



# Society Update

The Official Publication of the Michigan Supreme Court Historical Society

Winter 2012

## The Year in Review: 2011

### A Message from Society President Wallace D. Riley



**A**nother year has been added to the pages of history. It was a year in which the Tigers nearly made it to the World Series and the Lions to the Super Bowl. For the Michigan Supreme Court Historical Society, it was a year in which we accomplished many things—and continued to prepare for even more.

The Society opened a temporary exhibit in January on the historic courthouses of Michigan. Based on the encyclopedic book *Michigan's County Courthouses*, the exhibit featured photos and facts about six unique county courthouses from all around the state. While the Society is the fiduciary for the Learning Center—allowing contributions to them to be tax-deductible—we are not typically involved in the programming of this space. We are grateful to the Learning Center Coordinator Rachael Drenovsky for her expertise in preparing the exhibit.

Our 2011 Annual Luncheon, held at the Detroit Athletic Club at the end of April, featured a vignette by Professor Mark Hurwitz of Western Michigan University. Professor Hurwitz was the lead researcher on a study we commissioned to investigate how Michigan's hybrid electoral system came to be. Among the interesting facts uncovered during his

study was that if voters had approved, it's possible the eponymous Missouri Plan might instead have been known as the Michigan Plan. You can read the full text of Professor Hurwitz's speech on our website.

Prizes were awarded to students at four of the state's five law schools last year. The Law Student Prize, which includes a \$500 award for each recipient, is given to the student who best exemplifies the spirit of legal history at each school.

The Society was pleased to be involved in the reproduction and presentation of the portrait of Justice Isaac P. Christiancy to Senate Majority Leader Randy Richardville in June. Justice Christiancy was one of the Big Four justices. Senator Richardville, like Justice Christiancy, hails from Monroe, Michigan. The portrait reproduction hangs in the Senator's Lansing office, and he has pledged to donate the portrait to the Monroe County Historical Society when he leaves office.

In September, the portrait of 100th Justice Clifford W. Taylor was dedicated to the Court in a Special Session. Photos from that event were published in the fall issue of the Society Update. The event was also recorded by MGTV and transcripts will be published in a future edition of the Michigan Reports.

Whether 2011 was the first year of your membership or you are a lifetime member, I want to express my gratitude to you, our devoted members, for your sponsorship of the Society.

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SAVE THE DATE  
ANNUAL LUNCHEON  
THURSDAY, APRIL 19  
DETROIT ATHLETIC CLUB

## Where We Are Going

### Executive Director's Report



By this point in the New Year most Americans have already abandoned their resolutions. For this reason it seems wiser to set specific goals—which is the direction that the Society will move in 2012. We will continue to build on what has been successful, improve upon what has not, and do both with a renewed spirit.

One of the hurdles we will need to overcome in 2012 is diminished funding. The Society receives a small annual grant from IOLTA (Interest on Lawyers Trust Accounts), but with interest rates continuing at historic lows, that support has necessarily become less and less every year.

Last year, with the advice and consent of our Board of Directors, we diligently courted law firms to increase our corporate memberships. And law firms responded! Corporate memberships for 2011 were up by 80 percent over the previous year.

We also mailed requests for additional contributions to all of our life members last year. Once an individual Society member has made \$1,000 or more cumulative donations, they are no longer required to contribute annually to maintain their membership. Knowing that you are working to attain life member-

ship can provide an incentive to keep giving year after year. Other nonprofits, however, have moved away from this membership category because it ultimately limits revenues. While the Society's Board of Directors is not interested in copying what other nonprofits are doing in this regard, they have agreed that Society life membership means "we'll never stop asking."

In 2011, the Society became a member of the Michigan Nonprofit Association. This phenomenal organization provides a number of resources for nonprofit organizations in Michigan, including an affiliate program with GrantStation, an online funding resource for grant seekers.

