

# A Justice for All



Lawrence P. Nolan

I recall how nervous I was walking down the long corridor connecting the Capitol to the four-story building that housed the office of the Michigan attorney general, the State of Michigan Law Library, and the Michigan Supreme Court. Back then, it was referred to as the Law Building. There was an information desk immediately after you exited the revolving door at the front entrance.

"Excuse me," I said to the receptionist. "Is this where the Michigan Supreme Court is located?"

"Yes," the receptionist said. "Take the elevator behind you to the second floor, and the courtroom will be to your left with the justices' chambers straight ahead."

I was nervous—really, really nervous. Was I doing the right thing, walking into the chambers of the Michigan Supreme Court without a previously scheduled appointment? Would I be allowed to see or speak to a justice?

To put this into perspective, it was the fall of 1972. I was 24 years old and still wet behind the ears. The first law school classes

were to begin in January 1973. I had already made up my mind that whether it was right or wrong, this was something I simply had to do.

There were no electronic scanners, security guards, or requests to empty your pockets and put your cell phone in the tray to be placed on a conveyor belt—just take the elevator to the second floor. As I approached what can best be described as an information desk, I was told the justice's office I was looking for was the second one on the left, down the long hallway. As I reached the open door, I was greeted by a woman whose walnut desk name plate identified her as:

Ms. Marianne Farhat  
Administrative Assistant

I told her my name was Larry Nolan and I wondered if Justice Brennan happened to be in. Ms. Farhat asked if I had an appointment to see him. I said I did not, but I would be happy to come back if he was busy and unable to see me that afternoon. I was told to take a seat and that she would see if he was available. Ms. Farhat questioned the nature of my visit. Was I an attorney, a law clerk, a relative? Was I selling something?

"The justice is a very busy man," Ms. Farhat sternly informed me.

Nervously, I said that I just wanted to thank Justice Brennan. My greatest fears

were starting to be confirmed; this idea of mine was a mistake and soon to become one of the dumbest things I had ever done.

Ms. Farhat was an intimidating presence, to say the least. She was like the Swiss Guard protecting the pope. She had beautiful Lebanese features and dark black eyes that could pierce right through you. Nobody, and I mean nobody, was going to get to the justice without going through Ms. Farhat. Maybe that was why security wasn't needed back then.

As Ms. Farhat launched into her next series of questions, a tall, slender, handsome, authoritative-looking man in dress pants, white shirt, and tie emerged from the inner office. This was HIM, I thought to myself. This was the justice I had seen in pictures. He was standing right in front of me with a stack of files when Ms. Farhat interceded and said, "Justice, this young man is here to see you." Immediately, the justice looked at me and then calmly invited me to his chambers and asked how he could help me.

I said I knew how busy he must be, apologized for not calling first, and then told him that I could come back another time if it would be more convenient. I was told to stop apologizing and to sit down and explain why I was there.

I opened my mouth and barely took time to breathe. I didn't want to buzz in and buzz

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Photo by Penny Woller



Thomas E. Brennan (right) with Lawrence Nolan (left) and Hon. Hugh Clarke (center), two former students that Brennan admitted to Thomas M. Cooley Law School, after the Supreme Court case of *Attorney General Bill Schuette v Hon. Hugh Clarke, 54A District Court*. Nolan was lead counsel for Clarke and Brennan was co-counsel. They won the case with a 7–0 decision allowing Clarke to retain his position as 54A District Court judge.

out without explaining the meaning behind my meeting.

"I just wanted to say thank you, Justice Brennan," I said. "I wanted to say thank you and promise you that I will always make you proud that you gave me a chance to go to law school so I could fulfill my dream of becoming a lawyer."

That's all I wanted to say. I was raised by my mother and father to say "thank you" whenever someone did something for you. I came solely to tell the justice—the founder of the Thomas M. Cooley Law School—that there was at least one very happy and appreciative individual in the first class who had always dreamed of becoming a lawyer.

At first blush, Justice Brennan seemed somewhat appreciative to have one of the students from Cooley's inaugural class stop by his office. He told me I was the first student to come and see him. After he indulged me for 15 minutes or so, I filled him in with about as much information as I could regarding my mother and father,

where I attended Catholic elementary and high school, and the elaborate details of my Irish and Canadian heritage.

As the great Justice Brennan walked me to the door, it was confirmed in my mind that at least I felt comfortable with him. As I left, I felt, in retrospect, that I had in fact done the right thing.

As I turned to say goodbye to Ms. Farhat, I heard Justice Brennan suggest in a voice loud enough for me to hear that I might want to consider getting a haircut before the first semester started. It didn't take me long to realize that my life was soon about to change—forever.

That day began my relationship with a man whom I have grown to know, love, and respect for the last 42 years. He is a faithful husband to Polly and father of Thomas Jr., John, Bill, Mary Beth, Peggy, and Ellen. He is not only the patriarch of the family known in these parts as the Brennan clan, but he remains a rock and a pillar of the Catholic Church and a proud ambassador of his Irish heritage.

