



## Dennis Archer

[ Jesse Londin ]

**Trial lawyer, professor, law firm chairman, supreme court judge, big city mayor, first African-American president of the American Bar Association. This week we profile Dennis Archer, a man who's done most everything the legal profession has to offer.**

Some Law Stars do it all. If there is one super-sized, all-around, world-class Law Star, it would have to be Dennis Archer: Trial lawyer, professor, law firm chairman, supreme court judge, big city mayor. Did we leave anything out? Oh, yes, just to top it all off, in August 2003 the former two-term mayor of Detroit and chairman of Dickinson Wright became the first African American president of the American Bar Association, a mere 60 years after the nation's top professional association for lawyers reluctantly began to admit blacks at all. Indeed, some Law Stars make history.

Naturally, few arbiters of law fame and acclaim have overlooked Dennis Archer. His name has been a fixture on a seemingly endless parade of "best of" compilations, including lists of the "most influential blacks," "most powerful businessmen," "most powerful attorneys," "most dynamic mayors," "most respected judges," "public official of the year," and more, in countless publications including Newsweek, Governing magazine, Ebony and the National Law Journal. We did not mind standing in line patiently to award him a Law Star.

A quick look at the trajectory to date. Born in Detroit in 1942 and raised in Cassopolis, Michigan, Archer worked his way through Western Michigan University and then Detroit College of Law.

Over the years Archer practiced as a trial attorney in Detroit, taught learning disabled children in his city's public schools, and served as associate professor of the Detroit

College of Law as well as adjunct professor at Wayne State University Law School.

In 1985 Governor James Blanchard appointed Archer Associate Justice of Michigan State Supreme Court in 1986, where he served until 1990. Thereafter, the citizens of Detroit elected him mayor, twice, during which time he also served one year as president of the National League of Cities.

Upon leaving the mayor's office, Archer became chairman of Dickinson Wright, a renowned Detroit-based law firm with offices throughout Michigan, as well as in Washington, D.C.

And before taking the helm at the ABA, Archer served as president of other notable law associations including the National Bar Association and the State Bar of Michigan.

Archer's wife, Trudy DunCombe Archer, serves as a judge of Michigan's 36<sup>th</sup> District Court and they are the proud parents of two.

Naturally, I was out of breath when Dennis Archer took a moment to chat with me about law, life, the ABA and more. (But he was raring to go.)

**Q: Mr. Archer, congratulations on your election to the ABA's top position, a step forward not just for the profession but for the nation. And I'm delighted to talk with you as a newly-named LawCrossing Law Star who has been breaking barriers and leading**

**the charge of African American political, social and professional achievement for years. Of all the positions you've held, starting with caddying at a golf course at the age of eight, and including lawyer, professor, judge, mayor and law firm partner, all the way to your current role at the ABA, can you tell us: which job or position has been the most rewarding?**

A: Each job has been outstanding and has provided me with different experiences and helped me grow as a person. I loved teaching the learning disabled. I worked hard to prepare a lesson plan; I learned to be flexible, but to always stay focused on the end result, which was to help students learn. This paved the way for the jobs that I later enjoyed and continue to enjoy which is that of being a leader. Being mayor of the city of Detroit made me mindful of always balancing the budget and making sure we stayed within budget, at the same time trying to improve the quality of life for our citizens. And that applies to members of the American Bar Association, too, and to our sections, our divisions, leaders of state, local and international bars, and our affiliate organizations.

**Q: Compared to being mayor of a big city, which we can safely assume was a job filled with great challenges and rewards, how are you enjoying serving as head of the nations' lawyers? Any surprises so far?**

A: This is one of the most satisfying positions I've held. I enjoy traveling around the country



and internationally meeting with outstanding bar leaders and lawyers who are committed and share the goals of the ABA. The one surprise was just how much travel is involved and that there is so much to be accomplished in so little time. It is truly a wonderful full time job

**Q: Still youthful at 62, if you could get any job you have not yet tried, assuming there is any job you have not tried - or achieve anything that has yet eluded you, what would it be?**

A: I have been blessed as every goal I have set, I have been able to meet. I now await the mission He has set for me as I am now content to return to the full-time practice of law and to successfully contribute to the corporate boards on which I am privileged to serve.

**Q: You have said, "Our bar association, like the Supreme Court of the United States, does not have a proud history as [it] relates to race relations." Much has changed since the ABA's application form included questions about race so that membership could be limited to whites only, and the association was so intent upon excluding black lawyers that it sent members out to confirm that a would-be applicant was indeed white. Of course, in response, in 1925 black lawyers founded their own organization - the National Bar Association, a group you headed prior to taking the helm at the ABA. Will your term at the ABA signal to black lawyers that it's time to join the formerly all-white bar group, or do you think minority bar organizations are still needed?**

A: Minority bars are absolutely still needed. They are the foundation, the history of where we African American lawyers have heretofore contributed to our profession and the base from which we have promoted the rule of law. But, those who belong to minority bars

must also join the ABA, otherwise their voices will not always be heard. Lawyers of color are the members who will help the ABA move from its past to where we need to go in the future.

The American Bar Association is taking its rightful leadership role and saying we need to embrace diversity. I think the fact that Robert Grey-who is also African American-and I have been given an opportunity to be placed in leadership positions will encourage others to earn the right to be considered for election to high office within the ABA as well. You're seeing "firsts" all over the country, too - in the bar associations of Alabama, Maryland, New Jersey and Pennsylvania, for example.

