provide them with an understanding nod. Or a ritual like hanging a mourning wreath on your door, to let unsuspecting visitors know. Or community mourning obligations, or sitting shiva for a whole week, not just a day or two, so the family isn't alone for those first, bleary, heavy days.

Today, by contrast, we give people maybe three days of bereavement leave and expect them to be over it in a couple of weeks. But the way grief works hasn't changed over time. Grief flows and ebbs and flows again. It lingers much longer than you expect. It comes on hard at unexpected and often inconvenient times.

A lot of people love all of you, just as we loved your dad, granddad, and husband. We are here when you need us, for whatever you need us for. We will be eager to tell you how Mike made us laugh, changed our minds, and bragged about you.

Thank you for sharing him with us, and all of our neighbors across Michigan. He buoyed the rule of law, made our state stronger, and made all of us feel heard. Understood. Loved.

**If we look at the path  
we do not see the sky.**

**We are earth people on  
a spiritual journey to  
the stars.**

**Our quest, our earth  
walk is to look within,  
to know who we are,  
to see that we are all  
connected to all things,  
that there is  
no separation,  
only in the mind.**

***Native American,  
source unknown***

***(The above was included on the  
back of Justice Cavanagh's  
memorial cards handed out at  
the visitation.)***

## The place of justice is a hallowed place. - Francis Bacon

*As two of Justice Michael Cavanagh's former colleagues note in comments on this page, Cavanagh served "as the Court's liaison for the planning and building of the Hall of Justice." Justice Kelly recalls how impressed she was "by his conscientious stewardship of the construction of the Hall of Justice," and Justice Corrigan – who was Chief Justice when the building was dedicated – reminiscences on several key elements.*

*Years before the Groundbreaking and Dedication Ceremonies Justice Cavanagh spoke before the Legislature in his 1994 "State of the Judiciary" of the Court's "most pressing need is to bring together in one place all our personnel and resources, presently scattered around Lansing in half a dozen state buildings and rented offices. To manage our system well into the twenty-first century, we need a single functional building."*

*And so it happened October 8, 2002. And so it continues to this day in a hallowed place of justice shepherd-ed into being by Michael Cavanagh..*

### Justice Marilyn J. Kelly

I greatly admired and respected Michael Cavanagh's work as a Justice of the Michigan Supreme Court. Throughout the sixteen years that I worked there with him, I found him a fair and intelligent jurist, thoroughly knowledgeable in the law. He was hard working, dependable, and productive. I was particularly impressed by his conscientious stewardship of the construction of the Hall of Justice and of his longstanding work with the Tribal Courts. In his interactions with the other Justices, he never raised his voice or lost his temper. His well-timed sense of humor was a delight. He was beloved by his law clerks and the entire court staff. When dealing with the public, he treated litigants and attorneys alike with courtesy and respect. To paraphrase the book of Timothy, Justice Cavanagh fought the good fight, finished the race, and kept the faith.

### Justice Maura D. Corrigan

Justice Michael Cavanagh will of course be remembered as Michigan's longest serving appellate judge and as the architect of the relationship between the tribal courts and the Michigan judiciary. Not as well known, but also of lasting importance, is his role as the Court's liaison for the planning and building of the Hall of Justice. Mike served as our intermediary with architects Spillis, Candela and the construction team from 1999 through the building's dedication in October 2002.

Several noteworthy items: the Supreme Court courtroom is round. This reflects Native American sentencing councils which sat in the round, clearly the input of Justice Cavanagh.

Next, four words are inscribed on the building: Freedom, Truth, Equality, and Justice, teaching tools for our young visitors—I believe Justice Cavanagh contributed this beautiful inscription but I am not 100 percent sure. I believe the justices all voted to approve the word choice.

Finally, the Hall of Justice is curved. I remember the planning meeting including Justice Cavanagh, retired Justice Dorothy Riley, and myself as Chief with the architects. They presented several physical models of how the building might be shaped. We came to consensus around the curved building model, because we saw the court's function as protecting the democratic process of our legislature down the street, and because the new Court would overlook the VietNam memorial, representing those who gave their lives for our freedoms. We wanted to protect their sacrifice also.

**FREEDOM** is the oxygen that we  
breathe in this country...

In freedom we can see **TRUTH**...

When we accept truth we recognize  
**EQUALITY**...

