

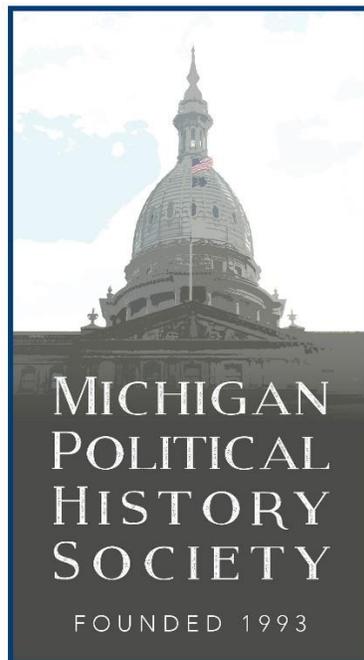
GLENN ALLEN

Interviewed by

Tom Downs

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Tom Downs: This interview is part of the James J. Blanchard Living Library of Michigan Political History.

Tom Downs: Today is Monday, November 22, 1999. We're having an oral history interview of Judge Glenn Allen. Judge Allen has had many experiences in public life. He's been a mayor of Kalamazoo, been at ConCon, been on the court in addition to that. We'll ask him those questions in detail. We want him to feel very casual. Judge Allen, tell us first where you were born.

Judge Allen: I was born in Kalamazoo in 1914.

Tom Downs: You're that old?

Judge Allen: Yes, yes, I really am.

Tom Downs: And you lived there most of your life?

Judge Allen: I lived in Kalamazoo until I came with George Romney in 1963. While I stayed about two more years in Kalamazoo and moved my family here in about 1965-1966, and I've been in the Lansing area, actually Dewitt, since then.

Tom Downs: Tell us about your first election.

Judge Allen: I was first elected in 1941, when I ran for the city council in Kalamazoo, and because I was just out of law school no one thought I would win. I was a member of a law firm of Sterns, Kleinstuck and Stapleton, and the head of the firm, Mr. Kleinstuck, said, "You know, we really don't like to have anyone run for the city council because it hurts our business if they're elected." But, he said, "I don't think you're going to be elected." Whereupon, when the count came in I was the seventh person. We elect seven in Kalamazoo, and the one with the most votes is mayor and the one with the lowest vote, number seven, is still on the council.

Tom Downs: I hope it didn't hurt your business much.

Judge Allen: Well, I'm not sure. I served about a year and Pearl Harbor came. Pearl Harbor came very shortly after I went on the city council. I stayed on the council for about a year and a half and then I was drafted.

Tom Downs: What did you do in the service?

Judge Allen: In the service I was in the Judge Advocate General's department. I started out as a lowly private, went through boot camp and all of that sort of thing and then got an appointment, made an application to go to the judge advocate school in Ann Arbor, which I did. After I graduated from there the general of the division, the 94th Infantry Division, issued an order to get me back with the division and I

came back as a second lieutenant in the very outfit in the very unit that I started out as a lowly private.

Tom Downs: Who was the general?

Judge Allen: General Maloney. Harry J. Maloney.

Tom Downs: Did you work under General Patton at all?

Judge Allen: Yes. When we were assigned overseas, an infantry division has about 15,000 men. We went overseas and went through the whole war, almost the whole war. We lost 11,500 of our original 15,000, either killed or wounded. The worst part was the Battle of the Bulge when we were assigned to the third army and I was with George Patton off and on all during the Battle of the Bulge.

Tom Downs: So, you weren't just being Judge Advocate then. You were actually in the front line?

Judge Allen: Well, I was in a division that was in the front lines, but fortunately the division headquarters is never right out there on the very front. We're back two or three miles, sometimes more than that.

Tom Downs: You survived.

Judge Allen: Yes.

Tom Downs: Where did you go to law school?

Judge Allen: I went to law school at Columbia University.

Tom Downs: Where did you do other college work?

