



Society Update

The Official Publication of the Michigan Supreme Court Historical Society

December 2023

The Opening of the 2023-2024 Supreme Court Term

Chief Justice Elizabeth T. Clement's Opening Remarks

Good morning and welcome to the October case call in this historic courtroom where our Michigan Supreme Court met from 1879 to 1970. Thank you to Senator Sarah Anthony for allowing us to robe in her office, Senator Anthony's Chief of Staff Jenita Moore and Senate Appropriations Clerk Scott Jones for their assistance. I also want to thank Rob Blackshaw, the facilities manager of the Capitol, for the invitation to begin our term here in this courtroom as well as the attorneys representing the parties in this morning's case. The Court has a great tradition of returning here for the first session of each term. Because of construction at the Capitol and then COVID, this is the first time the Court has returned to this courtroom since October of 2017. I joined the Court a month and a half later, so I have never sat on this bench nor have three of my colleagues – Justice Cavanagh, Justice Welch, and Justice Bolden. The Court is excited to begin our new term.



Some Fun Facts About the Old Courtroom

by Marcia McBrien

The old Michigan Supreme Court courtroom in the Capitol has been the scene of many oral arguments – from 1878, when the state Capitol opened, some 10,000 cases were heard there until the Jan. 16, 1970 closing ceremonies marking the Court's move to the Williams Building. By tradition, each new term of Court begins with an oral argument in the old courtroom, which at other times is used for legislative hearings and meetings.

A few “fun facts” about the old Supreme Court courtroom:

The bench, screen, bookcase, and woodwork are of black walnut – in contrast to most of the wood used in the rest of the building, which is pine, hand-grained to look like walnut. (Although the graining process involves

applying seven layers of paint by hand and drawing each line of grain with a brush, the wages of decorative painters in the 1870s were so low that it was cheaper to use this approach than to use real walnut throughout the building. It was a mark of respect that real walnut was used in the courtroom.)

Justice Eugene Black (served 1956 - 72) used to hum “As the Saints Go Marching In,” as the justices filed into the courtroom to take their seats.

The courtroom makes a guest appearance in *Laughing Whitefish*, a novel written by Justice John Voelker (served 1956 - 60) under the pen name “Robert Traver,” best known for *Anatomy of a Murder*. Justice Voelker evidently wasn’t a fan of the old courtroom: “The ancient supreme court chamber on the third floor of the domed capitol building in Lansing looked more like the inside of an eccentric old church than a courtroom. Worn red carpeting covered every inch of the creaking floor; ill-assorted chairs lined the walls on both sides, supplementing the plain high-backed wooden benches that looked rather more like the uncomfortable pews of some austere religious sect; a faded flag hung inert and listless from a floor staff standing near the court crier’s wooden cubicle; and huge dusty portraits of bearded by-gone judges – seeming mostly rows of staring cataleptic eyes peering out from great thickets of whiskers and billowing yards of black silk robing – lined the walls like the forbidding images of obscure and vanished saints.”

Finally, the old courtroom figured in what was perhaps the sole glitch in the well-planned dedication ceremony marking the opening of the Michigan Hall of Justice in October 2002. In a nod to the Court’s history, a grand procession of Michigan judges, led by then-Chief Justice Maura Corrigan and other justices, was to begin in the old courtroom and arrive at the HOJ just in time for the ceremony. The route had been carefully measured and timed by Supreme Court staff, who estimated that the procession would take 30 minutes to arrive at the HOJ, where a speakers’ platform was set up on the front steps. But on the day of the event, the approximately 120 Michigan jurists in the procession kept such a brisk pace that they arrived 15 minutes early – before then-Gov. John Engler and other dignitaries were in place. Since the program could not proceed without all the invited speakers, the ceremony was briefly halted, with

Supreme Court staffers shooing away curious passerbys who walked casually onto the platform. Afterwards, the dedication went off without a hitch.



Society Report to the Court October 4, 2023

Chief Justice Clement and fellow Justices,

May it please the Court.

I am Carl Herstein, privileged to serve as the President of the Michigan Supreme Court Historical Society.

This is the 40th Anniversary of the Society, which seeks to increase understanding about the work of this honorable Court and to preserve its history through scholarship, education, and the collection of artifacts, memorabilia, and pictorial representation.

This has been an important year of transition for the Society as last December we welcomed Lynn Seaks as our new Executive Director, and Carrie Sharlow as our Assistant Executive Director, both outstanding people well known to you due to Lynn’s previous work as a member of the Court’s staff and Carrie’s continuing work with the State Bar. We also welcomed four new Directors, former Justice Maura Corrigan, Fred Baker, J. Mark Cooney, and Peter Cunningham.

Also with me are a number of other members of our Board of Directors: Joseph Gavin and John D. Pirich.

Since our last report to the Court, we have added several judicial portraits of Former Chief Justices Stephen J. Markman, Maura D. Corrigan, and Marilyn J. Kelly to the magnificent collection of which we are the custodian, and helped host portrait dedication ceremonies in conjunction therewith, which I believe members of this court will agree are among the most delightful events on the judicial calendar. We are also looking forward to the portrait unveiling of Justice Kurtis T. Wilder in late November.

We held our annual meeting in Detroit and heard the John W. Reed Memorial Lecture by Sixth Circuit Court of Appeals Judge (and former member of this Court) Joan L. Larsen, who spoke on the “Lessons from Thomas M. Cooley.”

We hope to add several new events around the state involving discussions of Supreme Court Cases together with questions and answers and some socializing.