In freedom and in truth and in equality  
we are then prepared to find  
**JUSTICE.**

Michael F. Cavanagh,  
Hall of Justice Dedication  
October 8, 2002

## **“The Inch Before the Saw”**

### ***Justice Michael F. Cavanagh’s Remarks at His Portrait Unveiling in 2016***

My ride here on this Court was a number of things. It was exciting, demanding, exasperating, challenging, satisfying, and rewarding. I had the privilege of serving with 22 other justices, each unique with their own talents and personalities. My own role was always to keep doing my part of the work of the Court and to try, where helpful, to assist in gaining consensus. This was not always an easy time, but the answer was the same as in any period in an organization faced with challenges. We needed to stay focused on what was important. Get our work done. Treat each other with respect and courtesy. It sounds trite, but really it’s the only way.

And when I say “focus,” I think of a poem by the—of course—Irish poet, John Boyle O’Reilly, who lived 1844 to 1890. And the poem is entitled “To-Day,” and reads:

Only from day to day  
The life of a wise man runs;  
What matter if seasons far away  
Have gloom or have double suns?

To climb the unreal path,  
We stray from the roadway here;  
We swim the rivers of wrath,  
And tunnel the hills of fear.

Our feet on the torrent’s brink,  
Our eyes on the cloud afar,  
We fear the things we think,  
Instead of the things that are.

Like a tide our work should rise—  
Each later wave the best;  
To-day is a king in disguise,  
To-day is the special test.

Like a sawyer’s work is life:  
The present makes the flaw,  
And the only field for strife  
Is the inch before the saw.

In my years on the Court, I tried to realize and accept what I could and couldn’t change and to keep my focus on that inch before the saw.

*That “inch before the saw” was mentioned at Justice Cavanagh’s funeral. The full service can be viewed online at <https://www.youtube.com/watch?v=JiNeXx0JOqY>.*



**I could say Mike Cavanagh was one of a kind, but I hope not, because the world needs more leaders like my Dad.**

***- Chief Justice Megan K. Cavanagh***



# Justice Cavanagh's Remarkable Judicial Career Celebrated

*By Ross Parker*

Legal luminaries this week celebrated the distinguished judicial career of Michigan Supreme Court Justice Michael F. Cavanagh, the longest serving appellate judge in Michigan history. Several hundred people attended the court's extraordinary session in the Michigan Hall of Justice in Lansing on December 3 to express their appreciation for his exceptional service to the legal profession and the people of the state of Michigan.

Justice Cavanagh became a judge in 1972 when he was elected as a district judge in Lansing. Two years later he was elected as judge of the Michigan Court of Appeals, and in 1983 the electorate promoted him to the state Supreme Court where he has served for thirty-three years, the second longest serving member of that court. He was chief justice from 1991-1995. When he retires on January 1 next year, he will have sat on the bench for forty-two years and ruled on nearly 100,000 cases.

His life on the bench reminds us of the qualities that make up a great judge: integrity, a consistent sense of justice, common sense, contribution to the development of the rule of law, and civility.

Successfully navigating the treacherous waters of Michigan judicial politics is itself a notable accomplishment. There are many arguments against an elected judiciary. Voter neglect and indifference regularly produce judges who serve as prime examples of why a well constructed appointive system makes more sense. But Justice Cavanagh is the exception. Even when his views on subjects such as criminal law and procedure are expressed in dissenting opinions, he continues to be respected for his intellectual integrity.

Fifty years ago Chief Justice Earl Warren and the U. S. Supreme Court revolutionized criminal procedure in America by a decade of cases which re-interpreted the 4th, 5th, and 6th Amendments to the Constitution. In the decades that followed many of these rulings have been tempered and contracted by conservative court majorities who struck the balance differently between

defendants' rights and crime control.

Justice Cavanagh's opinions have continued to emphasize the importance of protecting defendants' rights, but they also continued to be relevant for those of us on the other side of the aisle. His views, majority or dissent, made us all better prosecutors and law enforcement officers. They poked and prodded us in the nuances of investigation and prosecution to be more careful, more consistent, and more professional in our jobs. His sense of justice contributed significantly to the creation of a better criminal justice system for generations to come. His enrichment of the development of the rule of law extends well beyond criminal law and procedure into a wide variety of other substantive areas. He also mentored 53 law clerks (including me), was a law school teacher of ethics and practice, a champion of victims' rights, a national leader in the support of tribal courts, and a tireless worker for the improvement of the law and its practitioners.