Judge Allen: After I graduated from Columbia University I came and made application to be a law clerk to one of the Michigan Supreme Court judges. I was selected and I was law clerk for William W. Potter of Hastings, a very fine man who was Attorney General at one time for the state of Michigan, and then Supreme Court judge.

Tom Downs: And then you went to Kalamazoo College?

Judge Allen: When I started in college I went to my father's school of Amherst College and I went to school there in the fall of 1932. I was there in 1933 when all the banks closed. I didn't have enough money to eat. I sold my saxophone in order to get enough money to eat. My father didn't have enough money to send me back to Amherst for my sophomore, junior and senior years, so I walked three blocks from my parents home to the campus of Kalamazoo College and finished my college education, three years, at Kalamazoo.

Tom Downs: Some people have said you were the best educated person in ConCon, even better than the Harvard graduates.

Judge Allen: Well, I don't think that I ever would have been mayor of Kalamazoo if I had graduated and stayed at Amherst. I thought it was very unfortunate when I had to come back from Amherst, but I think probably it turned out to be very fortunate.

Tom Downs: Maybe you lucked in without knowing it.

Judge Allen: I think that's true.

Tom Downs: Now, tell us about your experience on the Kalamazoo Council. Is there anything memorable that happened there?

Judge Allen: There were a number of things. We were a debt-free city when I went on the council, but we had enormous problems with our river. Our river was filthy dirty. In order to correct that condition we had to issue bonds and go into debt, which we did. I don't recall whether that was when I was vice mayor or mayor, one or the other. So, that was a big change in Kalamazoo. Two other changes. One was we were in a constant battle with Kalamazoo Township, and my friend Joe Parisi, who was the township official, we wanted to expand the city limits. We went through nine different elections of which we won six and doubled the size, the area of Kalamazoo and increased its population by 20,000-25,000. The other important thing that happened while I was mayor was we put in the first permanent mall in the United States. We actually tore up Burdick Street, put grass in and converted it into a very lovely downtown area. That was very successful for a while, but eventually it didn't work out.

Tom Downs: Was that election partisan or nonpartisan?

Judge Allen: It was a nonpartisan election.

Tom Downs: What groups did you get support from?

Judge Allen: I lived on the north side of Kalamazoo, which was starting to become run down. I had great support from the north side and part of the reason that I had that support is that my grandfather on my mother's side back in the early 1900's was the alderman from that very area and I think people remembered this, and I was the beneficiary.

Tom Downs: That's good. Now, let's go back a little further. Tell us some of your high school experience. Remind me of that.

Judge Allen: High school?

Tom Downs: Yes.

Judge Allen: Well, I went to what was really what we would call today a charter school. Western Michigan at that time was called a normal school and the children of professors could go there free, but there weren't enough faculty to make a sizable school. They needed some other kids. The door was opened. It was made open to parents like my father who could put his children in this school, the normal school, with grades one to eight and then a high school called University High. My father paid a modest tuition and I and my brother and two sisters all went to the normal school. We had the benefit of the college faculty. I took four years of Latin and two years of German, and I had college professors. I played the clarinet and I was in the Western Michigan Band. I went to all of the football games in the various towns where we played. Actually, I had a college education while I was in high school.

Tom Downs: No wonder you've done so well.

Judge Allen: Yeah.

Tom Downs: Then Kalamazoo College as I recall. That's one of the early ones that encouraged students to go out of the country their third year. Am I correct on that?

Judge Allen: That is right. That occurred, though, after I had left. That occurred because of the beneficence of some of the Upjohn people and Dr. Rudolph White made a very high grant to the college, which made this all possible.

Tom Downs: Well, now we've got you on the council. Tell us when you got involved in ConCon.