We continue to commission new scholarly work. Our latest project relates to Justice Cooley and his development of the Interstate Commerce Commission.

We continue to publish our quarterly newsletter and make available to the public our other publications, such as the outstanding *Michigan Supreme Court Historical Reference Guide* in its second edition.

We have continued to develop a relationship with the Bentley Historical Library in Ann Arbor to help facilitate the preservation of papers of the Justices; the Bent-

ley includes in its collection the papers of a number of former members of this Court.

In addition, we have received a large collection of the papers of former Justice Thomas Brennan as well as some memorabilia of Justice Thomas D. Voelker, including some photographs of his famed fishing cabin.

We have collected a number of artifacts relating to the court and acquired a new display case so that they may be enjoyed by the public at this Hall of Justice.

We expect to continue to add to our oral and now video histories of Court Justices, all available on our website, along with a vast amount of material on the Court.

We have been continuing to work on our project about the role of law clerks with the Court, including a law clerk directory, which currently has over 200 names.

Our Advocates Guild continues to hold its annual dinner, upcoming this month on October 25th, as well as to develop its own scholarly research on the role of the lawyers who come before this court. In addition, as you all know, the Guild has been working on a project to enhance advocacy before the Court via the use of video.

We provide internships (both paid and voluntary), legal history awards to outstanding students at the law schools in our state, lesson plans for K-12 students, and serve as the fiduciary for the funds of the Learning Center here at the Hall of Justice.

Our new leadership team is working to grow the size of our membership and enhance the work of the Society. We are excited for what lies in store.



The Advocates Guild Dinner - October 25, 2023



Justice Brian K. Zahra offers inspiring remarks on the respect for the rule of law. In the background you can see the photograph of the current Court.

On Wednesday, October 25, the Advocates Guild held its annual dinner at the Hall of Justice.

Fifty advocates were joined by Justices Megan K. Cavanaugh, David F. Viviano, Elizabeth M. Welch, and Brian K. Zahra.

Justice Brian K. Zahra, who has been on the Court since January 14, 2011, offered remarks before the meal. He contrasted the current unrest in the world with the relative tranquility of the United States, and observed the peace we have in our streets is because of respect for the rule of law, a respect that is drawn from the confidence and trust people place in the court system and the reasoned decisions of courts, in Michigan and throughout the USA. Justice Zahra further noted that courts cannot make well-reasoned decisions without the aid of counsel through the adversary process, and together, as a profession, the bench and bar serve society by promoting and maintaining the rule of law. This is a critical service we provide our society. Justice Zahra thanked the advocates for their role in the process and shared with them how much the Court looks forward to the opportunity this evening to sit with them and converse with them about matters unrelated to the law and learn more about them and share stories of our respective families.

Thoughts on Our Inheritance from Great Advocates of the Past - Remarks from Mary Massaron

As is our custom, I offered a few remarks at the Advocates Guild dinner this past October that reflect my belief in the importance of our work as appellate advocates before the Michigan Supreme Court. As members of the Michigan Supreme Court Historical Society and its Advocates Guild know, we traditionally meet each fall to celebrate the appellate advocates who appear before the Supreme Court. The current justices, the chief clerk, and the head of the commissioners also attend the dinner. It's an evening of conviviality and one that allows appellate advocates a rare chance to spend time with the members of the Court.

As I was thinking about this year's dinner and looking for the right words to say in the brief remarks, I looked to writings that I have on the shelves of my office. One such book is *Of Law and Life and Other Things That Matter* by Justice Frankfurter. The book is a collection of papers, letters, and addresses by Felix Frankfurter collected and edited by legal scholar, Philip B. Kurland. I love this slim collection of writings and return to it often.

It includes one essay, "On Entering the Law," that I have always loved. Justice Frankfurter explained that the "best reason for going into the law is ... some inner compulsion that selects one's career." Justice Frankfurter recognized that most lawyers may not have been led to this profession in that way – most may have turned to law in default. I count myself one of the lucky ones – it was a compulsion for me and has been one of the most joyful parts of my life.

Justice Frankfurter pointed to one of the reasons why law can be so fulfilling: "the law affords the amplest opportunities for the greediest intellectual appetite." And he also points out that its "concern is society, men and women" and thus it "throbs with human interest." According to the Justice, "it touches the fate of man in all his vicissitudes of joy and sorrow, of mean pursuit and high adventure." And those, like us who serve on the Michigan Supreme Court as justices or practice before it, have the opportunity to be part of "the legal profession at its highest level," an undertaking that allows



Advocates Guild Chair Mary Massaron welcomes members to the dinner.



Nancy Dembinski with Justice Megan K. Cavanagh.

us to “develop the absorptive and analytical capabilities of the human mind.”

The Advocates Guild’s mission includes a focus on the history of the Michigan Supreme Court and the advocates’ role in it. This allows us to gather to recognize the advocates’ important role. It also allows us to study the great advocates and jurists of the past. By reading about them and remembering what they accomplished, we can reinvigorate our own work and we can learn from these past giants in the legal profession.

Another essay by Justice Frankfurter, who was reflecting on why we praise giants of the past, struck me as apt and important for the Advocates Guild and its mission. The Justice said that we praise those past giants because they have given us an inheritance. He said, “We commune with them to enlighten our understanding of the significance of life, to refine our faculties as assayers of values, to fortify our will in pursuing worthy ends.”