Because of our funding limitations this year, we will be seeking out and applying for grants for programming needs such as portrait maintenance, the Coleman internship, and publications. Our hope is to publish an update to the *Historical Reference Guide*, incorporating new portraits and biographies as well as the case summaries of the *Verdict of History*, in conjunction with our 25<sup>th</sup> anniversary next year in 2013.

With ingenuity and your support, the Society will carry on into our 25<sup>th</sup> year!

## 2012 Society Member Contribution Form

Please use this form to renew your annual membership or make an additional financial contribution.

**TOTAL PAYMENT \$ \_\_\_\_\_**

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*Circle one:* Visa MasterCard American Express

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Individual membership \$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.



## Michigan Supreme Court Historical Society Board of Directors

Our eminent Board of Directors met three times in 2011—in January, April, and October—to conduct the business of the Society.

Pictured in the photo, front row, left to right are Judge Avern Cohn, Vice President Charles Rutherford, President Wallace Riley, Judge Denise Langford Morris, former Attorney General Frank Kelley, and former Justice Charles Levin.

Back row, left to right are Treasurer Larry Nolan, former Justice Patricia Boyle, Stephen K. Valentine, Jr., Judge Fred Borchard, Janet Welch, Bruce Courtade, Ronald Keefe, Mary Massaron Ross, Peter Ellsworth, Judge Alfred Butzbaugh, and John Jacobs.

Not pictured are Hon. Michael G. Harrison, Secretary Carl W. Herstein, Matthew C. Herstein, Michael Murray, John W. Reed, Richard D. Reed, and former Justice James L. Ryan.



## Law Student Prize

### University of Detroit Mercy School of Law



In October, Society Vice President Charles Rutherford presented the Society's 2011 *Law Student Prize* to University of Detroit Mercy School of Law student Lee Coppage. Shown in the photo, front row (l-r), Assistant Dean Loretta Lewins-Peck; Society Vice President Charles Rutherford; Prize Winner Lee Coppage; Lee's mother, Nancy Coppage; back row (l-r) UDM Law's Scholar in Residence, Layman Allen; Dean Lloyd Semple; Professor Leon Lysaght; and Mark Perez (a Coppage family friend).

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### The Positivist and Natural Law Analysis of *Korematsu v. United States*

Written by 2011 *Law Prize* Winner Lee Coppage  
University of Detroit Mercy School of Law

#### STATEMENT OF FACTS

In 1944, the United States Government, in an effort to protect national security and the sovereignty of the country, enacted Exclusion Order No. 34, which prohibited American citizens of Japanese descent from accessing particular areas of the West Coast during the aftermath of World War II. Since this order was executed solely on the basis of national origin, a writ of certiorari was granted. The petitioner, Korematsu, appealed his conviction claiming the Executive Order violated his Fifth Amendment right of Equal Protection. Typically a "compulsory exclusion of large groups of citizens from their homes, except under circumstances of direst emergency and peril, is inconsistent with our basic government institutions."<sup>1</sup> The Supreme Court held that due to the exigent circumstances of the war and fear of Japanese backlash, the conviction was affirmed. The court based its decision on a set of commands derived from multiple ex-

ecutive orders.<sup>2</sup> Elements of Legal Positivism and Natural Law Theory are present within the case. A further bifurcated analysis will provide evidence to show how American Jurists have reflected these paradigms in one of the most influential Equal Protection cases in American Jurisprudence.

#### ANALYSIS

Legal Positivism has been interpreted by various philosophical thinkers beginning with the writings of Jeremy Bentham. Despite the particularized nuances that each philosopher brings to light, the same fundamental elements are present at the core. Positivism is a command theory where the law is derived from the sovereign. The sovereign is an uncontested ruler that can institute these commands to political inferiors. Originally, this method of law was derived to take away judicial discretion. Bentham feared that judges aim to serve their own self interests. John Austin gave more credit to the judiciary, but at the same time recognized the importance of the "uncommanded commander." Most positivists, including

<sup>1</sup> *Korematsu v. United States*, 323 US 214 at 220.  
<sup>2</sup> *Id.*

Hans Kelsen, believed that the commands of the sovereign must be binding upon the individual to whom it is directed. Hans Kelsen recognizes the importance of the “Rule of Recognition,” where the people can look to an authoritative source as to accept the rules of the sovereign to be the law of the land. Legal positivism aims to achieve a legitimate government purpose by enforcing the laws as they are written. The plain meaning of a statute is considered valid, because once a law is enacted by a sovereign authority, it is binding on its face.