Judge Allen: I made the mistake of running for a fifth term as mayor. My wife, Virginia, advised me not to do it. But, I did and I didn't run first. I ran third. I was elected to the council, but I was no longer the mayor. I felt rather bad about it until six weeks went by and the phone rang. The voice said, "This is George Romney." He said, "I've heard about you," and he said, "I've started a new organization called Citizens for Michigan, CFM." He said, "I want you to come and be one of my three top officials. I want you to be in charge of getting a constitutional convention." Now, he said, "I can't pay you anything," and I said, well, I'm used to that. As mayor of the city I was paid \$500 a year for my first four years and then they felt sorry and they tripled it. I was paid \$1,500 a year. Well, my wife Virginia spoke French fluently and she worked part time as a substitute teacher teaching French. I said, all right, I'll come and we'll try it out.

Tom Downs: Is that the first time you'd heard of George Romney or met him?

Judge Allen: That's the first time I met George Romney. I had heard of him and I knew about CFM, but it was very distant.

Tom Downs: Do you know who recommended you to him to be one of the top officers?

Judge Allen: Someone recommended me to him. I don't know just how it all came about, but I did serve as one of his three top people. Another one who was in charge of finance was right here from Lansing was Howard Stoddard of the Michigan National Bank. The third role was never really filled. It never got off the ground. It concerned the level of services for the state of Michigan. Was the state doing enough or doing too much? Well, we got in such a battle to try and get ConCon, we never got onto that third subject.

Tom Downs: Yeah. Now, you were one of the three key people for George Romney.

Judge Allen: Yes.

Tom Downs: Can you tell us a bit more about how you worked with him or what the relationship was?

Judge Allen: What we would do is we would hold a monthly meeting in Detroit at the American Motors Headquarters or at one of the hotels in the Detroit area. I would go over the night before the meeting and stay overnight in the hotel and at breakfast time meet with Ed Cushman who was Vice President of American Motors. He was formerly a professor of economics I think at Wayne University, and a very astute man, well versed in Michigan government. He did the planning work for Citizens for Michigan. He was really the chief of staff. Romney was the head of it, but the chief of staff had to keep the machine moving was Ed Cushman.

Tom Downs: Now, I think Ed's wife was very active in the League of Women Voters.

Judge Allen: Yes.

Tom Downs: Was she involved with your committee at that point?

Judge Allen: No. I never really knew his wife, Kay Cushman, until she became a delegate to the Constitutional Convention and then I was very pleased because I felt like I already knew her through her husband, but I didn't know her before.

Tom Downs: Yeah. What organization supported ConCon?

Judge Allen: The League of Women Voters was a strong supporter of ConCon, and the Junior Chamber of Commerce was also a supporter. The League of Women Voters was really the first organization. It was supporting constitutional convention long before Citizens for Michigan. But, the problem the League of Women Voters had is there weren't enough League of Women Voters. Not every county of Michigan had a League of Women Voters. There were relatively few. So, if I can use the word manpower for League of Women Voters, they probably wouldn't like that, they were short on woman power. Let's put it that way.

Tom Downs: They were an outgrowth of the old Suffragette movement, the League of Women Voters.

Judge Allen: They did the best they could, but the drive to secure enough signatures to get this thing on the ballot was failing despite the best efforts of the League of Women Voters. So, Ed Cushman and George Romney collectively said we've got to turn all of our efforts over to getting enough signatures and getting them within the next three months. Maybe it was even 60 days.

Tom Downs: Who was the one that actually headed up the petition drive?

Judge Allen: My committee.

Tom Downs: Yeah?

Judge Allen: Yes.

Tom Downs: And then did you pay for signatures?

Judge Allen: No. We didn't pay for signatures.

Tom Downs: Didn't pay for any signatures?

Judge Allen: What we succeeded in doing, I think it was Ed Cushman who came up with the idea of asking the Michigan Education Association, the teachers, to go out and each get a petition with 30 signatures, and I took about 50,000 signatures over to the St. Mary's Camp. St. Mary's Camp is just east of Battle Creek.

Tom Downs: You mean petitions?

