

Court called inexperienced Campbell rips 'ivory tower' justice

By Tim Richard
staff writer

Michigan's Supreme Court makes mistakes because it's dominated by "well-intentioned people with no trial experience. They're unrealistic," said Ross W. Campbell, a candidate for the Supreme Court.

Campbell, 59, contends only Justices James Ryan and Blair Moody Jr. have the kind of circuit court experience necessary for the understanding of the real world of trial law.

A Washtenaw County circuit and probate judge for the last 15 years, Campbell is the Republican Party's nominee, along with Dorothy Comstock Riley, for the nonpartisan post Nov. 2. Democratic nominees are incumbent Justice Moody and Michael Cavanaugh.

"I would like to see a requirement that all appellate and Supreme Court judges have (at least) five years trial judge experience," Campbell said in an interview. "They should be put through the training and experience of auto negligence, divorce, medical malpractice and criminal cases."



Judge Ross Campbell
knocks 'ivory tower'

three cases where he says the high court made bad case law.

"The 1975 decision in *People v. Hoffmeister*, he said, "sets criminal law on a course widely different from other statutory and common law" and is "an obstacle eve-

ry prosecutor must overcome -- an obstacle that is unnecessary."

Hoffmeister was charged with stabbing a young woman at an I-96 rest area. He stabbed her 16-18 times in front of eyewitnesses, his fingerprints were on her car, he chased her, and he attempted to reach inside her car when she escaped. A jury convicted him of first-degree murder. The Court of Appeals upheld the conviction.

Said Campbell: "The Supreme Court reversed it. It set a standard for a first-degree murder conviction that's not very traditional. Now every time we have an appeal, we hear the magic terms from Justice (Charles) Levin's decision -- time for a second look."

At Campbell sees it, Levin's decision would allow first-degree convictions only for long-planned killings such as poisonings or by ambush.

That decision was 9-9 with Justices Thomas M. Kavangh and John Swainson not participating. Says Campbell:

"I would have voted the opposite."

CAMPBELL'S SECOND "horror" story is the case of Lee vs. AAA. Lee, a U.S. postal worker, injured his back on federal property and received federal worker's comp benefits.

He also sued his own insurance company. The case was thrown out by the trial judge, who was upheld by the Court of Appeals.

But earlier this year, in what Campbell calls an "involved, convoluted opinion," the Michigan Supreme Court said Lee could recover under his auto insurance.

Campbell would have gone the other way.

HIS THIRD instance involved a case close to home, though Campbell wasn't personally involved.

A man named Hughes was accused of gunning down an 8-year-old police officer. The state Supreme Court reversed Hughes' conviction on a minor point of evidence.



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