Where positivism is a more rigidly defined concept of law, Natural Law theory deviates from the strict interpretation of the laws from the sovereign. Positivism possesses static constructs, but Natural Law allows for a more dynamic and interactive approach. Natural Law implies that there is a moral backdrop to each law that is passed. Fuller expresses the dilemma between the two theories best when he accents the idea that we have a duty to obey the law and we have a duty to do what is right. A Natural Law approach implicates a futuristic insight as to what the law may do, not what the law says it will do at one specific time. Anthony D’Amato discusses how the law is checked with principles of morality.<sup>3</sup> Morals are divided into two categories. Laws of Morality deemed always to be wrong to any individual are labeled M1, but laws that are immoral depending on the situation are labeled as M2. This concept of “Relative Morality” has evolved in American jurisprudence in the areas of homosexuality, adultery, sodomy, public nudity, and extramarital sexual intercourse to name a few. These concepts of morality are expected to be followed under a Natural Law Theory, because many of the laws initiated for society to follow coincide with prohibiting immoral acts. Joseph Raz stated, “We expect people to avoid such actions whether or not they are legally forbidden, and for reasons which have nothing to do with the law.”<sup>4</sup> The Natural Law’s theory of morality places a wedge between Positivists counterparts because of their stronghold on the authoritativeness of the law as it is written.

These two theories of law are ever-present in the Korematsu case. Justice Black’s Majority treated the application of Exclusion Order No. 34<sup>5</sup> as a stringent and binding order

on the citizenry. Black relied on the Exclusionary Order as the sole basis for affirming the petitioner’s conviction. Black ignored the public policy and Equal Protection argument discussed in the dissents when he stated, “we are dealing specifically with nothing but an exclusion order. To cast this case into the outlines of racial prejudice, without referencing to the real military dangers which were presented, merely confuses the issue.”<sup>6</sup> This approach is deeply rooted in positivist theory. Since the Exclusionary Order was derived from the Executive, it has the binding capability and the enforcement value needed to be applied to the public at large. Justice Black’s approach is swift and unwavering as he negates the morality of the Exclusionary Order. Black viewed the Exclusionary Order as a command directed from a political superior to an inferior (the citizenry). Black’s approach is best linked to the positivist theorist, John Austin, when he stated, “wherever a duty lies, a command has been signified; and wherever a command is signified, a duty is imposed.”<sup>7</sup>

A Natural Law theory of the type advocated by Lon Fuller emphasizes the moral elements that must necessarily be present in the legal system in order for the system to be correctly called a system of law. The dissenting opinions in *Korematsu* do not attempt to negate the wording of the statute, or even the application thereof. The main dilemma is over the passage of multiple pieces of legislation surrounding the Exclusionary Order issued May 3, 1942. Fuller emphasized that enacting contradictory rules negates the authority that one order can have over another. Justice Roberts expressed this dilemma when he declared, “The petitioner, prior to his arrest, was faced with two diametrically contradictory orders given sanction by the Act of Congress of March 21, 1942. The earlier of these orders made him a criminal if he left the zone in which he resided; the later made him a criminal if he did not leave.”<sup>8</sup> Black disputes Roberts’ argument by claiming that on the date of his arrest, he was solely in violation of the May 3, 1942 Order. He further noted that the Exclusionary Order was one of many steps in a larger government interest. Black argued, “the lawfulness of one does not necessarily determine the lawfulness of the others...it will be noted, imposed distinct duties in connection with separate steps in a complete evacuation program.”<sup>9</sup>