That is a great summary of what the Michigan Supreme Court Historical Society and its Advocates Guild try to do. When we list the great advocates of the past and study their lives and their contributions to the Court, we learn from this inheritance. We can’t know how they will be viewed throughout time. And given the fluctuations in the verdict of history, and our varying and conflicting views about jurisprudence and appellate judging, we may start with different views about who was great. But over time and careful study, we might eventually achieve a consensus of informed judgment

about who the greatest advocates were and about what qualities typified their work with and before the Court. And we can learn from that how to better advocate before the Court today and in the future.

“Greatness in the law is not a standardized quality, nor are the elements that combine to attain it,” said Justice Frankfurter. It may be due to penetrating analysis exerted by a brilliant mind, persistence of a point of view persuasively expressed over a long time, or other factors.

What typifies appellate advocacy of the best lawyers? We can all list some factors that are essential:

- Preparation and knowledge of the case and the record;
- Candor with the court;
- Rhetorical skills – of a style that fits the Court;
- Knowledge of the law – the specific legal issues that will control the outcome and the backdrop of the law generally;
- Knowledge of the tools of legal reasoning and how to use them;
- Appreciation for the boundaries that separate arguments that are within the accepted parameters of a “legal argument” and those that are not;
- Understanding of the role of the justices – what they are trying to accomplish during the argument and how to help them do so; and finally,
- Being yourself or as Frankfurter said of Cardozo – a “singularly endearing personality in the service of sweet reason” or a person with “the kind of vigor that

exerts moral authority.”

You may have other criteria to add. And I could add more as well. But the giants in our field created our inheritance. And by looking to them to learn and be inspired is part of our inheritance.

I don’t know about you, but I know that for me, learning to be an appellate lawyer and to offer the best advocacy is never-ending. I vividly recall reading about great advocates – in this country and around the world – and being inspired by them. I love reading biographies and histories of the giants who preceded us. I love watching and reading about giants who are still practicing or who preceded me by only a few years. I hope as you read this that you will recall some of the great advocates that you have read about or seen argue before the Michigan Supreme Court. We can learn from them and be inspired by them.

The greatest advocates help ensure that our appellate courts reach the best decisions under the rule of law – decisions that are factually accurate and well-grounded in the law, that address the arguments that the parties have raised, and that explain to the losing party why the court has rejected their position. We are all part of this process. And it can be a joyful and satisfying compulsion. I hope each of you find this for your own work. And I hope the history of the giants in our field helps you do it.



Mary Massaron and Justice Brian K. Zahra



Justice David Viviano and Gerald Fisher



Gerald Fisher and Robert F. Riley with Anne Argiroff and Jennifer Bentley in the background.



Justice Elizabeth M. Welch with dinner attendees.

The Advocates Guild

Jennifer Alberts
Joseph M. Albosta
John W. Allen
Christopher Allen
John Anding
Nicholas Andrews
Judge Anna Anzalone
Anne Argiroff
Stephanie Arndt
LeRoy L. Asher, Jr.
Judge Nicholas S. Ayoub
Hillary A. Ballentine
Christopher Baratta
Joseph T. Barberi
Charles Barbieri
Kyla Barranco
Timothy A. Baughman
Karen E. Beach
Meredith Beidler
Jennifer S. Bentley
Deborah Blair
William Boyer, Jr.
Deborah Brouwer
Geraldine Anne -Brown
Judge Michael Brown
Thomas P. Bruetsch
John J. Bursch
Anthony F. Caffrey, III
Alena Clark
Trent Collier
Jonathan M. Colman
Michael Cook
Martin L. Critchell
Devin R. Day
Nancy Vayda Dembinski
Nancy J. Diehl
Timothy Doman
Philip L. Ellison
Joel T. Finnell
Dodd Fisher
Prof. Gerald A. Fisher
Kevin Francart
Lynn-Gandhi
Linda Garbarino

Kevin Gentry
Gaetan Gerville-Reache
Brian K. Gijbers
Dean M. Googasian
Scott Gabel
Mark Granzotto
James G. Gross
June Haas
Trish Oleksa Haas
Judge William P. Hampton
Jason Hawkins
Sarah Henderson
James T. Heos
Richard Hillary
Richard Hillary II
Robert G. Kamenec
John Kamins
Jonathan Koch
D. Michael Kratchman
Richard Kraus
Donald Kuebler
Sandra J. Lake
David B. Landry
Joseph A. Lavigne
Jason C. Long
John J. Lynch, III
Robert MacDonald
Mark Magyar
Scott Mandel
Mary Massaron
Judge Jeffery Matis
Lori A. McAllister
David McCreedy
Brian K. McLaughlin
Richard D. McLellan
Tom Meagher
Donna Marie Medina
Bruce A. Miller
Mayer Morganroth
Christopher D. Morris
Andrea Myers
Michael Naughton
Matthew T. Nelson
John P. Nicolucci

Julie McCann O'Connor
Dustin P. Ordway
Christine Pagac
Judge Sima G. Patel
Richard B. Poling, Jr.
Dennis R. Pollard
Bridget Brown Powers
Marie T. Racine
Rachel Ratton
Ronald M. Redick
B. Eric Restuccia
Ronald E. Reynolds
Frank Reynolds
Robert M. Riley
Rosalind Rockkind
Patrick L. Rose
Ronald M. Sangster
Michael Sangster
Larry J. Saylor
Michael F. Schmidt
Ann Sherman
Stephen H. Sinas
W. Richard Smith
Liisa R. Speaker
Jeffery V. Stuckey
Judge Paul Stutesman
Heidi Tanner
Michael Tesner
David Thompson
Gregory G. Timmer
Stephen J. van Stempvoort
Donald Visser
Aaron L. Vorce
James J. Walsh
Danielle Walton
Peter H. Webster
Tali Wendrow
Maria Zagorski
Robert Zawideh

The Newest Members of the Guild

We've had some new advocates join the Advocates Guild since the 2022 Dinner:



Christopher R. Baratta
(P51293)

Christopher Baratta is with the law firm of Baratta & Baratta, PC located in Mount Clemens, Michigan. He'll celebrate his thirtieth year of practice on December 7, 2024. He graduated from the Detroit College of Law in '94.