**Q: According to the ABA, of the 38,576 total Juris Doctor degrees earned in 2002 (including 18,639 by women), minority law students took home only 7,780 J.D.'s. As you have said, the lack of minority representation in the profession means "when people of color walk into courtrooms, the chances are small that the judges who hear their cases will look like they do, or will have shared experiences where color is a factor." How can the profession diversify if legal education disproportionately attracts non-minority students? Is past injustice and discrimination at least partly responsible for turning blacks off from careers as lawyers?**

A: Yes, past injustices are the reason people of color and women, both of whom have historically been discriminated against in one form or another, did not seek to become lawyers.

However, today each of us can support elementary school programs in minority or underserved communities that encourage students of color to consider the legal profession. Young people need to know that there is a positive opportunity awaiting

them in our profession. They need to know that in America, each one of us can make a difference and can succeed. The student you encourage today can have an impact on society. I need only cite an example who had enormous impact on me - Mr. Justice Thurgood Marshall.

**Q: As chairman of Dickinson Wright in Detroit, how do you manage your time and energy juggling duties as head of the ABA and head of a big city law firm? What kind of law do you specialize in these days and how much time are you able to devote to practice?**

A: Because of my added responsibilities as ABA President which, as I mentioned, requires extensive domestic and international travel, the amount of time I have to actually practice law is limited. However, I have managed to help keep our firm's clients happy and bring in several new clients. When I'm on the road, I make a point to be as accessible as possible to my clients through the magic of technology.

**Q: What are your priorities for the ABA and the profession and are you optimistic about the future?**

A: My priorities have been set by leaders who came before me as I felt their agenda was worthy of another year's focus. I continue an emphasis on law student loan forgiveness that Bob Hirshon [2001-2002] set in place. I continue to focus on racial and ethnic diversity in the profession, which Bill Paul [1999-2000] emphasized, and continue Martha Barnett's [2000-2001] work toward a death penalty moratorium. I also continue to address the need for greater judicial independence, a cause A.P. Carlton [2002-2003] championed.

My active agenda calls for a diversity conference in October in Washington, D.C., on Opening the Pipeline. This conference was about bringing more people of color



into legal practice, into the judiciary, into the offices of corporate general counsels, and into the halls of leadership in the legal profession

In May, we'll hold a summit to look at the advancement of women, and women of color, into the top ranks of organizations and law firms. We'll discuss how to get beyond the glass ceiling, and the work that needs to continue so that women reach the highest levels of the legal and other professions.

Another initiative of my tenure as ABA President is an ABA Commission to focus on the 50th anniversary of this landmark decision [Brown v. Board of Education, May 17, 2004]. The Commission is reviewing the current state of Brown's goals and its effect on civil rights; it will also honor the heroes of this historic decision. Our Public Education Division will be working with high schools across the country, to create dialogues on Brown v. Board so that young people can learn about what the decision meant, and how it is at work today.

Finally, I am working to improve the quality of life of those who serve as military personnel. I am working to waive the residency requirement for them to be able to benefit from in-state college tuition, and allow licensed JAG officers to represent military personnel in routine legal cases (legal service equivalent) even though they may not be licensed in the state to which they are assigned. I am also seeking a loan forgiveness program for JAG officers

**Q: The legal profession seems to suffer from a public relations problem: many laypeople feel lawyers can be greedy and unscrupulous.**

**Politicians call for tort reform alleging that civil litigation, big settlements and jury verdicts enrich lawyers while harming business and the economy. How might tort lawyers help address these concerns? Are critics right: is it time to make changes in the civil justice system?**

A: The image issue does represent a problem. The practice of law is by nature adversarial. But if you talk to people who have used the services of a lawyer, they will invariably say that they love their lawyer. Everyone wants someone who will represent and defend them in their hour of need.

As far as tort reform, we must remember that our country is blessed with a tradition of seeking justice in the courtroom, and not in the street. This is a hallmark of civilized society. It allows people to seek redress of grievances in an orderly way. The ABA most recently has made substantive recommendations regarding class action law suits and asbestos litigation reform.

The overwhelming majority of cases filed each year represent genuine issues of harm and suffering. Courts have ways of weeding out frivolous lawsuits. Overly punitive judgments may be appealed. There are multiple remedies for corporations, government agencies, individuals, doctors, hospitals, and the like who believe they are sued unfairly.

I don't think anyone would want to give up their right to be heard in a court of law. It's our principal safeguard that makes our country safer, our products better, our services more attuned to the needs of individuals.

**Q: Are you going to run for office again? May we envision Governor Archer of Michigan?**

A: I have no plans to run for governor.

**Q: On a lighter note, if I may ask, what does a guy like you do to relax?**

A: I spend time with my family, go for daily runs, get out on the golf course whenever I get a chance, watch action movies and read good books.

**Q: Good books, action movies - can you give one or two examples?**

A: Supreme Justice by J. Clay Smith, former Dean and now a Professor at Howard's Law School based in part on his own writing and using speeches and writings of Mr. Justice Thurgood Marshall. And Matrix Reloaded.

**Q: Perfect! Lastly, who are your personal legal gurus, role models and Law Stars?**

A: As I mentioned earlier, Justice Thurgood Marshall was an inspiration and there are so many others: Charles Hamilton Houston, Judge Constance Baker Motley, Judge Damon Keith, Judge/Solicitor Wade McCree, Otis Smith, Congressman George Crockett, Jr., and those who mentored me through the ABA, like Harry Hathaway, John Krsul, and Former ABA Presidents Chesterfield Smith and William Reese Smith. I must also mention my wife, Trudy, who serves as Judge of Michigan's 36<sup>th</sup> district, as she was the person who convinced me to go to law school. The rest, as they say, is history.