For all of these attributes, it is Michael Cavanagh's civility and peacemaking qualities that are most valued by those who worked with and for him. All litigators have witnessed or experienced judges who demean, terrify, and reduce lawyers to tears. But being in Justice Cavanagh's presence in the courtroom is always a refreshing, even enjoyable, experience.

Justice Cavanagh has been that rare judge who can probe and question, and even ultimately rule against you, without making litigators want to retreat to a life of wills and debt collection in the safety of their offices. Surely this courtesy and respect will continue to be paid forward into countless acts of civility and professionalism by lawyers and judges for decades to come.

So thanks Justice Michael Cavanagh. Your life's work made a difference for us all.<sup>1</sup>

---

1. Originally published in the *Detroit Legal News* on December 5, 2014. (Reprinted with Permission.)

## **“I Loved Every Minute of It”: Justice Cavanagh’s Clerks Remember Him**

*Coincidentally, earlier this year, Society Executive Director Lynn Seaks began contacting current and former clerks for a Clerk Directory. While we have not heard from all 53 clerks mentioned in the article opposite, we did hear from a great many, and, as the picture from Cavanagh’s portrait unveiling shows, he was beloved of his clerks. Lynn notified the clerks of the justice’s passing and many replied with condolences: these are listed below, along with some of their favorite memories of Chief Justice Cavanagh:*

The loss of a true legal giant!

I am immensely saddened by the loss of Justice Cavanagh, a true legal giant in our profession. He was always empathetic, considerate and listened to, evaluated, and analyzed viewpoints different from his own.

I have a host of favorite memories during my time as a clerk for Justice “C,” as I called him, too many to mention here. I loved drafting his speeches and driving him to his various speaking engagements, but especially to his appointments in Detroit an hour and a half away, when we had unbridled time to chat about the law, sports (the Lions and Pistons), and the qualities that stood out to him in lawyers who argued before the Court. Although I had come to the Court from living and going to law school in Los Angeles, I was born in De-troit and was impressed that Justice C knew many favorite haunts and parts of the city.

When I passed the California bar in late November, my third month as a clerk, I rushed to tell Justice C the joyful news and that I looked forward to being sworn in in L.A. after my clerkship. He responded, “Nonsense! I’ll swear you in, just get me the California oath!” I hadn’t known that was possible, but soon after, I was in the courtroom, with his staff, my fellow clerks and a host of other Justices’ clerks, and Court staff. Justice C, before the official swearing in oath, couldn’t wait to tease me about my perilous California driving in the Michigan snow and ice, and gleefully expressed amazement that I had made it to the Court every workday during the winter. He had a gregarious laugh and huge sense of humor.

But of course, Justice C also had a serious side. When we discussed the cases I reviewed and memos I wrote, he was always receptive to and seriously considered my opinions involving race, equity and justice issues in those cases. Justice C’s judicial demeanor, keen analysis, political savvy, thoughtfulness and meaningful interaction with me undoubtedly has made me a better lawyer.

When I returned to Los Angeles from my clerkship to work at a large law firm, then as a litigator for the County of Los Angeles, Justice C’s life lessons and legal legacy stayed with me.

Rest in power, Justice C. I am privileged to be among the elite cadre who got the wonderful opportunity to clerk for you, learn from you, and take your indelible lessons forward into my life and legal career.

**Adrienne Byers**  
(Clerk 1989 – 1990)

**“I am forever grateful for the opportunity to work for him and his wonderful team.”**

I am so saddened to hear this news. My deepest condolences to Justice Megan Cavanagh and all the members of Chief Justice Cavanagh's family.

It is impossible to overstate how important the clerkship for Chief Justice Cavanagh has been for me, both personally and professionally. He was far more than an employer. He was a true mentor and almost a father figure to those of us who clerked for him. His kindness and down-to-earth decency were and are simply remarkable. I sometimes get very emotional thinking back about it.

He never wavered in his principled stances in favor of upholding the constitutional rights of everyone, including criminal defendants guilty (or possibly guilty) of heinous crimes. Everyone deserved due process and a fair hearing, and the most meticulous adherence to their constitutional rights, plain and simple. Period, full stop. That was his philosophy. For Chief Justice Cavanagh, public service, justice for all, and upholding the rule of law were his guiding stars.

I feel very privileged to be included on this email list of other MFC clerks (I clerked for him Aug 1990-Oct 1992, including the first year and a half of his 4-year Chief Justice-ship).