He joined the Advocates Guild because it has been a privilege to argue before the state's highest court. He argued *Estate of Donna Livings v Sage's Investment Group, LLC* (Docket No. 159692) on November 10, 2020. He notes that he never thought he would be able to achieve the result he did in the case!

Christopher further highlights the excellent support he receives from his wife and three daughters.

Meredith Beidler
(P78256)



Meredith Beidler serves in the Ottawa County Prosecutor's Office and has practiced for nine years. She'll celebrate her ten-year anniversary

as a member of the Bar next May. She graduated from the Thomas M. Cooley Law School with the Henry Brockholst Livingston Class.

She joined the Advocates Guild to "preserve the history of the Michigan Supreme Court and cases that relate to serious issues involving victims."

She argued her first case before the Court – *People of MI v Anthony Ray McFarlane, Jr.* (Docket No. 158259) – on March 5, 2020, and notes "I was actually 34 weeks

pregnant, and I was timing my contractions during oral arguments (they ended up being Braxton Hicks and the baby was born 2 weeks later!)."



Deborah K. Blair (P49663)

Deborah Blair serves in the Wayne County Prosecutor's Office and has been an attorney for 27 years. She graduated from the Wayne State University Law School.

She joined the Advocates Guild because the representation of the prosecutorial profession is important.

While she's argued before the Court a number of times, the most recent was May 10, 2023, in *People of MI v Menayetta Michell Yeager* (Docket No. 164055).

William G. Boyer, Jr. (P49848)

Bill Boyer has been practicing with the Boyer Law Group for 24 years. He graduated from the Detroit College of Law in 1994.

He joined the Advocates Guild to share with others the importance of the law as interpreted by the Supreme Court to support the Michigan and US Constitutions: "Arguing cases in the Supreme Court have shown me how I can participate and support our democracy in addition to my everyday practice of law."

Dodd B. Fisher (P51382)

Dodd Fisher is with the law firm of Dodd B. Fisher, PLC located in Gross Pointe Woods, Michigan, and has been in practice for 29 years. Next year, he'll celebrate 30 years since he graduated from the University of Detroit Law School.

Mr. Fisher argued on October 7, 2010, in the case of *Connie Colaianni v Stuart Frankel Development Corp* (COA 278824). The issue was the common law discovery rule, and the case settled the day before the 2010 election so there was no decision to follow the oral argument.

Justice Kurtis Wilder Portrait Unveiling - Wednesday, November 29, 2023



On Wednesday, November 29, the Michigan Supreme Court courtroom was filled with current and former members of the Supreme Court – including three retired Chief Justices – current and former members of the Court of Appeals – several of whom appeared via video – one Brigadier General, two ministers, an impressive number of clerks, several members of the Butzel Law Firm, two retired governors, and an incredibly well-behaved three-year-old, all of whom were there to witness the unveiling of Justice Kurtis T. Wilder’s formal Supreme Court portrait.



Matthew Schneider, former Supreme Court general counsel and former United States Attorney for the Eastern District of Michigan, served as master of ceremonies, introducing individual speakers, effectively and concisely summarizing their impressive, lengthy careers.



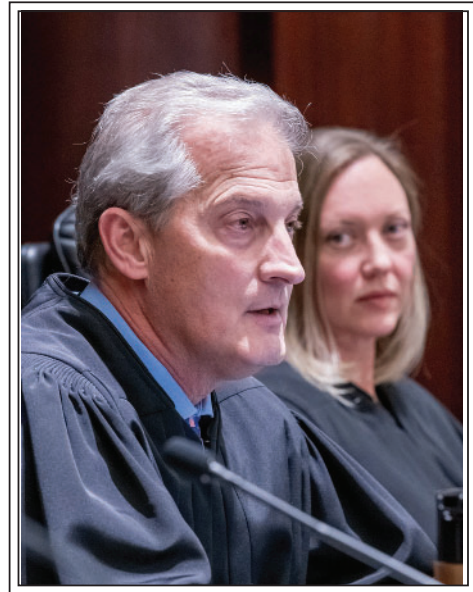
Chief Justice Elizabeth T. Clement opened the Court and welcomed the participants.



Reverend Emily R. Campbell, First Presbyterian Church of Plymouth Senior Pastor, offered the invocation.



Governor John M. Engler, Michigan's 46th governor, spoke of his dual appointment of Justice Wilder, first to the Washtenaw County Trial Court and then the Court of Appeals. Governor Engler further remarked that while he has regularly presented before the Court during portrait unveilings, this was the first time to his recollection that two former governors were on the program, as he sat next to Governor Rick D. Snyder.



ing his understanding of the law.” – and remarked on Wilder's even temperament. Justice Zahra further highlighted his former colleague's dedication as a father, grandfather, and son, to the point of suspending his campaign during “its busiest time” to care for his aging parents in Ohio and “assist them as they moved into an assisted living care facility.”



