

By Debra A. Pelton-Levy

# Daniel M. Levy, Chair of the Representative Assembly of the State Bar of Michigan

*“Real integrity is doing the right thing, knowing that nobody’s going to know whether you did it or not.”*

—Oprah Winfrey

I know Oprah has never met Dan, but the first time I saw this quote I felt as though I knew about whom she was speaking. As long as I have known him, Dan has always been a man of his word. “The right thing to do is always... the right thing to do.” This maxim describes Dan’s approach to all choices in life: the ordinary and the profound.

It is hard to believe, but we first met 30 years ago in high school. We traveled in the same “circles,” and even dated each other’s friends. We shared many friendships and interests then and continue to do so now. We somehow managed to sustain a lasting friendship during the many changes in our personal and professional lives.

Knowing Dan from the time we were both on our quests to find our own personal identities has permitted me to witness his growth from the long-haired teen whose motto might best be described by his weathered “Question Authority” button into the man you have elected to chair the State Bar’s Representative Assembly. I would like to share with you a bit of his journey.

It is difficult to describe the Dan I remember from our high school years. If you were the straight-and-narrow type, as I was, you may have been taken aback by his long hair, his much worn Army jacket, or his reluctance to abide by established norms. Trusting anyone over the age of thirty was out of the question. “The Establishment” would have concluded that he was too much the radical. If you, yourself, had rather nonconforming views, no doubt you would have looked at his leadership roles in youth groups, his involvement in his synagogue and with



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his family, or his respect for many of the individuals who were, in fact, part of “The Establishment,” and you may have found him too conventional for your liking. In school, he may have been a trouble-maker in one class and a serious student in the next, depending on both the subject and the teacher.

We chose different paths after high school and did not see much of each other until the summer before Dan began law school—something he did not decide to do until two years after getting his undergraduate degree from the University of Michigan.

It is safe to say that law school was not Dan’s favorite time of life. In reality, he was rather miserable. He did not love the law; he loved what one could do with knowledge of the law. Becoming an attorney was not Dan’s main objective. Rather, he saw a law degree as an instrument that would allow him to realize his actual goals. These goals have been numerous and extensive, including the ability to make changes in an imperfect system while helping others.

Dan’s “saving grace” in law school was most definitely Moot Court. It was Moot Court that reminded him that the practice of law could be different than the study of law. It was also here that others first recognized Dan’s abilities and contributions. He was chosen to participate on the Jessup International Law Competition Team and was presented a special recognition award by the Moot Court Board. Throughout the years, Dan has continued his rewarding experience with Moot Court, this time as judge for students currently enrolled in law school.

Those who know Dan’s liberal background, or his stand on various political issues that might be thought of as liberal, were likely surprised to learn of his career choice immediately upon graduation as a prosecutor—no more than he was. Dan credits the Prosecuting Attorneys Association of Michigan’s (PAAM) internship program as the pivotal point in his career. It began as a chance to get trial experience and learn the thought processes of what he then considered “the enemy.” The internship concluded with Dan’s recognition that good prosecutors sought justice, not victories—that the true power of achieving justice came not in standing up for the wrongly accused, but in making sure that none existed.

As a prosecutor, Dan has always been conscious of the fact that he represents the “People of the State of Michigan.” He often points out that this encompasses not only the victim (when there is one), but also the community as a whole, including the defendant. The goal, therefore, is not merely conviction at any cost. It is justice that can only be served when the process itself is just and when the rights of all parties are protected with equal vigor. Dan happens to enjoy government service and prosecution in particular. He firmly believes that the ultimate

client is always the truth; the ultimate goal is always justice.

It is Dan's inherent sense of fairness that has won him the respect of those within and outside of his profession, including his adversaries. His capacity to see and appreciate all sides of an issue can be somewhat frustrating, especially for those of us without this ability. His persistence in defending the good motives of those with whom he fundamentally disagrees has earned him the esteem of those with whom he is acquainted.