Positivists are known for not allowing adequate notice to be given to the citizenry when a new law is passed. However, positivists argue that the law must be obeyed because it is directed as a command from the sovereign. Fuller would contradict this notion in his second method of how a system of laws will be destructive- “a failure to publicize, or at least to make available to the affected party, the rules he is expected

3 Anthony D’Amato. *Analytical Jurisprudence Anthology*. Bender & Company, Inc. (1996).

4 D’Amato, *supra* at 111.

5 Executive Order No. 34—“whoever shall enter, remain in, leave, or commit any act in any military area or military zone prescribed, under the authority of an Executive order of the President, by the Secretary of War, or by any military commander designated by the Secretary of War, contrary to the restrictions applicable to any such area or zone or contrary to the order of the Secretary of War or any such military commander, shall, if it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof, be guilty of a misdemeanor and upon conviction shall be liable to a fine of not to exceed \$ 5,000 or to imprisonment for not more than one year, or both, for each offense.”

6 323 US 214 at 203.

7 *Id* at 41.

8 323 US 214 at 233

9 *Id* at 197.

to observe.”<sup>10</sup> Roberts argued that between the Executive Order passed in May of 1942 and the prior legislation from Congress, Korematsu had nowhere to go but to an assembly center. In his view, compelling an American citizen to relocate to an assembly center was essentially the same thing as checking into a concentration camp or falsely imprisoning oneself.<sup>11</sup> Fuller expressed how contradictory rules can lead to confusion of the citizenry, but he also realized that the destructiveness does not necessarily correlate with a bad system of law. “It results in something that is not properly called a legal system at all, except perhaps in the Pickwickian sense in which a void contract can still be said to be one kind of contract.”<sup>12</sup> In *Korematsu*, the Natural Law theorist would be empathetic towards the petitioner due to the contradictory laws passed surrounding the May 1942 Exclusionary Order. Roberts empathized with the Petitioners ultimatum when he stated, “I had supposed that is a citizen was constrained by two laws, or two orders having the force of law, and obedience to one would violate the other, to punish him for violation of either would deny him due process of law.”<sup>13</sup>

Due process was one of the pivotal issues in *Korematsu*. The Dissent’s strongest argument was the idea that racially predisposing Japanese Americans without any clearly individualized suspicion of treason, high crimes, or espionage should fail strict scrutiny and therefore make the Exclusionary Order unconstitutional pursuant to the Fifth Amendment’s Equal Protection Clause. Justice Murphy reasoned, “It further deprives these individuals of their constitutional rights to live and work as they will, to establish a home where they choose and to move about freely. In excommunicating them without benefit of hearings, this order also deprives them of all their constitutional rights to procedural due process.”<sup>14</sup> The Dissenting Justices both argue that there was no empirical evidence showing that Korematsu was disloyal to the United States in any way, but rather each Justice suggested to the contrary. Both Justices take the approach of a Natural Law Theorist. They understand the plight of the Petitioner as he had no where to go but one governmentally controlled area that acted as a pseudo-prison. Fuller’s seventh prong of his routes to legal disaster states, “Introducing such frequent changes in the rules that the subject cannot orient his action by them.”<sup>15</sup> This is applicable to the Dissent’s public policy argument. Because Korematsu had to adapt to constant change in where he could live and reside, he had no way to properly ascertain the correct action to take in regards to curfews, work hours, and interstate traveling. Natural Law Theorists find the moral confliction of harboring a class of peoples based solely

on race to be demonstrative to a functional system of law.

