

JUSTICES OF THE SUPREME COURT

(NON PARTISAN)

VOTE FOR TWO

EIGHT YEAR TERM

Candidates were asked to summarize their biographies in 50 words and answer each question in 50 words.

1. Do you favor the continued election of judges, or do you prefer an appointment process? Why?
2. In the order of priority, list your major concerns about the courts.

Patricia J. Boyle

Material not available at time of printing.

Michael F. Cavanagh

AGE—49, East Lansing
 OCCUPATION—Justice, Michigan Supreme Court
 EDUCATION—B.A., Juris Doctor, University of Detroit; coursework—MPA Program, Michigan State University
 BACKGROUND—Lansing City Attorney; private practice; District Court Judge; Judge, Michigan Court of Appeals (8 years); Justice, Michigan Supreme Court (8 years)
 1. Our electorate has steadfastly guarded its constitutional prerogative of electing judges at all court levels. Neither the appointive nor elective method of judicial selection has produced a demonstrably greater number of more qualified individuals. Both methods are influenced by politics as intended by the design of our tripartite system.
 2. Need more communication with and access by the public. Tremendous increase in cases and public demands requires us to address financial needs of court system. Continue providing best training for judges and court personnel with particular emphasis on racial and gender bias. Computerize and modernize courts using most recent technology.

Clark Durant

AGE—41, Grosse Pointe
 OCCUPATION—Attorney, Durant and Durant; Trustee, Ann Arbor Railroad; husband and father of four
 EDUCATION—B.A. (Economics), Tulane University; J.D., University of Notre Dame
 BACKGROUND—Legal Services Corporation (appointed by President Ronald Reagan, unanimously confirmed by U.S. Senate to serve as Chairman); Trustee, Ann Arbor Railroad, appointed by Secretary of Transportation, Elizabeth Dole
 1. I support judicial elections. However, I oppose the current system for selection of Supreme Court by having candidate seek a partisan nomination and once becoming candidate is asked to run nonpartisan. I strongly support citizens having the right to vote on judicial candidates.
 2. I want to be Justice who understands traditional limits of judiciary, one who will return court to its fundamental role of maintaining fair, honest fact-finding system of justice through forthright interpretation of the law. Recent Michigan Supreme Court decisions are making it increasingly difficult for police to protect their communities...

Charles Hahn

AGE—39, Pleasant Ridge
 OCCUPATION—Second Vice President and Assistant Counsel, Manufacturers National Bank of Detroit
 EDUCATION—J.D., California Western School of Law, 1979; B.S., Eastern Michigan University
 BACKGROUND—Primary practice in Commercial, Real Estate, Bankruptcy Law and Litigation. Also experienced in Probate, Estate Planning and Domestic Relations. Married with two children.
 1. Yes, I favor the continued election of State Judges. It is more important than ever for the people to have a voice in the direction and philosophy of the Courts, since the Courts have taken control of the domestic policy of the State and indeed throughout the country.
 2. (a) The Courts should judge cases based on the law (intention of law makers) and stop fashioning law and remedies that would not pass in a legislative body. (b) The Courts should and must administer criminal justice with the victim as a primary concern.

Judy H. Hughes

AGE—41, Hastings
 OCCUPATION—Trial Attorney - Cummings, McClory, Davis & Acho, P.C.
 EDUCATION—University of Michigan, 1971; Wayne State University Law School, 1976
 BACKGROUND—Elected Prosecutor 1980-88; Court of Appeals candidate, 1988; 21st Century Courts Commission; Criminal Justice Commission; Criminal Law Section, State Bar; LEIN Policy Council, Prosecuting Attorneys Association of Michigan
 1. Elect trial Judges. Deal in important matters which should reflect the views of the local electorate. Appoint Appellate Judges. Election too dependent on electable name and money spent, rather than on qualifications and philosophy. Executive appointment process is flawed. Favor a truly independent appointment process with electoral review.
 2. Loss of public confidence, failure of common courtesy, perceived gender and race bias, judicial activism - acting to create new law, favoring technicalities over common sense (form over substance), unwillingness to detect and sanction frivolous lawsuits, promotion of individual gain over the protection of common good, administration of burgeoning docket.

Jerry J. Kaufman

AGE—36, Huntington Woods
 OCCUPATION—Attorney specializing in Taxation, Labor, Environmental Law; consumer activist and author
 EDUCATION—Master of Law, J.D., Wayne State University Law School; B.A. with Honors (Journalism/Sociology), Wayne State; Phi Beta Kappa, MacKenzie Honor Society
 BACKGROUND—Director of Moore's Bar Review; Lecturer at Harvard, U. of M., U.S.C., U.C.L.A.
 1. The system must be modified to ensure qualified judges are appointed by panel of attorneys and members of the public. Judges would then stand for election after one term. District Court judges and certain percentage of judges should be elected after meeting standard qualifications including minimum years in practice.
 2. The court system in Michigan must become more cost and time efficient and more user friendly for the public. In order to achieve time and cost savings to the public there must be separate courts for domestic disputes including divorce courts. There should be separate criminal courts including drug courts.