Of his work as Assistant Prosecuting Attorney in Berrien County, Dan is perhaps proudest of the role he played in helping now retired Judge Ronald Taylor in establishing the Berrien County Drug Court. The focus of this earliest of drug courts was on preventing future crimes, not merely punishing old ones. Persons who committed crimes for entrepreneurial reasons were separated from drug users. Users were offered treatment alternatives, not just for their own good, but for the well-being of the community as a whole. This experience cemented Dan's belief that the criminal justice system focuses too much on giving a defendant the punishment he or she deserves and not enough on whether that punishment truly serves society's best interests.

A more recent project, which I know Dan found particularly rewarding, was working with then-Attorney General Granholm and the Michigan Alliance Against Hate Crimes to combat bias-motivated crimes and to help explain the importance of doing so. It is a project that Dan believes helps to remind us that we should not be judged by how we stand up when it is in our own self-interest, but by how we stand up for others when it is not. It also reminds me of why Dan says he is in public service, not civil service. It is about service to others, not about secure employment. It is not the good benefits of the job, but the benefit of doing the job well. With this premise, I am reminded of now-Governor Granholm's assertion that there is nobility in the practice of law and in public service.

While it is projects such as these of which Dan is most proud, I must tell you that he has done them while also advancing his career and seeking out new legal challenges. He has shepherded a number of cases from inception

to Michigan Supreme Court argument and successful outcome. His abilities have also been recognized by those within the Attorney General's Office, where he now serves as a Section Head in the Criminal Division.

Dan is a team player in the true sense of the phrase. He is content to sit back and watch as others receive accolades for their accomplishments. It is for this reason that he feels so honored to be recognized by people he respects to chair the Assembly. Dan believes strongly that winning isn't enjoyable if you are alone once you've won. Victory is truly sweetest when it can be shared with others who took part, who invested of themselves, and who are able to share in your success.

Dan is not likely to tell you how much being elected to serve the Assembly as Chair means to him. Perhaps I can best illustrate by conveying his appreciation upon being given another honor. A short time ago the Anti-Defamation League presented Dan with its Daniel M. Ginsberg Leadership Award in Washington, D.C. While he certainly enjoyed the trip, and he proudly displays the plaque in his office, the real value of the award for Dan is the fact that it came from people for whom he has such high regard. He was somewhat uncomfortable accepting the award until he had the opportunity to thank those he felt had helped him with the projects for which he was being recognized.

Certainly being elected to Assembly leadership is about doing the work of the Assembly and is not intended as an award. Still, knowing Dan as I do, I can tell you that he has great respect for the leaders of the State Bar and that he appreciates the recognition from, and confidence of, the Assembly members who elected him. His pleasure may be a bit shielded, but it's unmistakable. It is truly a reflection of his esteem for you, the other members of his profession.

I am exceptionally proud of Dan and his many accomplishments. He is continually able to struggle through what seems to be an impasse to achieve a clear and judicious outcome—always doing so with a positive and realistic approach. Throughout our eleven years of marriage I have consistently been able to rely on Dan during the most challenging of times. The following quotation seems to have Dan's name on it.

*"What we have before us are some breathtaking opportunities disguised as insoluble problems."*

—John W. Gardner

Those of you who already have the benefit of knowing Dan know that you are in very talented and skillful hands. Those of you who have not yet had the opportunity to be acquainted with Dan will be pleased to have him serve as Chair of the Representative Assembly. Rest assured that you can have every confidence in his abilities, his sense of fairness, his passion, and above all, his integrity to honor his position and perform an outstanding job. ♦

*Debra A. Pelton-Levy has just begun her sixteenth year as a classroom teacher in the Novi Community School District. She currently teaches eighth grade algebra and language arts at Novi Middle School. Debra earned her Bachelor of Science degree in Education from Wayne State University and her Master of Elementary Education from Eastern Michigan University. Debra and Daniel have been married 11 years and have a 24-year-old daughter, Michelle Beren. They share their home with a one-eyed dog named Gizmo and two rescued cats, Harley and Toby (A.K.A. "the boys").*