This public policy debate clashes with the positivist approach. Justice Black argued that the exigent circumstances present surrounding World War II deemed it necessary to affirm the Exclusionary Order. However, at the end of the analysis, it is made clear that despite any policy argument, the only concern was over the command of the Order itself. At its core, the Order was clear in its wording and was unambiguous. It singled out a select group of individuals who were excluded from accessing particular areas of the West. The Order disclosed the punishments for attempting to gain access and not checking in through the proper mechanism. Justice Black argued that adequate notice was given to Korematsu and others of Japanese descent to refrain from traveling to these prohibited areas. During this time period, there was a large influx of executive orders, legislative acts, and regulations issued directing the Japanese as to where they could travel in the Western United States; however, each regulation comprehensively instructed the individuals as to where they needed to establish themselves and the consequences for breaches therein. A positivist would support the notion that all citizens get to make a choice to follow the law or to evade its guidelines. The purpose behind the passage of the law is not as important to a positivist as the enforcement of the law once it is violated.

### CONCLUSION

Both Positivism and Natural Law Theory have roots in early philosophy. While both analyze laws as they are written, each perspective departs from one another in the application of the laws. Where a Positivist approach focuses on the specific wording and plain meaning of the written law, a Natural Law theorist would deemphasize the literal meaning in pursuit of a deeper understanding of the law and morality. Fuller once stated, “if we do things the right way, we’ll do right things.” This utopian theme resonates in the application of the Natural Law to any system of governing rules. Where Positivism is more rigid and confined, Natural Law gives way to morality and the need for understanding the human condition. As Fuller recognized, just because a system of laws has contradictory rules, lack of notice, abuse of retroactive legislation, rules requiring conduct beyond the powers of the affected party, and other destructive means, does not invalidate a legal theory. Both Positivism and Natural Law theory manifest themselves in *Korematsu*. In the end, they provide an intersection among various philosophies in American jurisprudence and will continue to challenge the analytic perspectives of Supreme Court Jurists.

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Lee Coppage is the Society’s 2011 Law Prize winner from the University of Detroit Mercy School of Law. He expects to receive his Juris Doctor from the school in May.

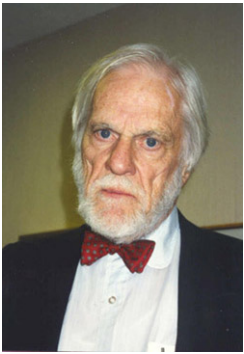


## Found Photos

The Society's oral history collection is housed at the Vincent Voice Library at Michigan State University. Transcripts of the interviews and audio recordings (in MP3 format) are available from our website at [www.micourthistory.org](http://www.micourthistory.org)

Currently, the oral histories are segmented into multiple parts. This aids researchers who are searching for a specific part of the interview. The archivists at the library, however, plan to combine all of these parts into one MP3 for each justice's oral history over the next few months. The oral histories will then be searchable via the library catalog, making their existence known to a wider audience.

Recently, the archivists discovered and turned over to the Society a disk containing photos taken in association with the recorded interviews. We include them here for your interest.



Seen here is the late Roger Lane, interviewer behind the oral histories on our website.



**Thomas Giles Kavanagh**, interviewed in the living room of his home in Troy, Michigan, on November 19-20, 1990.



**John D. Voelker**, interviewed in his home in Ishpeming, Michigan, on October 1, 1990.



**Theodore Souris**, interviewed in his office on the 34th floor of the Renaissance Center, on November 5, 1990.



**John W. Fitzgerald**, interviewed at his office at Thomas M. Cooley Law School, on October 8, 1990.

# ADVOCATES GUILD

## MICHIGAN SUPREME COURT HISTORICAL SOCIETY

### *A Night for Traditions* *2011 Advocates Guild Dinner*



**O**n October 4, 2011, the Advocates Guild of the Michigan Supreme Court Historical Society held its annual dinner at the Hall of Justice in Lansing.

Chief Justice Robert P. Young, Jr. welcomed advocates to the dinner, noting that only that morning some of them had come before the Court in oral arguments.

The Advocates Guild Dinner was held on the first night of the Court's new term. The fall date has been the time when the Court and Guild traditionally come together for the event. This is the fifth year the Guild has hosted the dinner for its members.