Thomas Emmett Brennan was born in Detroit on May 27, 1929. He grew up in the city and attended Catholic Central High School. On a trip to New York, he inquired about my father's family and background, asking if I was any relation to a Catholic priest who was of the Basilian order and taught chemistry at Catholic Central. When I said that, yes, Fr. Hugh Nolan was one of my father's brothers from Belfast, Ireland, he and Justice Jim Ryan laughed, proclaiming that, much to their surprise, the priest they had once feared and called "Knob Nose" Nolan was, in fact, my uncle.

Apparently, while in high school, Tom had turned around in his seat and was having a conversation with the classmate behind him. When he turned back around, Fr. Nolan literally let Tom have it for not listening to the lecture. It was no surprise to me; my uncle was a strict disciplinarian. Fr. Hugh hit Tom across the bridge of his nose so hard that he broke his pointer in half, causing blood to gush forth. Tom told me that just to spite Fr. Hugh, he let the blood drip all over his chemistry book.

It was later, on flights to New York, Traverse City, and Orlando and trips to Detroit, Chicago, and elsewhere that I got to know Justice Tom Brennan better on a personal level.

I knew he had graduated from the University of Detroit Law School in 1952, one year after marrying Pauline (Polly) M. Weinberger. He spent time practicing law with a Detroit firm from 1953 until 1961, when he was elected to the Common Pleas bench. In 1963, he was appointed to the Wayne County Circuit Court bench by Gov. George Romney.

In 1966, Tom was nominated by the Republican Party to run for the Michigan Supreme Court, an election which he won. He was elected by his Supreme Court colleagues in 1969 and again in 1970 to serve as chief justice. At the tender age of 40, he became the youngest chief justice in Michigan Supreme Court history.

I read about him becoming chief justice and his leadership on our highest court. I was confident that his dream of opening a law school would be a smashing success. There was no doubt after the grand opening



Photo by Tom Brennan Jr.

Tom and Polly Brennan on their 64th wedding anniversary in 2015.

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night that my dream was soon to be fulfilled. Seventy-five other first-year law students and I were certain that with Justice Brennan on the highest court in the state, there was no way the law school would not be a fabulous success.

For any dream to come true, it requires help from many and sacrifice by all. Polly Brennan was no stranger to hard work or sacrifice. Tom's dream became Polly's dream. Polly rolled up her sleeves and, with six children at home, worked double time to register students at the enrollment office. Tom was working two jobs, and she did the same. In the early days, weeks, months, and years, Polly's efforts and contributions were as much a reason for the success of the law school as Tom's. In my opinion, Polly was content to stay in the background and do whatever needed to be done, which she did. To paraphrase country singer Tammy Wynette, she stood by her man.

Standing by her man, however, was soon to be put to the ultimate test. At the time the law school was being founded, there

was a movement afoot to prevent a fifth law school from opening in the state. There was a belief in certain circles that this was "Brennan's Folly." No one ever envisioned not going through the legislature for approval of a law school. How could a law school survive on student tuition alone? There were those who were certain that, without taxpayer dollars and no economic base, it simply couldn't be done and would certainly fail.

Tom Brennan never believed that, and neither did his partner, Polly. After enduring 11 months of public scrutiny and criticism, the school was not only *not* failing, but it was, in fact, flourishing.

The governor was pressured to prevent this runaway success from gaining more speed. The solution: declare that simultaneously being a Michigan Supreme Court justice and president of a private law school was a conflict of interest. The ultimatum was delivered—give up the law school or step down from the Supreme Court. It was plain and simple. Tom Brennan would remain a Supreme Court justice and the law school would ultimately fail. Problem solved!

The annual salary for a Michigan Supreme Court Justice at that time was approximately \$45,000. That was a lot of money in 1973. And Brennan had a wife and six kids to feed. He was highly regarded as an intelligent young man, gifted in all respects. Everyone awaited his decision.

As pressure mounted, Justice Thomas Emmett Brennan held a press conference on December 6, 1973, to announce that he would step down from the Supreme Court and remain president of Cooley Law School.

This man, whom I was just beginning to know, had made a promise to each and every one of the students that he and Polly had carefully evaluated and admitted to the law school. He was our leader. We placed all our trust in him—trust in our educations, in the curriculum, and in being able to eventually pass the Michigan bar exam.

Forty-two years later, more than 20,000 people have earned law degrees from what is now known as Western Michigan University Cooley Law School—a direct result of Tom and Polly's dream and their mission to give *all* qualified students a chance to earn a law degree, take the bar exam, and practice law.

I can't think of two people who accomplished more than Tom and Polly Brennan, fulfilling their dreams and all of ours. Everyone who has received a law degree from Cooley Law School, myself included, has been a direct beneficiary of a dream come true.

The first day I met Justice Brennan, I told him I was thankful, and that I hoped one day I might make him proud—proud of what I would do with my legal education if given the opportunity.

Well, Tom and Polly, I hope you both know how thankful I am, along with 20,000 others, to have been educated in the law.

After practicing law for the last 42 years in a small firm on Main Street, I want you to know that I have saved my last column as president of the State Bar of Michigan for the best. In my opinion, you and Polly are simply the best, and my entire family has benefited from your efforts. I wanted to thank you once again.

God bless you both! ■