

## OPEN LETTER TO THE DETROIT LEGAL COMMUNITY:

## Let's Do Something Extraordinary Again!

BY CHRISTOPHER J. WEBB

EDITOR'S NOTE: *The DMBA has had a long standing tradition of stirring up lively debate through the consideration of provocative opinions. This month's contributor is Christopher J. Webb. To share your opinions, please email [dmba@detroitlawyer.org](mailto:dmba@detroitlawyer.org).*

I remember in 1970 working as a summer law clerk for a prestigious Detroit law firm then located in the Buhl Building. It was my internship between undergraduate years at Yale. I was fresh off the Black Panther Trials in New Haven earlier that year with all the unrest, police tear gas, and National Guard troops while Yale (not without internal opposition) opened its gates to the community and helped to bring calm in the streets.

I was hoping to go to law school after graduation so I asked one of the partners there: "What has been your greatest experience as a lawyer?" The lawyer five years out of the law school then graying and successful said: "Oh, that's easy. It was when we all volunteered after the Detroit riots to help those arrested." With over 1,000 arrests, volunteer members of the Detroit Bar stepped up to make certain that those facing arraignment had the "right to counsel" or to quote, the right to "effective" counsel.<sup>1</sup>

So, dear readers, the purpose of this article is to ask each of you the same question I asked in 1970. In the quiet of your hearts, I'll let you think and answer silently for yourself. For me, however, the answer is: "You know I think it's time we did something great again and something great for others!" So, ever the gadfly on the hippo's back, I'd like a quick show of hands (figuratively): Has DMBA been a catalyst for legal innovation to serve justice and fairness for the Detroit community?

A while back, I asked a top Detroit defense and plaintiff's attorney a simple question: "If you could change one thing to improve our legal system, what would it be?" The plaintiff's attorney leaned

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back and smiled. He happened to be in a good mood just off a mobile call that his firm had settled a major class action lawsuit. "Well," he said, "I know one simple way to change the game for the better. The Michigan Supreme Court would issue an order directing that no member of the State Bar of Michigan could give money to any judicial campaign." I turned then to the defense attorney and he paused (that was never his strong suit), looked down and then remarked, "Not bad. It would save our firm a lot of money."

While an order like this may be unrealistic or even a mistake to some of you, it is "out of the box" for sure. Importantly, it is a beginning in examining our legal delivery system afresh from the bottom up for the good of those it serves.<sup>2</sup> I realize that we all need to network, give out awards, write articles (I apologize for the irony here) and the like but could DMBA be the catalyst/facilitator to examine our legal system right here in Detroit with key stakeholders at

the table including judges, lawyers, law professors and most importantly members of our community?

If we were to take a "whiteboard" approach to thinking systemically and sustainably for an optimized legal system with processes based upon continuous improvement and inclusiveness, in my view, now is the best time to do it. Let's just say we are ripe for an initiative that would send a message to the world that Detroit is leading the charge and not following it.

The mega question to be solved is really quite simple: "If you were creating an optimized legal delivery system to achieve justice and fairness as its priorities, *what* would it look like, *who* would be at the table and *how* would you realize it?"

Isn't it time we created something great that will serve our clients, our community and be a realized model of legal innovation? DMBA, the ball is in our court!<sup>3</sup>

## References

1. See Kamisar, Yale, "Criminal Justice and the 1967 Detroit 'Riot.'" *Law Quad. Notes* 50, No. 1 (2007). <http://repository.law.umich.edu/cgi/viewcontent.cgi?article=1699&context=articles>.
2. In Europe, students interested in the law wishing to become judges are required to attend schools for that specific purpose.
3. No pun intended



**CHRISTOPHER J. WEBB**, a long-standing member of the DMBA, served over 25 years as general counsel to a global manufacturing firm and is now in private practice facilitating the development of new solutions to address the public policy issues we

face today. See [www.webbadr.com](http://www.webbadr.com).