Because of the special nature of the dinner and the exclusivity of Advocates Guild membership, attendance was limited to 40 advocates. Each advocate was seated at a table with a Michigan Supreme Court Justice, and all of the tables were in the sixth floor rotunda outside the Supreme Court courtroom.

The Advocates Guild has been “telling the history of the Court from the other side of the bench” since 2007. Membership is open to any Society member who has had a calendared appeal before the Michigan Supreme Court.

*Photos from the 2011 Dinner  
are on the next two pages*





*The Court graciously posed for photos with individual advocates in front of the bench before the dinner. Shown here is Advocates Guild member John W. Allen who practices in the Kalamazoo office of the Varnum firm. The photos with the Court, which are taken every year, are a favorite memento of advocates who attend the dinner.*



*Justice Stephen J. Markman and Advocates Guild members in the Justices' private conference room. This room, which is ordinarily a restricted area, is open each year for the reception prior to the Advocates Guild Dinner. Seen left to right are Dennis Pollard, Justice Markman, Mark Bendure, John Allen, and Lori Schmeltzer.*



*The 2011 Advocates Guild tile is ... GREEN! The partnership that the Advocates Guild formed with Pewabic Pottery in 2010 has resulted in another beautiful keepsake, available only to Advocates Guild members. If you were not able to attend the dinner, you can still purchase the tile. Limited quantities are available.*



*Justice Diane Hathaway speaks to Advocates Guild member Stephen K. Valentine, Jr. during the reception. Mr. Valentine has served on the Board of Directors of the Michigan Supreme Court Historical Society since 2008.*



*Justice Mary Beth Kelly visits with Advocates Guild members Ron Reynolds (l) and Richard Poling, Jr. (r) during the reception in the Justice's Conference Room.*



*Justice Brian K. Zahra poses with Advocates Guild members Marla McCowan (l) and Valerie Newman (r) in the sixth floor rotunda.*



*Justice Michael F. Cavanagh and attorney Larry Nolan, Treasurer of the Michigan Supreme Court Historical Society's Board of Directors, speaking before the dinner.*



*Justice Marilyn Kelly listens to Advocates Guild member Michael Woodworth before the dinner. Mr. Woodworth is from the Hubbard Law Firm.*

### ADVOCATES GUILD & PEWABIC POTTERY

These special keepsake tiles are only available for purchase by Advocates Guild members. Complete your collection by purchasing both, or purchase just the current year's tile. Complete the form below and mail to the address below.

#### Payment Method

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Checks should be made payable to the *Michigan Supreme Court Historical Society* and mailed to: **Michigan Supreme Court Historical Society, First Floor Hall of Justice, 925 W. Ottawa Street, Lansing, MI 48915.** For questions, call Carrie Pickett at (517) 373-7589 or email [cpickett@micourthistory.org](mailto:cpickett@micourthistory.org).



# First Chair Report

Mary Massaron Ross



**T**he Michigan Supreme Court Historical Society Advocates Guild's mission is to highlight the advocate's role in the appellate process. Appellate advocates spend much of their timing reading and writing. Language is the tool they most often employ—in writing briefs or presenting oral argument before the appellate courts. And the greatest advocates labor to improve their command of language throughout their professional lives. Charles Scribner called language “the soul of the intellect, and reading is the essential process by which that intellect is cultivated beyond the commonplace experiences of everyday life.” *The Quotable Intellectual* (ed. Peter Archer 2010). An outstanding appellate brief reflects the advocate's life long effort to cultivate the intellect so that his or her written or spoken words may be characterized as beautiful.