**Bryan H. Wildenthal**  
(Clerk 1990 – 1992)

I remember how kind and competent Justice Cavanagh's assistant Marcia was to the young clerks. I remember Justice Cavanagh as a role model for what a boss should be.

**Judge Charles Berschback**  
(Clerk 1984 – 1986)

How much fun we had! But also how hard we worked to try to get to the right answer every time.

**Jason Long** (Clerk 1999 – 2001)

Such a privilege to have known and worked with this amazing human being.

A favorite memory with Justice Cavanagh happened on one of our very first "frolic and detour" lunch trips with the whole office. He let us know there was a new place he had been wanting to check out. I remember being nervous because I was a small town girl still learning the ins-and-outs of professional luncheons. We proceeded to take a long road trip to the middle of nowhere. When we walked into the small, empty establishment, Justice Cavanagh asked what types of beer they had on tap. The bartender replied, "Both kinds. Bud and Bud Light." He said something like, "It takes all kinds." We got one of each and spent a wonderful afternoon getting to know each other.

This moment was so characteristic of the following two years...seeing value in every person and every experience. Being kind was so much more important than stereotypes or labels. I will always treasure the fact that my clerkship was more than a job and that I was part of the MFC family.

**Jenny Koelsch**  
(Clerk 1999 – 2001)





One of the many “detours”: this time to Nancy Whiskey for the 2002 Red Wings Stanley Cup Victory Parade with Jenny Dobrovolec, Kristen Tolan Netschke, Marcia Jackman, Justice Cavanagh, Yvonne Smith



Clerk Mary Chartier with Justice Cavanagh



One of the many weddings Justice Cavanagh performed, this one for George Howell and his wife Ayuko.



Justice Cavanagh performed Jenny McNitt Koelsch’s wedding on September 8, 2001.

Working for MFC was one of the best experiences of my career. I am forever grateful for the opportunity to work for him and his wonderful team.

**Kristen Netschke**  
(Clerk 2000 – 2002)

**“I remember Justice Cavanagh as a role model for what a boss should be.”**



A family of clerks at Justice Cavanagh’s Portrait Unveiling with an earlier “Family” photo above.

I feel so lucky to have clerked for him, as I'm sure you all do too.

Here's my "funny story" (Marcia helped me remember the details). One weekend, we all decided to take trip up to my parents' cabin for a mini-trip in the middle of nowhere, just south of Houghton Lake. It was me, Marcia, Molly Jason (co-clerk) and I can't remember if Yvonne went too or not (other clerks?).

Anyway, we stopped at this dive bar called the Lindy Lake Saloon, in a town called Meredith (if you blink, you'll miss it). The bar had knotty-pine walls, a shuffleboard table, some pool tables, a karaoke machine, and a few locals scattered around the tables. We arrived on a late afternoon, most likely over-dressed for the camo and hunting gear worn by the locals—perhaps we stuck out a little. Anyway, after a beer or two, most likely me but maybe Molly, said in a not-so-quiet voice, "Hey, Judge!" He looked back at us to hush us, so no one in the bar would know that he was a judge. We giggled and decided that instead of calling him Judge from that point forward, we would re-name him "Budge." After that day, I'm not sure if I ever called him Judge again unless a third party was around-- he was always Budge to me.

Tangentially, that same trip, he woke up early the next morning before breakfast and was already out on the lake fishing by the time the rest of us got up. It made me smile at the funeral to hear about his "maybe-not-so-successful" fishing expeditions.

I hope you're up in heaven catching the one that got away, Budge! I'm forever grateful for the memories and the hands-down-best-job I ever had!

**Mara Kent**  
(Clerk 1996 – 1998)

Best job I ever had!

**Peggy Miller** (Clerk 1990)



Justice Cavanagh not only performed his clerks' marriage ceremonies. He also swore some of them into the Bar. Here he is with Bryan H. Wildenthal after he swore him in as an attorney (Dec 10, 1990), just a few months after he had started his clerkship after passing the Michigan Bar the previous summer.



John Zevalking brought his children in to meet the Justice.

Such an honor to have served for dear MFC!

For Christmas 2008 (or '09?), the clerk crew gave MFC a set of giant green Incredible Hulk Smash Hands. When you put them on and pounded on the table, the hands said quotes from the movie, such as "I'm getting angry!" MFC snuck them into a justice conference under his robes, and then, in a moment of high tension during their discussions, brought them out and pounded on the table to bring some comic relief to the discussion.

