## Candidates differ in experience, personality

[] See endorsement on Opinion Page.

By Tim Richard

stall writer

An outgoing trial lawyer and a scholarly court referee are seeking one open spot on the Michigan Court of Appeals in which both agree winning data and County is the key.

E. Thomas Pittgerald of Owosso comes from the liberal end of the legal spectrum — member of and endorsed by the Michigan Trial Lawyers Association, "firtend of labor" to the AFL-CIO, work in the Democratical Party, Fittgerald told a Holt auditance he's "for the common person, the little man, the underdog."

Linda S. Hallmark of Birmingham is a hearing referee in Oskiand Circuit Court with work in both parties but more recently in the Republican. "I enjoy research, writing and analysis," she said, Hallmarks, writings include contributions to family law "State of the Law" projects.

THE COURT they're running for

THE COURT they're running for one of the most invisible jobs in

It has 24 judges who sit in panels of three. Mostly they read written briefs, sometimes they hear oral ar-

Fitzgerald noted they write the fl-

Hallmark said the workload is TH

Namer Linda S. Hallmark
Age: 38
Occupation: Oakland County
Circuit Court hearing
referee, 1980-present
Education: Henry Ford High,
Detroit: Michigan State
University, J.D. Wayne State
University Law School;
specialty course, National
Judicial College
Background: Private
practice, May & May, P.C.,
1977-80
Civic interests: Franklin

Civic interests: Franklin Community Association, St. Regis Catholic parish, PTO Hometown: Birmingham

judge per year, almost one a day, and participation in two other eases

and participation in two other cases a day.

The non-partisan job pays just under \$100,000. Two sitting judges from Macomb County were in the field of four during the primary. Flitzgerald, who has made four previous tries for judgeships, and Italhuark, with great energy in her first campaign, made the eut.

They are running in the 15-county and District. It includes Oskland and Macomb counties with more than half the voters, the Thumb area, the Filmt, Lansing and Saginaw Bayareas.

Winner will succeed retiring Judge Walter Cynar. Two other appeals court judges are running unopposed — a normal circumstance in Michigan.

THEY APPROACH the job differ-

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Hallmark, like the Supreme Court, supported creation of new appeals judgeships when interviewed by the Coaking Citiens League. Fitzgerald, though a defense law-yer, would eliminate some of the cases the appeals court bears. "About 40 percent of the cases are appeals of right, which is when somebody has pleaded guilty" and thinks the sentence is too stiff, be told the same group. told the same group. Other differences:

LEGAL PRACTICE:
Fitzgerald said he does "about 75
percent criminal and 25 percent domestic relations. I've been in 19
countles – everything from district
court to circuit court and appeals. I take about 20 cases a year to the
appeals court and seven or eight a
year to the Supreme Court. "It easts
goes "two or three times a year" to
federal court. The atso
federal court.

said, citing People vs. Goad, an insanity defense case, and People vs. LaLone, involving hearsay evidence with young children. "But the great thritt is when a jury foreman says 'not guilly."

Hallmark spent three years in a Bloomfield Hills Itrm, doing 69 percent probate work and, "on my own, a substantial amount of critinial work." along with a few federal case. She hand research the appeals court but has contributed to amicus briefs. Her longest experience is as a circuit court referee, taking evidence in domestic relations cases — "di-cuit court referee, taking evidence in domestic relations cases — "di-cuit court referee, taking evidence in domestic relations, obmestic volone, sexual a buse," she said. A referce performs much like a judge but cannot issue orders or hold someone in contempt of court.

FAYORITE JUGGE.

Name: E. Thomas Fitzgerald Age: S0 Occupation: Trial attorney 24 years, senior partner in Fitzgerald & Dumon, P.C. Education: Assumption High, Windsor; B.A. in history and philosophy, J.D., both from University of Detroit Background: Former city attorney of Durand and Bancroft, U.S. Marine Corps Civic interests trequent Civic interests: frequent speaker to Boy Scout groups, Owosso Chamber of Commerce, St. Paul Catholic

Hometown: Owosso

Hometown: Owosso

Robert Anderson, for whom she
works, as 'compassionate, most approachable, willing to listen — ha
takes time. Some fludges's will make
you wait around or are too basy to
see you. He has never lost the sense
of what it's like to practice, to be a
litigant.