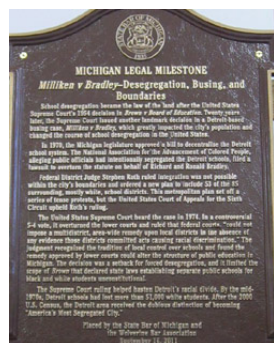
Such beauty is not a matter of happenstance but results from an advocate's facility with language. Calling an advocate's language beautiful does not necessarily mean the words are flowery or ornate—in fact, it is likely that they are the very opposite. As George Eliot said, the “finest language is mostly made up of simple unimposing words.” What gives the words their beauty is their use to convey thought with clarity, precision, and elegance. The best advocates know, as George Orwell long ago said, that “[w]hen there is a gap between one's real and one's declared aims, one turns, as it were, instinctively to long words and exhausted idioms, like a cuttlefish squirting out ink.” Rather than seeking to obfuscate,

they call forth from a profusion of words at their command, those that most simply and truly communicate the facts and law that are important for the court to understand. The court is left with a picture of the facts that is concrete and clear. The court is left with an understanding of the logic and limits of the advocate's position that forms the basis for the court's analysis and decision. And the court can then proceed with its own consideration and decision, unimpeded by confusion, distortion, or the irritation that comes from a poor presentation of the argument.

At present, the officers of the Guild are working to develop short articles about notable advocates who have appeared in the Supreme Court and who are part of its history. We have done so by hiring student interns and also by using a freelance writer. This effort is intended to provide a record of some of the many lawyers who have stood before the bar to address the Supreme Court on important cases. We are trying to identify the very best advocates of the past, those whose use of language is truly outstanding. And we would appreciate your sending us your thoughts about those that we should consider writing about. We are particularly interested in advocates who appeared before the Supreme Court during the 1940s and 1950s. If you have suggestions, please contact me at [mmassaron@plunkettcooney.com](mailto:mmassaron@plunkettcooney.com) or Carrie Pickett at the Supreme Court Historical Society office.

The Advocates Guild also continues to host an elegant dinner with the Michigan Supreme Court justices at the Hall of Justice. The photos in this issue of the newsletter give you an idea of what a lovely evening that event is. The Advocates Guild has also begun the tradition of providing a Pewabic Pottery tile each year to commemorate the evening. This year's tile is a gorgeous green. You will not want to miss next year's dinner—both to see the Supreme Court including a behind-the-scenes look at the robing room and other parts of the justices' private quarters, to meet other members of the Guild, and to spend some time with the justices in attendance.

# New Law Day Contest from State Bar of Michigan Links to Michigan Legal Milestones



The State Bar of Michigan is starting a new Law Day tradition in 2012 by launching a statewide contest to highlight the theme “Michigan: No Courts, No Justice, No Freedom,” utilizing SBM’s Michigan Legal Milestones.

The Michigan Legal Milestones is a 25-year-old State Bar program that commemorates important jurists and court cases that have contributed to our rich legal history. Bronze plaques detailing the background and importance of each case, event, or personality have been placed throughout the state. There are 36 milestones to date.

To participate, contestants should familiarize themselves with the milestones and tie those that are appropriate into the 2012 Law Day theme in a creative project. Examples of acceptable projects include dramatic or musical plays, debates, video game designs, essays, podcasts, commentaries, re-enactments, mock trials, short documentaries, and more.

“The idea behind this unique contest is to promote greater public understanding of the law and to create more partnership opportunities for lawyers and the community at large,” SBM President Julie Fershtman said. “Lawyers and local bar associations can get started by collaborating with schools, community adult or youth groups, colleges, universities, and law schools.”

Winning projects will be those that most effectively illuminate or dramatize the significance of the Michigan Legal Milestone and its relationship to the role of the courts and /or an understanding of the role of the judiciary in Michigan’s constitutional democracy. Electronic submissions are highly encouraged.

Cash prizes will be awarded. The top prize is \$1,000 (one winner); second prize is \$750 (two winners) and third prize is \$500 (up to 3 winners). All winning submissions will be eligible for statewide recognition as a Michigan Model Law Day project as well as for entry into the National American Bar Association Law Day awards competition. Michigan’s 2012 Law Day theme closely parallels the American Bar Association’s. This year marks the 225th anniversary of the U.S. Constitution.