**Kate Redman**  
(Clerk 2008 – 2010)

We have lost a great one. I am so thankful to have served under the Justice, both personally and professionally. And yes, I loved every minute of it! He was simply the Best!

**John Zevalking**  
(Clerk 2007 – 2009)

**"Thank you Justice Cavanagh, for helping to make us all the lawyers and people we are today."**



What a loss of a legal icon and an amazing person!

We also went to dive bars, old cemeteries, suit shopping, a petting zoo, he loved his frolic and detours!

One time, we were talking about our nicknames, and I asked him what his was. He said without missing a beat "handsome." He was super funny and so kind! Said he would wake up and say I DISSENT because that's what it seemed like he was doing all the time.

**Mary Chartier**  
(Clerk 2003 - 2007)

I've attempted to use the lessons I learned from Justice Cavanagh's leadership and office atmosphere that I enjoyed while at the Court.

**Scott Howard**  
(Clerk 1997 – 1999)

His dry wit was one of a kind. As you all know, Justice Cavanagh had impeccable sartorial senses. I do not. I wore uniforms in every job I've had, so the suit and tie were new for me. I chose gray, black, navy—you know, neutrals. One day, Justice Cavanagh informed me that I dressed like an undertaker. So, the next day I wore a very bright shirt and tie. I went into his office to talk to him about a case, and he smiled, shielded his eyes, and asked me if I had an extra pair of sunglasses.

**George Howell**  
(Clerk 2010 – 2012)

Working for MFC and being a member of this elite group is such an honor.

**Jenny Zavadil**  
(Clerk 2001 – 2003)

## A Brief Remembrance

*By Mark Granzotto*

Justice Michael Cavanagh was a member of the Michigan Supreme Court the first time I argued a case there. It now seems hard to believe, but Justice Cavanagh was also a member of the Michigan Supreme Court when I argued another case in that court in October 2014, 28 years later.

In the oral arguments I had in the Supreme Court during his tenure, Judge Cavanagh may not have been as active as some of his colleagues; he didn't ask me a lot of questions. But, when the situation called for it, he demonstrated a particular knack for puncturing an over-inflated or wayward argument with just one quiet question or comment.

Judge Cavanagh spoke more through his opinions. Ironically, this was particularly true when he was significantly outnumbered by justices of a different philosophical stripe. What Justice Cavanagh demonstrated throughout his time on the court, but perhaps especially in the dissenting views he offered in that period, was a deep concern for both principle and people.

I regret that I did not have the opportunity to meet Justice Cavanagh more often outside the courtroom. I think that, of all the members of the court that I have known, Justice Cavanagh would be the one person whom I would like to have sat down with just to talk about his time on the court. I can say this because in the too infrequent times that I was able to talk to Justice Cavanagh outside the courtroom, I listened to a man who was not at all impressed with himself or the many things that he had accomplished, but someone who took an interest in talking to me, and someone who possessed an unusually good sense of humor.

I once got a taste of that humor in a brief exchange in the courtroom that I still remember. I was arguing a case in the Supreme Court during the unholy reign of *Lugo v Ameritech*. I forget which case I was arguing, but it wasn't a premises liability case. I must have been the appellee because during my opponent's argument, I noticed a paperclip lying on the carpet near the lectern. As I approached to give my argument, I picked up the paperclip and mentioned to the court that I picked it up because I didn't want anybody slipping on it. And I added that the paper clip while lying on the carpet was not open and obvious.

Justice Cavanagh, expressing the frustrations of a lot of lawyers I know, immediately responded to my comment, "everything is open and obvious."

What was obvious to me over many years is that Justice Cavanagh set the bar – not just for how long he served, but for how well he served. He demonstrated throughout his years on the court that a judge could be both wise and deeply compassionate.

## More Memories of Justice Cavanaugh Interacted with Him Daily, To T And Others

### Justice Alton T. Davis

From the time I began my legal practice in 1974 throughout my tenure on the 46th circuit court and until my appointment to the Michigan Court of Appeals in 2010, I didn't have much exposure to Justice Cavanaugh. I was certainly aware of his status as one of Michigan's preeminent jurists. I also knew I would like him when I did meet him, based on stories I had heard from mutual friends of his grouse hunting exploits in the Alpena area over the years.