Fitzgerald, 'Dennis Archer — a
sharecropper's son District Judge
George Begole — came from big
money in Detroit, didn't have to
work, went to Shlawassee County,
the has knowledge of the law, compassion, cummon serse, treats even
the poorest litigants with dignity and
respect.

respect."

LIABILITY CAPS — a heated issue in the Legislature and a question in the gubernatorial race. Generally, medical people say extremely generally and suffering by damages are griving insurance costs sky hiph and doctors out of the state.

Fitzgerald is father was publicist to college on a baseball scholarship. We college on a baseball scholarship. We college on a baseball scholarship. School came from Detroit's young diving insurance costs sky hiph and doctors out of the state.

Fitzgerald is have three children.

APPEALS COURT

The two candidates for a spot on the Michigan Court of Appeals agree winning Oakland County is the key. They are running in the 15county 2nd District.

cap" - the Michigan Trial Lawyers

cap" - the Michigan Trial Lawyers view. Hallmark: "I hate to see caps. At the same time, some of the (jury) judgments were from another world. Most of the time, the system works well."

BOTH GREW up in Detroit.
"My father was a factory worker, my mother a hornemaker," said Hallmark. "I was always interested in the law from the time I was a child."

## .Here's who's backing whom...

MONEY

Both candidates financed much

Both candidates financed much of their own primary campaigns. Their contributors wrote mainly \$100 to \$200 checks. Linda Hallmark reported a fund of \$32,000. She loaned her cam-paign \$10,000, and husband Robert loaned it \$7,600.

paign \$10,000, and nusband Robert loaned it \$7,600. E. Thomas Fitzgerald listed a to-tal of \$23,160, including \$15,000 of his own money.

ENDORSEMENTS

Fitzgerald "preferred and well qualified" by Oakland Citizens

League of Civic Searchlight, Right to Life, state AFL-CIO, United Auto Workers, Michigan Trial Lawyers Association, Fraterial Order of Police, 10 sherilfs, Detroit News, Flint Journal.

Hallmark: "qualified" by Oak-land Chitzens League of Civic Searchlight, Women Lawyers Association of Michigan, Michigan State Chamber of Commerce, Detroit Association of Auto Dealers, National Organization for Women, Business and Professional Women's Forum, state Republican Party, Detroit Free Press.

statt writer

U.S. Sen. Carl Levin did too vote four times to freeze Social Security cost of living allowances, said Ite-publican challenger Bill Schuette.

"I don't think you should tamper. It is considered to the social Security trust fond," Schuette told 65 sen fills from the social Security trust fond, "Schuette told 65 sen fills from nursing home last week.

The 36-year-old Midland congressman said Democrat Levin, seeking a third term in the Senate, wrongly charged him with distorting Levin's record on Social Security COLAs. Schuette said Levin voted.

• To cut COLA from a scheduled. 2 percent to 2 percent in December of 1987.

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For a six-month freeze on COLA in May of 1985.
 For a one-year Social Security of the Schuette of Schuette

wo days.
"I've made 95 percent of the roll calls," Schuette replied. "It's the same old song of the Democrats: tax and spend."

Asked in an interview which of

Seniors hear Schuette blast Levin

A real-life "ghostbuster" will be the featured speaker during a special Halloween Eve program Tuesday, Oct. 30, at the University of Michigan-Dearborn. Mark McPherson, a noted investigator of paranormal occurences, will duceus deliver a 99-minute talk and silde show. "Darapsychology Chostbusting for Real", at 7 pm in the university's Recreation and Organizations Center.

The free event is upon to the public.

sup malloween Eve "scholar adventurer" and has traviced widely to investigate allegedly supernatural incidents. He will discuss his findings, as well as Hollywood's treatment of the supernatural in addition, he will offer evidence - both pro and con - about numerous phenomena.

The University of Michigan-Denothers is on Evergreen between Ford Hoad and Michigan Avenue.

Additional information on the program is available by calling the UM-5390.





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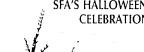
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