The contest is overseen by a subcommittee of the State Bar’s Law-Related Education and Public Outreach Committee, chaired by Margaret Krasnoff and Jeff Paulsen. Bart O’Neill and Margaret Krasnoff head the Law Day subcommittee.

The Law Day contest entry deadline is 5 p.m., Saturday, April 7, 2012. For more details about the contest rules and resources visit: <http://www.michbar.org/programs/lawday/home.cfm> or e-mail [lawday@mail.michbar.org](mailto:lawday@mail.michbar.org). For a complete list of the Michigan Legal Milestones visit [www.michbar.org/programs/milestones](http://www.michbar.org/programs/milestones).

Questions can be directed to SBM Media and Public Relations Manager Naseem Stecker at (517) 367-6428 or [nstecker@mail.michbar.org](mailto:nstecker@mail.michbar.org) or to SBM Media Specialist Samantha Meinke at (517) 346-6332 or [smeinke@mail.michbar.org](mailto:smeinke@mail.michbar.org).



## Corporate Members

*Special thanks to  
our corporate Life Members:*

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*2011 corporate members:*

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Kerr Russell Weber PLC

Kienbaum Oppenwall Hardy & Pelton PLC

Kitch Drutchas Wagner Valitutti & Sherbrook

Miller Canfield

Plunkett Cooney

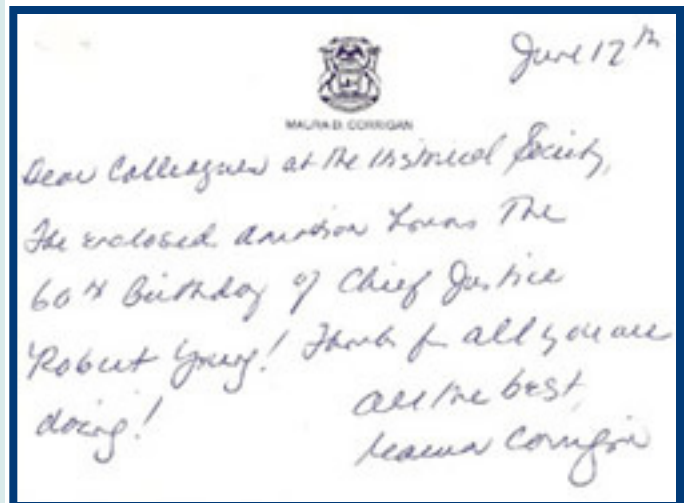
State Bar of Michigan Appellate Practice Section

Tanoury Nauts McKinney & Garbarino PLLC

Thomas M. Cooley Law School

## Honorarium Donation

*In honor of Chief Justice Robert Young  
from former Justice Maura Corrigan*



## Honorarium Donation

*In honor of Chief Justice Robert Young and  
Justices Michael Cavanagh, Stephen Mark-  
man, Diane Hathaway, Mary Beth Kelly, and  
Brian Zahra*

from Justice Marilyn Kelly

## Membership Roster

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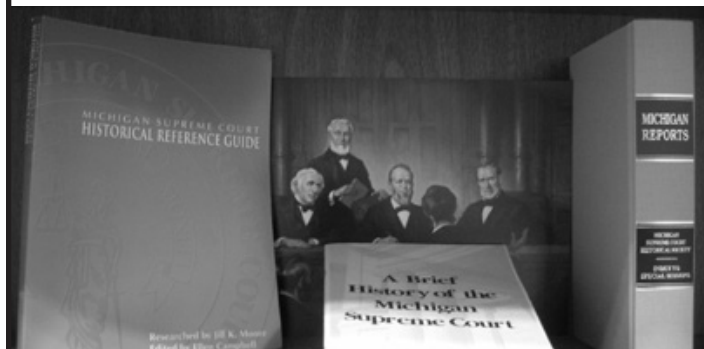
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