My office at the Court of Appeals was in the Hall of Justice in Lansing, Michigan, which is where the justices of the Supreme Court have their chambers. That was when I had my first occasion to meet and visit with the legend from time to time as circumstances allowed. During my brief tenure on the Supreme Court I had the great pleasure of working with him as a colleague, a mentor, and a very fine person.

My assessment of the longest serving member of the Supreme Court of the state of Michigan is this: He was at all times a consummate gentleman. He was soft spoken and generous with his time. I never saw him be impatient. I never observed him to be personally or verbally critical of a colleague no matter how sharp the differences of opinion. That is not to say that he wasn't capable of frankly differentiating his views from those of others when he felt that to be necessary. Over a long period of time in the latter part of his tenure he had ample opportunity to hone that skill. Of late, my view is that the Court is tending more toward his view in many areas of the law and he has left behind many well considered guideposts as a legacy.

### Justice Dennis W. Archer

It was an outstanding service that I thoroughly enjoyed and found peace and enjoyment during the service. Mike, I am sure enjoyed with family and friends present.

### Justice Robert P. Young, Jr.

Linda and I are so sad to learn of Mike's passing and send our prayers to you and your family

Mike and I didn't always agree but we developed a nice relationship after I became Chief. We then enjoyed a wonderfully collegial Court. Your father made that possible and I was deeply gratified that he said that that was his best time on the Court.

I always respected his charm and intellect.

May he rest in peace.



## Cavanagh from Colleagues Who Those Who Argued Before Him, In Between

### Marcia McBrien

When Tom Farrell, the longtime Public Information Officer for the Michigan Supreme Court, retired in 1993, the Court took some time to find his successor. In the interim, then-Chief Justice Cavanagh dealt directly with many journalists covering the Court -- including me, then a reporter at *Michigan Lawyers Weekly*. "Hello, Marcia, what unpopular thing have we done now?" was his gracious (if resigned) standard greeting when I called him seeking comment. I don't think he looked forward to my calls, but he was always forthright, available, and responded in time for deadline, qualities much appreciated by members of the capitol press corps.

Justice Cavanagh was a loyal member of the Incorporated Society of Irish-American Lawyers. In the late 1990s, George Ward (longtime Wayne County Chief Assistant Prosecutor), an ISIAL officer and board member, launched the tradition of ISIAL holding a brunch with Irish music before the annual St. Patrick's Parade in Corktown. As I recall, Justice Jim Ryan, by then a judge of the 6th Circuit, was master of ceremonies for several years, but by and large the mic was open to anyone with a story or joke to share -- and jokes predominated. Justice Cavanagh thought the rest of us lacked the requisite seriousness about our Irish heritage, and he attempted to make up for our frivolity by giving us lessons in Irish history. As I recall, at one brunch he read aloud to us from *How the Irish Saved Civilization*.

### Anne Argiroff

My first case and oral argument in the Michigan Supreme Court was when I was 32 in 1992 when Justice Michael F. Cavanagh was on the Court. He was gracious and welcoming and made the attorneys arguing -- including an inexperienced appellate attorney -- feel comfortable while also creating a vibrant exchange with counsel. Justice Cavanagh was an outstanding jurist, a role model for the entire profession, and most importantly, a compassionate man dedicated to public service and the law.

### Eric Restuccia

He was such a nice man.

My special memories of Justice Cavanagh are rather general in nature:

I can see with my mind's eye the last time I saw him, just a few years ago, when he smiled at me, said hello, and wished me well. I was struck by his matter-of-fact kindness. It reminds me of my (few) interactions with him almost 30 years earlier when I was clerking for Justice Riley (1995 to 1997), where the same thing was present. He was always humble, down-to-earth, direct, and kind. His genuine warmth would shine through in the ordinary events and interactions of life. Always a quick smile and welcoming gesture. Curiously, I think it a mark of true greatness. It reminds me of the scriptural passage that God is not known in the hurricane, but in the whisper. That is what I think of when I think of Justice Cavanagh.

## Justice Michael Cavanagh: A Long-Time Friend of the Michigan Supreme Court Historical Society

*By Carrie Sharlow*

As long as there has been a Michigan Supreme Court Historical Society, Justice Michael F. Cavanagh was a member. The Society has files and folders filled with pictures of Justice Cavanagh in attendance at various events, including a photo of the luncheon where his guest was his younger daughter, attorney Megan K. Cavanagh. Notably, Justice Cavanagh was ageless, looking exactly the same from year to year.

I'm sorry I never had the chance to meet him in person, though I think I saw him in a local grocery store once several years ago: a celebrity-sighting.