Two Governors: No. 46 - John M Engler (1991 to 2003) and No. 48 - Rick D. Snyder (2011 to 2019).

Justice Brian K. Zahra, who joined the Court of Appeals at the same time as Wilder, recalled fourteen years of working together – “Kurt is always patient, attentive, and receptive to the thinking of others before express-



Justice Zahra then introduced Court of Appeals Judge Christopher Murray, who offered several historical facts of Justice Wilder's nineteen years as a member of that court: “During the almost 2 decades that he served on the Court, Judge Wilder was a signatory on 5,837 opinions, 620 of which were published. And of those published opinions, Judge Wilder was the designated

author of 175, while the overall number of published opinions he wrote was closer to 300 when including per curiams.” Like the other presenters before him (and after), Judge Murray remarked on Justice Wilder’s “incredible integrity and intellect,” a man who was principled and humble, respectful of everyone regardless of station and situation, and genuinely kind.



Judge Murray was followed by Brigadier General Katherine E. White, who further highlighted Justice Wilder’s generosity with his time and dedication to his community with his involvement in the Interlochen Center for the Arts where he currently serves as chair.



Richard E. Rassel, president of Butzel Long where Justice Wilder now works, spoke of Kurt’s initial membership in the firm in 1989 and his return nearly thirty years later.

The Court then heard from a member of Justice Wilder’s long-time staff, Connie Fuller, who served as Kurtis’ right hand from his Washtenaw County Trial Court days to the Court of Appeals to the Supreme Court, and



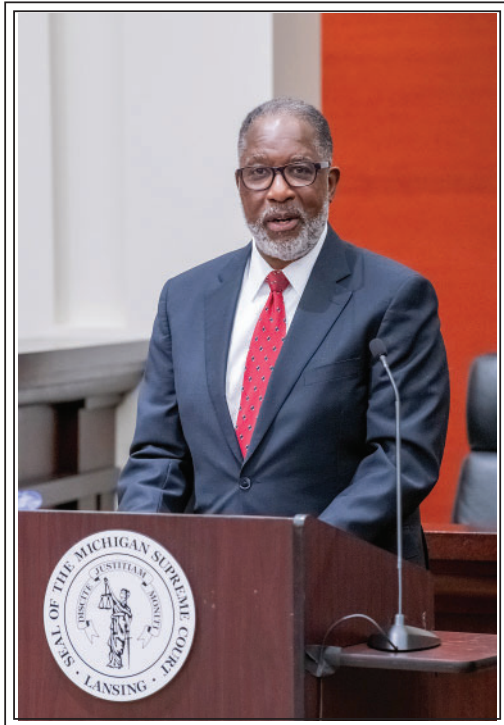
who did not get through her remarks without tearing up and making many in the room do so as well, as she recalled Justice Wilder’s assistance when her father passed away.



Last but not least was former Governor Rick D. Snyder, who appointed Kurt to the Supreme Court on May 9, 2017. Governor Snyder recalled his earlier friendship with Justice Wilder and reiterated his respect for his “keen intellect, his ability to navigate complex legal issues and his aptitude for forming consensus on the court.”

Governor Snyder reminisced that he was living vicariously through this ceremony, as his gubernatorial portrait was placed in the capitol without an official unveiling due to the COVID pandemic. And so – to celebrate Kurt – Governor Snyder wore a tie: “If there’s anyone deserving of me wearing a tie, it’s Kurt Wilder.”

Following Governor Snyder, artist Rober Maniscalco unveiled the portrait to the Courtroom, and Justice Wilder offered his own remarks.



After remarking that he was initially sworn in as a judge on April 2, 1992 so as to avoid being sworn in on April Fool's Day, Justice Wilder then thanked each of the speakers and his judicial colleagues:

In my nearly 27 years on the bench, I did my best not to be a fool, but instead to honor the pledge I made when I first took the oath of judicial office, to provide equal justice under the law to every party, and in every case I decided. Fidelity to the Rule of Law was not just a slogan to me. I understood from my parents' life experience just how important equal application of the law was, not only to the parties in each case, but also to every citizen of our local, state and national communities.

Without faith that equal justice under the law would prevail in each case, there can be no faith in the vitality of our Republic. The perception of unfairness to some becomes their reality of unfairness. For this reason, I made every effort in every opinion to clearly explain as best I could why I reached the conclusion I reached. My motives, then as a jurist, and now as an advocate, were and remain pure. To uphold the Rule of Law, respect the separation of powers between the branches of government, and always seek justice under the law.

It was a great privilege to serve as a Judge and Justice of this state, just as it continues to be a privilege to practice law in this state. In fact, the Lawyers' Oath which so many new lawyers have recently sworn and so many judges recently administered, reminds us of that privilege. As proud as I was to serve on this Court, I am now proud to be an advocate in this Court. Thank you again to this Court and the Historical Society for this incredible opportunity to become a part of this Court's history, and thanks again to all of you for being here to witness it with me.



First Presbyterian Church of Plymouth Associate Pastor Ashley S. Ashley offered the benediction.



Justice Wilder and his family.



A Year Can Define a Life

by Carrie Sharlow

Thirty years before he was sworn into the office of Michigan Supreme Court justice, Robert P. Griffin was sworn into his very first political office: United States Representative serving Michigan's 9th Congressional District.

