

Local and Special-Purpose BAR ASSOCIATIONS

The Incorporated Society of Irish American Lawyers

Lawyers and Judges Committed to the Administration of Justice

By William J. Berardo, Brian C. Hartwell, and Joseph P. McGill

The Incorporated Society of Irish American Lawyers (ISIAL) is a specialty bar association primarily comprised of Michigan judges and attorneys with an interest in or personal connection to Irish-American heritage. Before its inception, founding member Peter O'Rourke entered discussions with the attorney general of Ireland to settle on an appropriate name for the new group. The association bases its title on the Incorporated Society of Attorneys and Solicitors of Ireland, incorporated in 1852.

The association's formation document and list of past presidents and officers reads as a virtual "who's who" of prominent Michigan Irish-American jurists and practitioners. Its membership includes local judges, attorneys in private practice, public officials, law students, and fans of the Emerald Isle. ISIAL was first conceived in the late 1970s by a number of prominent Irish lawyers from Detroit. The original organizers included Hon. Patricia J. Boyle, Edmund M. Brady, Hon. Vincent J. Brennan, Jared P. Buckley, former Detroit mayor Jerome Cavanagh, Hon. Michael Cavanagh, Hon. Maura Corrigan, Daniel Curran, Hon. Peter Deegan, Gilbert A. Donahue, Hon. Patrick J. Dugan, Nathan B. Goodnow, Patrick Hackett,

J. Michael Hughes, John J. Hughes, Hon. James R. McCann, John E. McSorley, Peter E. O'Rourke, Hon. Maureen P. Reilly, Hon. Dorothy Comstock Riley, Charles R. Rutherford, Al Rutledge, Hon. Joe B. Sullivan, Hon. Joseph P. Sullivan, Hon. Michael J. Talbot, and U.S. District Judge Thomas "Tiger" Thornton. The association's first meeting was in June 1978 when Hon. Thomas Giles Kavanagh, chief justice of the Michigan Supreme Court, spoke on the "one court of justice." The formation document and signatures of the original founders executed at ISIAL's first general meeting are on display in the Michigan Court of Appeals at its District I location on Grand Boulevard in Detroit.

ISIAL mission

The purpose of ISIAL is to advance the administration of justice. Historically, the British had oppressed Ireland for 700 years. Ireland was its first and last colony. During that period, the British imposed a series of draconian laws, called the penal laws; one law prohibited the Irish from becoming lawyers. When the Irish finally could become lawyers, they aggressively advocated for justice whenever and wherever they could.

During the formation of ISIAL, Chief Justice Kavanagh said:

The Irish have always had a great tradition in the law—not only here in the United States, but everywhere. To a significant degree, the common law which was adopted in the U.S. developed as a result of laws concerning the oppression of the Irish people in their own land, and the subsequent recognition of the rights of people. The Irish have been leaders in promoting these rights.¹

ISIAL tradition of public service

Irish lawyers also have a tradition of serving the public, as in the legacies of President John F. Kennedy, Associate Justice of the United State Supreme Court Frank Murphy, and Michigan Attorney General Frank J. Kelley. As a judge in Detroit's Records Court, Murphy conducted the murder trials of Dr. Ossian Sweet and his brother Henry. He later became mayor of Detroit and governor of Michigan and was appointed to the United States Supreme Court by President Franklin D. Roosevelt. Murphy's reputation on the Supreme Court is best characterized by his vehement dissent in *Korematsu v United States*,² in which the



Photos by Cynthia Cassell



Left: ISIAL celebrates a volunteer service milestone: 50,000 (and counting) food boxes packed for the needy in partnership with the Catholic Lawyers Society and Focus: HOPE. **Right:** ISIAL members regularly participate in Detroit's St. Patrick's Day parade.

majority opinion authorized the detention of American citizens of Japanese descent during World War II.

I dissent, therefore, from this legalization of racism. Racial discrimination in any form and in any degree has no justifiable part whatever in our democratic way of life. It is unattractive in any setting, but it is utterly revolting among a free people who have embraced the principles set forth in the Constitution of the United States. All residents of this nation are kin in some way by blood or culture to a foreign land. Yet they are primarily and necessarily a part of the new and distinct civilization of the United States. They

must accordingly be treated at all times as the heirs of the American experiment and as entitled to all the rights and freedoms guaranteed by the Constitution.³

Former Michigan Attorney General Frank J. Kelley, the nation's longest serving attorney general, established the Consumer Protection and Environmental Protection divisions in Michigan's Office of the Attorney General. Toward the end of his 37 years as attorney general, term limits were enacted, making it unlikely anyone will ever beat his record. Kelley was the epitome of public service during his tenure.