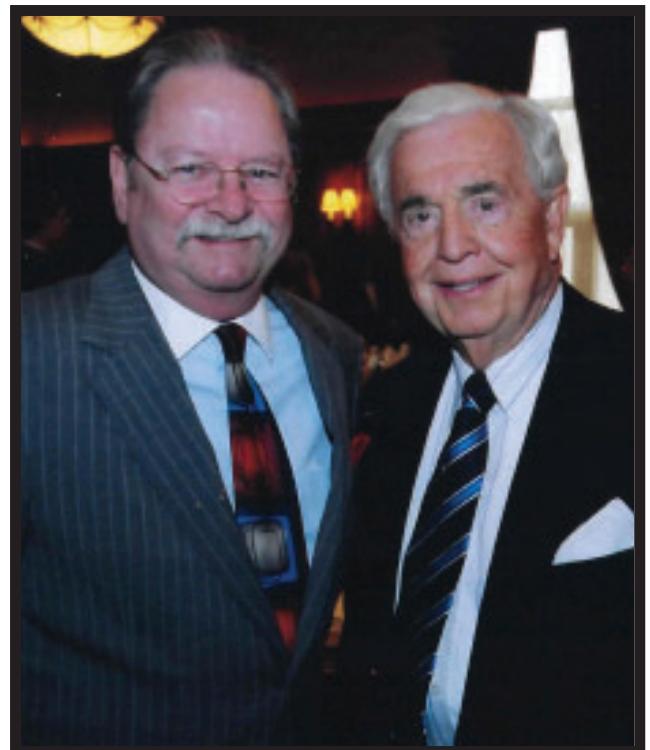
Executive Director Lynn Seaks knew him, though, and said that everyone at the Hall of Justice adored him, that it was an honor to organize his portrait unveiling in 2016 in her capacity at the Court, that he must have been beaming when the current Chief Justice was elected to the Court.

I only had two brief interactions, if that.

In the fall of 2024, when the Society was working on a newsletter focused on Michigan's Tribal Courts, I was copied on Justice Cavanagh's response to Board Member Fred Baker regarding his article about the Tribal State Federal Judicial Forum. With characteristic humility, Justice Cavanagh noted Fred's "overly flattering comments about [him]," though not before he complimented Fred's outstanding "wordsmithing wizardry."

As I was putting together the Court of Appeals Newsletter, I asked Justice Cavanagh if he might want to participate with an article, given his extensive history. He was incredibly gracious, remarking that he had "great memories of the Court of Appeals, having law-clerked there with the original court in 1966 and then serving on it for 8 years starting in 1975." But he was unwell: when he was better, he would write something about his lengthy service. He signed off as "Justice C (the elder)."

He was larger than life on the Court and in the Lansing Area. We'll mourn his passing in the Society Offices on the 3rd Floor of the Hall of Justice (a monument he helped build) as a justice and a Society member and a good man.



Two great Irish lawyers at a Society luncheon.



Judge Terrance Boyle with Justices Dennis Archer, Patricia Boyle, and Michael Cavanagh at a Society luncheon.



Earlier this year, Justice Cavanagh donated his bench photos to the Court. This is his first one in 1983.



3rd Floor, Hall of Justice  
925 W. Ottawa Street  
Lansing, MI 48915

### ***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.

***Founder:***

Dorothy Comstock Riley

***Officers:***

Joseph J. Gavin, *President*

Matthew C. Herstein, *Vice President*

Janet K. Welch, *Secretary*

John G. Fedynsky, *Treasurer*

Lynn Seaks, *Executive Director*

Carrie Sharlow, *Assistant Executive Director*

***Directors:***

Anne Argiroff

Frederick M. Baker, Jr.

Mark R. Bendure

Geraldine Brown

Alena M. Clark

Mark Cooney

Justice Maura Corrigan (ret.)

Peter Cunningham

Gregory J. DeMars

Deborah L. Gordon

Carl W. Herstein

Judge Mary Beth Kelly

Mark Magyar

Mary Massaron

Denise Langford Morris

John D. Pirich

Robert F. Riley

*Society Update* is published quarterly by the Michigan Supreme Court Historical Society. Writing admissions, article ideas, news, and announcements are encouraged. Contact the Society at: Hall of Justice, 925 W. Ottawa, 3rd Floor, Lansing, Michigan 48915 or 517-373-7589.