

Michigan Lawyers in History

Ernest Goodman

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.

Ernest “Ernie” Goodman, one of the most famous Michigan attorneys of the twentieth century, attended law school in order to play tennis.

His parents were Jews from Eastern Europe who fled to the United States seeking refuge from anti-Semitism. Harry Gutchman, whose last name was changed to Goodman by immigration officials at Ellis Island, traveled from New York to Michigan and later married Minnie Kostoff. The couple made their home in Hemlock, where Ernie was born on August 21, 1906; his sister, Rose, was born approximately a year later.

After several years of struggling in the farm communities of Saginaw County, the Goodmans moved to Detroit and settled into the Jewish ghetto. Ernie, who didn’t learn to speak English until after the move, first went to Hebrew school before transferring to Central High at age 12. While in high school, Ernie decided to earn an athletic letter as another way to assimilate into American society. Not being suited for either football or baseball, he chose tennis.

After graduating from high school, Ernie suffered from a lack of focus. His parents

wanted him to become a doctor—a difficult profession to break into at the time, especially for a Jewish applicant. Instead, Ernie wrote poetry, read Keats and Shelley,¹ played bridge, and joined the debate club at the “newly opened junior college at Central High School....”²

In 1924, a tennis partner suggested “they both enroll in the Detroit College of Law... where they could form a tennis team.”³ Ernie wasn’t particularly interested in becoming a lawyer any more than a doctor, but thought “it wouldn’t hurt to take some classes to learn more about the law.”⁴

He began law classes and worked in a local law firm before transitioning to a new law school that had formed in Detroit. In 1928, he was part of the first graduating class at what would eventually be known as Wayne State University Law School.

Ernie formed a practice with a few classmates, married Freda Kesler, and started a family.⁵ Ten years after entering law school, he was aimless again. He was “losing interest” in the law.⁶ In a struggling economy, his practice was handling more cases of debt collection and repossession than anything else. Ernie would later say, “The more

I did that kind of work, the more I felt that it was something I didn’t want to spend my life on.”⁷ He was beginning to hate his chosen profession.

In the 1930s, a former law partner was running for a judicial seat and Ernie attended events to stump for him. At one such meeting “in the home of a black man on the near west side,”⁸ Ernie met Maurice Sugar, another Detroit-based Jewish attorney. Maurice had lost his law license in 1917 for refusing to register for the draft during World War I and encouraging others to do the same. Eventually, his license was reinstated and he was granted amnesty for dodging the draft. He then ran for a seat on the Detroit Recorder’s Court.

Maurice “spoke of the relationship between law and society, arguing that the judiciary owed its authority to the community, that its legitimacy grew out of the community.” He spoke of corruption and the need to reform, of racial discrimination and unions, of “equality which the Constitution guaranteed to everyone.”⁹ Maurice didn’t win the election, but he gained Ernie’s admiration.

The suggestion from his tennis partner to attend law school had given Ernie



Walter Reuther Library, Wayne State University

Ernest Goodman takes in an issue of *Ford Facts*, the newspaper of UAW Local 600, circa 1940s.

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his career; the connection with Maurice Sugar gave him direction. He moved from debt collection to labor law and civil rights, and practiced in that arena for more than 50 years.

It was said that “[i]f there was a constitutional or civil rights issue in Detroit during the last half of the 20th century, Ernest Goodman was probably involved.”¹⁰ He made a habit of defending those no one else would: Ford Motor Company strikers, Michigan Communist Party leaders, Black Panthers accused of murdering a Detroit police officer, and a prison inmate from the Attica Prison riot. With George Crockett Jr. he founded the country’s first integrated law firm. He argued before the United States Supreme Court seven times; was arrested once; was placed under FBI surveillance; was vilified, shunned, lauded, and honored; and, five years before his death, received the State Bar of Michigan’s Champion of Justice Award. He was one of the most brilliant legal minds of his generation.

And he was a very good tennis player. ■

*Author’s note: This is a limited biographical sketch about a man whose life is nearly impossible to summarize in 1,000 words or less. For a complete telling of Goodman’s life, read *The Color of Law: Ernie Goodman, Detroit, and the Struggle for Labor and Civil Rights* by Steve Babson, Dave Riddle, and David Elsila. The book was reviewed in the March 2011 issue of the Michigan Bar Journal; see <http://www.michbar.org/journal/pdf/pdf4article1835.pdf>.*



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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.

Special thanks to Judge Avern Cohn, who suggested the topic and helped with review and research.

ENDNOTES

1. Babson, *The Color of Law: Ernie Goodman, Detroit, and the Struggle for Labor and Civil Rights* (Detroit: Wayne State University Press, 2010), p 17.
2. *Id.*
3. *Id.*
4. *Id.*
5. They had two sons, Richard and William, who would follow in Ernie’s footsteps and become attorneys.
6. Babson, n 1 *supra* at 33.
7. *Id.*
8. Moon, *Untold Tales, Unsung Heroes: An Oral History of Detroit’s African American Community, 1918–1967* (Detroit: Wayne State University Press, 1994), p 64.
9. Babson, n 1 *supra* at 38.
10. Svoboda, *Fighting the Goodman Fight: The Detroit attorney pursues a family tradition and Donald Rumsfeld*, Metro Times, January 10, 2007, available at <<http://www2.metrotimes.com/editorial/story.asp?id=10048>> [accessed January 25, 2013].