In 1957, the thirty-three-year-old attorney was a World War II veteran, a graduate of Central Michigan University and the University of Michigan Law School, and a former employee of the automobile industry. To top it off, he was married with three boys under the age of five. Since settling in Traverse City, he'd been "active in community affairs in such capacities as past president of the Traverse City Kiwanis club, board of director of the Grand Traverse chapter of the Red Cross, vice president of the University of Michigan club and past president of the Central College Alumni Association for the Grand Traverse region, and a worker in college, hospital, Community Chest, and Red Cross fund drives."¹

The year 1957 was an ordinary year, but hindsight is 20/20 and that first year of political service foreshadowed everything that would come afterwards for Robert Griffin.

¹ *T.C. Attorney Candidate: Griffin Enters GOP Congressional Race*, Traverse City Record-Eagle (March 26, 1956), p 1.

By the end of 1957, Griffin's constituents, colleagues, and probably the whole of Washington knew several things about the bespectacled freshman representative from the 9th Congressional District: first, and most importantly to his legacy, he was a man of great personal integrity; second, he was a man of details; third, he kept his word, even at his own cost; and fourth, he was not afraid to tell important people exactly what he thought. He could not be bought, nor be told what to think or say. And, in 1957, he was just starting out.

Griffin began his Congressional service, not with a bang, but with a boring, humdrum thud. On his second session day, he introduced H.R. 1935, "the Onion Bill," a bill "designed to curtail trading in onion futures on the commodity exchanges."² If signed into law, it would benefit his constituents, which included "Newaygo county, the eighth largest onion producing county in the nation."³ It seems a very small thing, almost ridiculous, to have something like this be your first piece of legislation, and certainly other representatives might shrink at something as trivial as "onion futures," but Griffin understood the smallest details were of the greatest importance. Even more, he knew his constituents, and what was important to them was important to him. When the Subcommittee on Domestic Marketing under the Committee on Agriculture met to discuss the legislation on May 2, 1957, Griffin requested that "the committee's decision be based on what [was] best for the onion growers." Even more, he urged the Committee to "report favorably H.R. 1935, *or a similar bill*."⁴ (emphasis mine.) "Or a similar bill": it did not matter if Griffin got the credit if his constituents received the benefit.

As it was, the onion legislation gave Griffin the opportunity to work with one of Michigan's more senior Congressmen who had something similar in the works. Jerry Ford was ten years older than Griffin, and the two were in the same party, same profession, with young families. Moreover, Ford had the same high level of integrity as Griffin. It became a lifelong friendship, and when Ford was thrust into a new role in August 1974, at least one newspaper noted the presence of "old friend and close ally in earlier congressional skirmishing, Sen.

² Griffin, *Washington Report*, Ludington Daily News (January 8, 1957), p 3.

³ *Id.*

⁴ *Hearings Before the Subcommittee on Domestic Marketing of the Committee on Agriculture House of Representatives Eighty-Fifth Congress First Session May 1, 2, and 3, 1957* (Washington, D.C.: Government Printing Office, 1957), p 98.



Robert P. Griffin,⁵⁵ and several had a photograph of Griffin and Ford on the front page as they left “the Senate Office Building in Washington after one of many meetings”⁵⁶ during the crisis. Ford would call on Griffin (and three others) to “insure a smooth transition of administrations” and Griffin later served on a task force about the “restructuring of White House operations.”⁵⁷ In 1976, Griffin would serve as floor manager for the Ford Campaign at the Republican National Convention. And even more years in the future, Griffin would serve as chair of the Board of Trustees of the Gerald R. Ford Presidential Foundation; when he stepped down, former President Ford noted that “the Foundation’s unequivocal support for historical research and public affairs programs owes a great deal to Bob Griffin’s influence and conviction.”⁵⁸ The integrity extending into all things.

But in 1957, life was focused on less momentous assignments.

Having worked as a newspaper reporter during college, Griffin worked diligently to keep his constituents informed with a regular “Washington Report”⁹ published in the local newspaper. He wrote of lofty items such as the State of the Union¹⁰ and the onion futures, as well as unpretentious details such as office painting, as well as recent visitors, like the early January visit from “Mr.

5 Baird, *Ford Ascendancy Could Mean Boost for GOP*, The Times Herald (August 9, 1974), p 1B.

6 The Times Argus (August 8, 1974), p 1 and The Anniston Star (August 9, 1974), p 1.

7 Gerstel, *Ford Pal, Senator Robert Griffin Has Status*, The Raleigh Register (September 18, 1974), p 4.

8 *Griffin Succeeded By Allen As Chairman*, Gerald R. Ford Foundation Newsletter Spring 1985.

9 At least for the first six months. I cannot find any “Washington Reports,” past the end of June 1957.

10 Griffin, *Washington Report*, Ludington Daily News (January 15, 1957), p 3.

and Mrs. William G. Milliken.”¹¹

The Griffins and Millikens were old friends. In fact, in a roundabout way, it was Bill Milliken’s fault Robert was in D.C. in the first place. The two Traverse City residents decided to visit Rep. Ruth Thompson in D.C. the year before to express some concerns and ended up deciding that a contested primary was in order. Milliken “had his eye on Lansing,”¹² and future opportunities in state; so eventually Robert’s name rose to the top of the list as it would so often on future lists.

