

Michigan Lawyers in History

Dean W. Kelley

By Carrie Sharlow



The state of Michigan was built by the lumber and auto industries, agriculture, and the lawyers who lived, studied, and practiced here. The articles in this occasional series highlight some of those lawyers and judges and their continuing influence on this great state.

Dean Wellington Kelley is one of the 78 unique individuals who've served as president of the State Bar of Michigan. Next time you're at 306 Townsend Street, check out the "wall of presidents" in the Milton E. Bachmann Atrium; Dean's portrait is eighth from the left on the top row.

He was born July 11, 1876, to Samuel and Mary (who often went by the name "Minnie") Kelley. Dean's parents were born in Canada and moved to Michigan in the early 1860s. Minnie's family treasured a legend of being descended from the Duke of Wellington, and the family frequently used the title as a middle name. Samuel, who worked as both a farmer and lumberman, married Minnie in 1872, and the couple settled in Evart. They had four children, but only Dean and his sister Mable lived to adulthood.

As the only son on the family farm, the expectation was Dean would become a farmer. He had other plans, though, and his father was less than thrilled. Dean spent most of his childhood alternating between going to school and working on the farm. By his mid-teens, he was tutoring younger students to earn funds for college while continuing his studies at Evart High School.

Whip smart and able to function on minimal sleep, Dean finished high school a

year early and went to Michigan State Normal College (now Eastern Michigan University). He was dedicated to the prospect of furthering his education: Dean biked almost 200 miles from home to Ypsilanti to attend college.

Dean's stellar performance on the State Normal College debate team influenced his decision to become an attorney. After serving as a drill master during the Spanish-American War, he took a law course at the University of Michigan but never completed his formal legal education, instead moving to St. Johns to take a teaching position.

Dean met his future wife in St. Johns, marrying Thurza Mae Judd on Christmas Day in 1901. The couple had two children: Gwendolyn in 1904 and Ward in 1909.

Just before getting married, Dean gravitated back to the law and passed the bar; he "received the second highest score on the exam."¹ He opened a law office in St. Johns and traveled around the state for cases. He entered public service as city attorney for three terms, and eventually was elected county prosecuting attorney. The latter was quite the achievement of the time—Dean was a Democrat in a predominantly Republican area, but he was well-respected and known for his character and intellect.

At the end of World War I, the Kelleys moved to Lansing and Dean became as involved in the city as he had been in St. Johns. Less than 10 years later, it was observed that there was "no philanthropic or civil movement affecting the welfare of Lansing that does not in some measure, or degree, command [Dean Kelley's] interest and frequently his personal effort."² In short order, he became president of the local country club, joined the Exchange Club,³ served as general counsel for various area businesses, and became a member of both the Michigan State Bar Association and the Ingham County Bar Association.

With his membership in the Michigan State Bar Association, Dean became involved with the issue of the unauthorized practice of law. One of his passions was ensuring that the public was protected and lawyers were adequately educated. For five years, he sat on the association's Committee on Illegal Practice of Law and later served as chairman of the State Bar of Michigan's Committee on Unauthorized Practice of Law. He believed that policing the unauthorized practice of law was vital for protection of the public and "more particularly the preservation of the inherent judicial control over the administration of justice and the machinery thereof."⁴ In a 1936 article



State Bar of Michigan photo

Dean W. Kelley, SBM President, 1942–1943

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on the issue, Dean offered several examples of the unauthorized practice of law and told of local bar associations from Calhoun County to Muskegon taking “effective measures against such practices in their respective localities.”⁵

During Dean’s presidency, the State Bar of Michigan submitted an amicus brief in *Ayres et al v Hadaway et al*, a case of the unauthorized practice of law. The Michigan Supreme Court, with Bert Chandler serving as chief justice, ruled that “a lawyer on the inactive list of the State Bar of Michigan has no right to engage in the practice of law.”⁶ This was a significant ruling at the time, essentially justifying a chief purpose of the State Bar.

When Dean began his State Bar presidency in 1942, the country was in the midst of World War II. More than 700 Bar members were serving in the armed forces at that time, and “approximately 1,050 lawyers were serving on 192 selective service boards, 192 advisory boards, and as appeal agents, on district appeal boards and other related offices without compensation.”⁷ One-fourth of the Bar’s membership would eventually serve in the armed forces, including Dean’s own son and law partner, Ward. Dean increased his involvement with local, state, and national organizations, serving

on an appeal board of the Selective Service System while Bar president.

He also became a surrogate father to his toddler grandson, Dean II, who lived with his grandparents after Ward Kelley’s military assignment to the Orient. After working long hours at his law firm and involvement in various extracurricular activities, Dean would come home to grade bar exams while listening to the Lone Ranger on the radio with his grandson. Later he would regale his grandson with stories of history and battles as the two walked to the local cigar shop.

Dean was nearly 70 years old when his State Bar presidency concluded, but instead of retiring and resting on his laurels, he served on the Committee on the Michigan Constitution; the Committee of Court Administration, Legal Education and Admission to the Bar; and the Bar’s committee to study the one-man grand jury statute. He welcomed a new partner to his law firm and was appointed to the Board of Law Examiners by Governor Kim Sigler.

The latter was Dean’s last service to the legal community; he died midway through his second term on the board. Not surprisingly, his funeral was standing-room only with attendees forced to stand outside in the streets.⁸ He was mourned by all who knew him. ■



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If you are interested in State Bar history or have a suggestion for “Michigan Lawyers in History,” please e-mail her at csharlow@mail.michbar.org.

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ENDNOTES

1. Biography written by Dr. Anne Kelley Weigt (on file with author).
2. Turner, ed, *An account of Ingham County from its organization* (Dayton: National Historical Association, Inc, 1924), p 535.
3. Biography, n 1 *supra*.
4. Kelley, *The problem of unauthorized practice of law in Michigan*, 15 Mich St B J 79 (May 1936).
5. *Id.* at 83.
6. *Ayres v Hadaway*, 303 Mich 589, 598; 6 NW2d 905 (1942).
7. Woolfenden, *History of the State Bar of Michigan*, 38 Mich St B J 29 (April 1959).
8. Biography, n 1 *supra*.