People of my generation believed government could make a positive difference

in the lives of our fellow citizens. It is said that young people have a hard time imagining this. One of JFK's slogans was "One person can make a difference, and everyone should try." I believed that wholeheartedly.⁴

ISIAL speakers, policy positions, and scholarship

Over the years, ISIAL has invited speakers to address the association on a multitude of topics from early Irish laws known as Brehon laws to current laws in Michigan. The association has hosted Irish authors, poets, politicians, industrialists, athletes, and leaders in the law. It has also taken positions

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on issues of importance for those of Irish descent. For example, at the September 1987 meeting at the Lager House in Detroit, the association announced its support of the MacBride Principles, which were designed to prohibit employment discrimination based on religion and arose from the discriminatory treatment of Catholics in Northern Ireland. The MacBride Principles became part of Michigan investment law in 1988.

The celebration of St. Patrick's Day is essential to ISIAL's existence. The association has participated in festivities surrounding Detroit's St. Patrick's Day parade for years. Currently, our St. Patrick's Day celebration takes place at our parade day brunch, regularly attended by many lawyers, judges, and elected officials. Recently, ISIAL was honored to host a delegation from Ireland, which included Consul General Orla McBreen and Hon. Jimmy Deenihan, minister for the Diaspora.

ISIAL has also formed a 501(c)(3) foundation to promote its scholarship competition encouraging Irish-American culture among law students. The competition, which also includes academic requirements, requires law students to write papers detailing their Irish history and identification with that history.

Civility and philanthropy

The association embodies the attorney's oath of civility and integrity in thought and

action. We have always been tolerant and accepting of each other's political and cultural differences. The overarching spirit is civility, honor, and respect. We are mindful of the Irish potato famine of the mid-1800s, which caused the deaths of approximately one million people and forced another one million people to leave the country. With this in mind, ISIAL's members regularly serve the poor by participating in Detroit's Focus: HOPE program, where members package food for the needy.

ISIAL event highlights

In recent years, ISIAL has been honored to host former Michigan Supreme Court Chief Justice Michael Cavanagh and Justice Bridget McCormack. Former Attorney General Frank Kelley presented his memoirs to the association and graciously shared reflections on his long and influential term in office. ISIAL has also hosted "Meet the Judges" events at the University of Detroit Mercy School of Law, where numerous local jurists network with our members. The association also honors members annually with its Judge Thomas "Tiger" Thornton and Charles Rutherford Jr. awards. Honorees come from both the bench and bar and invariably regale members with moving addresses embodying the principles of ISIAL.

Future vision of ISIAL

The state of the association is strong. Its membership continues to expand based on the pillars of its mission to advance the administration of equal justice for all. Current leadership has embarked on multiple projects designed to enhance member involvement and communication, including a redesigned website, an online store with proceeds to support our scholarship initiative, and greater involvement with United Irish Societies. ISIAL is continually improving its lineup of events such as its annual dinner, Christmas party, parade brunch, and bi-annual Focus: HOPE volunteer day. Future initiatives will focus on young lawyers and law students in an effort to cultivate a new generation of Irish-American leaders in the law. For more information, please visit our website at www.irish-lawyers.org or contact ISIAL President Joseph McGill at (734) 742-1825 or president@irish-lawyers.org. ■



The late William J. Berardo practiced family, criminal, and bankruptcy law in Berkley. Before practicing law, he served in the U.S. Army and as a probation officer. He held leadership roles in many regional Irish groups, including the Irish American Unity Conference and Ancient Order of Hibernians, and was a past president of the Incorporated Society of Irish American Lawyers.



Brian C. Hartwell, mayor of Madison Heights, manages the Law Office of Brian C. Hartwell, PLLC, practicing in the areas of housing discrimination, probate, and estate planning. He is a member of the 2015 class of Oakland County's Elite 40 Under 40 Business Owners. He cofounded a chapter of the Incorporated Society of Irish American Lawyers at the University of Detroit Mercy School of Law and currently serves as the society's historian.



Joseph P. McGill is a principal at Foley, Baron, Metzger & Juip. He has extensive litigation and transaction experience in commercial law, business, and estate planning as well as broad experience in defense of carbon monoxide injury claims. He is a member of the State Bar of Michigan Representative Assembly and Board of Commissioners and president of the Incorporated Society of Irish American Lawyers. He carries a Martindale Hubbell "AV" rating.

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ENDNOTES

1. Dillon, *A History of the Incorporated Society of Irish/American Lawyers* (Ann Arbor: RSG Publishing, 2004), ch 1.
2. *Korematsu v United States*, 323 US 214; 65 S Ct 193; 89 L Ed 194 (1944).
3. *Id.* at 242 (Murphy, J., dissenting).
4. Kelley & Lessenberry, *The People's Lawyer: The Life and Times of Frank J. Kelley, the Nation's Longest-Serving Attorney General* (Detroit: Painted Turtle, 2015), p 56.