After all the visitors and speeches, Congressional Committee assignments were handed out, and Griffin was eventually appointed to the House Committee on Education and Labor, which was his first choice anyway. The issue of labor politics and rights was both of great importance to Griffin and something he understood well. He “was a factory worker and so was [his] father,” and he “specialized in labor law” while in law school.¹³ Of course, nothing could have prepared him for a meeting with legendary union leader Jimmy Hoffa and getting caught in an FBI sting as they investigated the charge that “Hoffa tried to buy secret Senate committee testimony.”¹⁴

Griffin and a few colleagues¹⁵ went to a Michigan Building Trades Council dinner to gather support from the labor unions, where at least two were seated at the exact same table as Jimmy Hoffa. Freshman Congressmen Griffin and Broomfield were concerned, even more so when it came out in the news that Hoffa was arrested that same evening.¹⁶ Shortly after that, it was announced that “just before his arrest Wednesday night, Hoffa had dined with some Michigan congressmen.”¹⁷ Griffin, being Griffin, contacted the FBI. Years later, he related the events to Dennis Cawthorne—who by coincidence was working in Griffin’s office that sum-

11 *Id.*

12 *Transcript of MPHS Oral History of Robert P. Griffin*, Interviewed by Dennis Cawthorne, July 1996, p 3.

13 *Attorney Aims At Labor Vote*, Petoskey News-Review (August 11, 1956), p 1.

14 *U.S. Jury to Probe Hoffa Bribe Case*, Detroit Free Press (March 15, 1957), p 1, 18.

15 “GOP Congressmen attending the dinner are Representatives Chamberlain, McIntosh, Griffin, Broomfield, Bennett, Knox and Johansen.” *Some More Facts About Jim Hoffa’s Republican Activities*, The Capital Times (November 3, 1958), p 32.

16 *Transcript of MPHS Oral History of Robert P. Griffin*, p 7.

17 *U.S. Jury to Probe Hoffa Bribe Case*, Detroit Free Press (March 15, 1957), p 1, 18.

mer—in an interview: the FBI agent’s name “was Sullivan. He was right under J. Edgar Hoover. We talked to this fellow, and he just laughed and laughed. He says, ‘Hell,’ he says, ‘We know all about it.’ He said, ‘We had FBI agents in the johns listening to you. We had waiters, waiting on you at the table....Don’t worry about it.’”¹⁸

Whether that dinner led to labor support, or not, two years later to Griffin cosponsoring the Labor-Management Reporting & Disclosure Act – more readily known as the Landrum-Griffin Act – which “establishe[d] a Bill of Rights for union members; reporting requirements for labor organizations, union officers and employees, employers, labor-relations consultants, and surety companies; standards for the regular election of union officers; and safeguards for protecting labor organization funds and assets.”¹⁹ And it was done in a bipartisan fashion.

Of course, the Hoffa dinner didn’t make it into the Washington Report. The closest issue to the dinner concerned “the Corn Bill”²⁰ and Griffin’s provision of “special servings of Michigan cherry pie for members of Congress during the Cherry Blossom Festival.”²¹ He was at the ready to show off his district and his state. Years later he would have the honor of escorting President Ford to the city’s Cherry Festival in 1975.

Eventually—perhaps sooner than he initially expected—Griffin’s busy schedule in 1957 necessitated a move from “a regular, weekly newsletter” published in the local newspaper to something submitted “from time to time as the situation permits and as the activities here seem to warrant it.”²² But he was dedicated to his constituents and requested they write him with their concerns. And when he made a commitment to them, he kept it, even if it meant declining an opportunity to meet a queen.

And so it happened that when a reception at the British Embassy for Queen Elizabeth II coincided with

18 *Transcript of MPHS Oral History of Robert P. Griffin*, p 7.

19 Landrum-Griffin Act <[20 Griffin, *Washington Report*, The Ludington Daily News \(March 20, 1957\), p 3.](https://uaw.org/landrum-griffin-act/#:~:text=The%20Labor%2DManagement%20Reporting%20and,democratic%20procedures%20within%20labor%20organizations.> (accessed October 14, 2023).</p></div><div data-bbox=)

21 *Id.*

22 Griffin, *Washington Report*, The Ludington Daily News (February 5, 1957), p 3.

previously scheduled office hours in district at Manton and Cadillac, Griffin submitted his regrets.²³ People were expecting him in Michigan and that was that. The Queen may or may not return but Griffin was dedicated to ensuring that his constituents had no reason to decline returning him to Washington.

It was not the last time Griffin would say “no” to someone important over something extraordinary.

Over a decade later, in 1968, when there were a number of candidates competing for the presidential nomination. Griffin supported Michigan Governor George Romney and promised him to “make the convention speech that would place in nomination Romney’s name for President.”²⁴ An ambitious politician with less scruples might have backtracked on that commitment, for two powerful reasons. First, a presidential candidate from Michigan effectively precluded the vice-presidential candidate also being from Michigan. Second, behind the scenes the southern bloc was clarifying to Nixon that “the price of southern support was southern approval of the candidate to be chosen for vice president” and Griffin was on the short-list.²⁵ But Griffin had already given his word to Romney, and he wouldn’t back out, not even for the office of vice president. And that was that. He missed that chance to become vice president.

As it was, it was not the last time Griffin would say “no” to Nixon. In the midst of the Watergate Scandal, while serving as the second top Republican in the Senate, Griffin was the first to publicly go to the president of the United States and tell him that if he [Nixon] defied the Senate’s subpoena for the remaining tape recordings, Griffin would “consider that grounds for impeachment and will vote accordingly.” No, Mr. President, I am not going to save you at the cost of the Constitution, the Country, and my own integrity.²⁶ Nixon resigned less than a week later.

But that was all in the future, many years from 1957. And 1957 was an ordinary year.