COURT OF APPEALS

(NON PARTISAN)

Candidates were asked to summarize their biographies in 50 words and answer each question in 50 words.

1. Do you favor the continued election of judges, or do you prefer an appointment process? Why?
2. In the order of priority, list your major concerns about the courts.

DISTRICT 1

(Jackson, Lenawee, Livingston, Monroe, Washtenaw, Wayne Counties)

VOTE FOR TWO

SIX YEAR TERM

Harold Hood

AGE—59, Detroit
 OCCUPATION—Judge, Court of Appeals since 1982; Judge since 1973
 EDUCATION—Cass Tech High School (summa cum laude), 1948; B.A., University of Michigan, 1952; J.D. (with distinction), Wayne State University, 1959
 BACKGROUND—Served previously as Common Pleas Judge, Records Court Judge, Wayne Circuit Judge; Chief Assistant U.S. Attorney, 1969-1973; Chair, Judicial Tenure Commission
 1. I favor continued election of judges with vacancies filled by gubernatorial appointment, because I feel that state judges should ultimately be answerable to the electorate. I do believe that there should be a minimum experience requirement and that partisan nomination of Supreme Court Justices should be eliminated.
 2. At the trial court level, there is a danger that the drastic increase in criminal prosecutions may endanger the ability of civil litigants to have a day in court. At the appeal court level, the large increase in filings threatens to cause unconscionable delay from filing to decision.

Richard M. Maher

Material not available at time of printing.

DISTRICT 2

(Arenac, Bay, Genesee, Gladwin, Huron, Ingham, Lapeer, Macomb, Midland, Oakland, Ogemaw, St. Clair, Sanilac, Shiawassee, Tuscola Counties)

INCUMBENT POSITION

VOTE FOR ONE

SIX YEAR TERM

John H. Shepherd

AGE—55, Southfield
 OCCUPATION—Assistant U.S. Attorney; private practice; Judge, Court of Appeals since 1983
 EDUCATION—B.A., J.D., University of Michigan
 BACKGROUND—No response
 1. Prefer appointment to fill vacancies with adequate screening of candidates. Judges should then run periodically to retain position. This maximizes chances for obtaining qualified appointments and also insures accountability to the public for performance in office.
 2. Civil litigation is too expensive for people of moderate means. Because of volume of cases, judges unable to spend adequate time on each case.

NON INCUMBENT POSITION

VOTE FOR ONE

SIX YEAR TERM

E. Thomas Fitzgerald

AGE—50, Owosso
 OCCUPATION—Trial attorney; senior partner, Fitzgerald & Dumon, P.C., Owosso, specializing in criminal and family law
 EDUCATION—Assumption H.S., Windsor, Ontario, 1958; B.A., U of D, 1963 (attended on athletic scholarship); LL.B. Juris Doctorate Degree, U of D Law School, 1966
 BACKGROUND—Trial attorney for approximately 24 years; former City Attorney for Durand, Michigan, and Bancroft, Michigan
 1. I would like to see a combination of both, such as a committee that would nominate qualified candidates and then allow the electorate to vote on these candidates.
 2. a. Overcrowding of the trial courts as well as the appellate courts. b. Justice delayed is justice denied.

Linda S. Hallmark

AGE—38, Birmingham
 OCCUPATION—Hearing Referee, Oakland County Circuit Court, 1980-present
 EDUCATION—B.S., Michigan State University, 1973; J.D., Wayne State University, 1977; National Judicial College; specialty course, 1983
 BACKGROUND—Private law practice, May & May, P.C., 1977-1980. Clerk for law firms and Michigan Attorney General's Office while in law school.
 1. I favor election of judges. It gives citizens greater choice and makes the process less political. Currently, only someone active with whichever party is in power is likely to be appointed. A person who is politically independent has a better chance to attain a judicial seat in the election process.
 2. a. Trust - In order for courts to remain effective, the public must trust and respect the judicial system. b. Overcrowded dockets - as caseloads increase, it's more difficult to give cases the time and consideration they deserve. c. Costs - costs of litigation may limit access to the courts for many citizens.

TO FILL VACANCY

VOTE FOR ONE

TERM ENDS 01/01/95

Kathleen Jansen

AGE—41, Harrison Township
 OCCUPATION—Michigan Court of Appeals Judge; appointed 10/89 District II
 EDUCATION—J.D., University of Detroit Law School, 1977; Western Washington State College, 1971-72; B.S., Michigan State University, 1971
 BACKGROUND—Elected Macomb County Circuit Court, 11/81; elected Macomb County Circuit Court, 11/84; practicing attorney, 1978-84
 1. I favor the election of judges because it allows the citizens to express their preference.
 2. It is primarily important that the judiciary provide a forum where disputes between citizens are resolved with fairness and equity under the constitution and state statutes. The most important problem facing the Court of Appeals is to reduce the time a case is pending for disposition.

VOTE