23 *Decline Chance to Meet Queen*, The Ludington Daily News (October 11, 1957), p 3.

24 *Presentation of the Portrait of the Honorable Robert P. Griffin* <[25 *Id.*](https://www.micourthistory.org/special-sessions/presentation-of-the-portrait-of-the-honorable-robert-p-griffin/> (accessed October 14, 2023).</p></div><div data-bbox=)

26 *Transcript of MPHS Oral History of Robert P. Griffin*.

Years later – after onion futures, and Nixon and Ford and Washington, D.C. – Griffin began his service on the Michigan Supreme Court where his colleagues and law clerks would attest to how these core elements of Robert Griffin’s character – the very ones that stood out so clearly in 1957 and beyond -- played out on that field. Freed from having to track the needs of a Michigan constituency for re-election purposes Justice Griffin was now able to apply his extraordinary work ethic and attention to detail on a more focused but equally challenging mission, one near and dear to his heart and mind: how to serve the demands of justice within the rule of law. Because he joined a Court with a recent history of partisan discord, his colleagues may well have been anxious about how former Republican Congressman and Senator Robert Griffin would execute the transition to nonpartisan Justice Griffin. They needn’t have worried. At the conference table, his focus was not partisan. His mind would not be changed by anything less than rigorous, exacting arguments about the law, but he

was always open to being persuaded by his colleagues that the law required a different outcome than his own first impression.

“There were no shortcuts or detours allowed in a conversation about the work at hand,” former Griffin law clerk Janet Welch recalled. “Before his name was added to any opinion, he needed to be sure that it was as honest a statement of the facts and as clear a reflection of the requirements of the law as it could possibly be.” He was as he always had been, a man of integrity, and – as had occurred in Washington thirty years before – his judicial colleagues came to respect the very qualities that made him such a legendary figure in Michigan Congressional history.

Special thanks to Janet Welch for her assistance with review.



Years after 1957, Robert Griffin was still meeting with Gerry Ford and Bill Milliken. Only the location changed.

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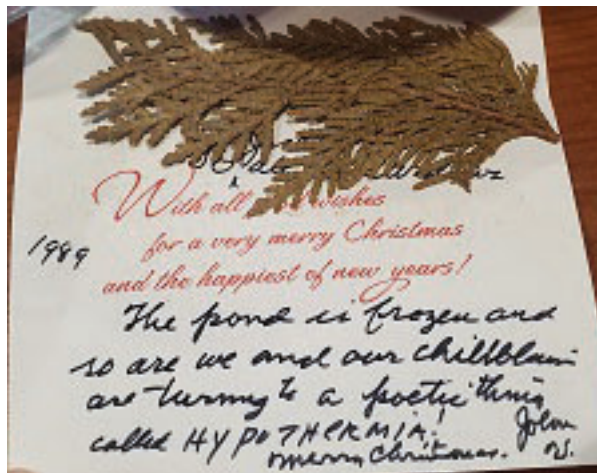
Several contributions were made to the Society this year. Among them were:

Tom Rath, two prints by Sun Times cartoonist Cliff Wirth, both signed by G. Mennen Williams with his infamous "green" Sharpie.

Thomas E. Brennan, Jr., twelve boxes containing the writings and communications of his father, Justice Thomas E. Brennan.



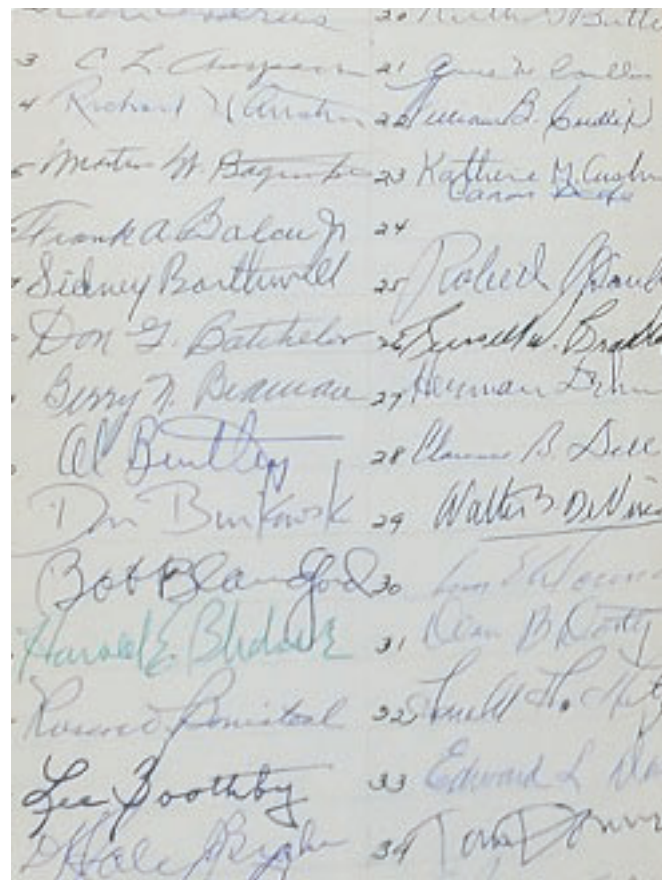
Margaret Purslow, one box of rare materials and communications from Justice John Donaldson Voelker.



Three boxes of district court materials from former 80th District Court Judge, **Hon. Jon H. Ringelberg**. (We're still sorting through this.)



Richard and Diana Popp, complete set of the 1961 Michigan Statutes Annotated, Con Con Edition, containing original signatures of the delegates.





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