Judge Allen: Petitions. They were distributed to all the teachers in the state of Michigan, and within six weeks we had a tremendous number of signatures. That was what qualified the question. There were really two questions, the question should there be a constitutional convention and whether a majority who voted at the election would carry the issue.

Tom Downs: Because in the past majorities voted for it, but not a majority of the voters voted.

Judge Allen: Of those voting at the election. That's right.

Tom Downs: Why was that Michigan Education Association so supportive?

Judge Allen: I think part of the reason they were so supportive is that they were interested in having a provision in a new constitution where the state would underwrite the pension retirement benefits or something along that line.

Tom Downs: Because that was not done before the convention.

Judge Allen: That was not done before.

Tom Downs: Did the Constitutional Convention do that?

Judge Allen: Yes.

Tom Downs: So, you were right at home on that issue.

Judge Allen: Yes.

Tom Downs: Now, tell us more about that. You talked about the meeting at St. Mary's Camp.

Judge Allen: Yes.

Judge Allen: St. Mary's Camp is a summer camp for the MEA. It's very similar to what numerous big corporations have, a summer retreat. For example, the UAW has a summer camp up near Alpena.

Tom Downs: Yeah, Black Lake.

Judge Allen: Black Lake. I think this camp, to the MEA, is what Black Lake is to the union.

Tom Downs: How many were at Black Lake when you went there, the conference?

Judge Allen: Maybe 100 or 200 people.

Tom Downs: That was the backbone of getting the petitions.

Judge Allen: Yes. That's right.

Tom Downs: That's amazing because getting petitions signed is a hard job.

Judge Allen: It was enormously successful.

Tom Downs: So, you would say the main thing for getting petitions signed was MEA.

Judge Allen: Yes.

Tom Downs: That was Ed Cushman's idea to go to that?

Judge Allen: Yes.

Tom Downs: And they were concerned about their pensions.

Judge Allen: I think there probably were other things that the MEA wanted, but I didn't know it at the time or still don't. I think a lot of it was an interest in government. I don't think it was all selfish. Part of it was just good citizenship.

Tom Downs: And teachers would be a group that would be expected to do that.

Judge Allen: Right.

Tom Downs: Were there any particular offices you remember that worked on this or was it their whole organization?

Judge Allen: The whole organization worked on it.

Tom Downs: Their headquarters is in East Lansing, is that right?

Judge Allen: That's right.

Tom Downs: MEA. But the camp was at St. Mary's Lake.

Judge Allen: Right.

Tom Downs: Now, after that you got the signatures, then there was a vote whether or not to hold ConCon. Do you remember what the vote was or what group supported it?

Judge Allen: The vote was very close. Do you mean the vote on the new constitution?

Tom Downs: No. No. To hold it.

Judge Allen: My memory, I haven't looked it up in so long. I can't answer you.

Tom Downs: We'll let somebody else look that up. You were active in other public activities. What was your role in the Michigan Municipal League?

Judge Allen: I was on the board of directors for three or four years and then was nominated to become president of the Michigan Municipal League. Which is the league of all cities in Michigan. And I was elected in 1958 and served in 58 and a bit of 1959. And in that capacity I came to know the fiscal problems of many of the cities in Michigan and also the related problems.

Tom Downs: That would be a good stepping stone for your role in the citizens for Michigan.

Judge Allen: Yes, I think it was an excellent one. Another thing I remember, it just so happened that was the year of the pay less pay days when governments supposedly stopped in Michigan and Soapy Williams was the Governor.

Tom Downs: I was one to advise against that. For your information.

Judge Allen: You gave good advice.

Tom Downs: Well, sometimes people don't listen to me any more than my kids do. So I guess you're familiar with that. Now, how much does it pay being head of Michigan's Municipal League?

Judge Allen: How much does it pay?

Tom Downs: Yes.

Judge Allen: Nothing. Nothing at all.

Tom Downs: You had all these free jobs. Did you get time to practice law or how did you manage to make a living?

Judge Allen: I practiced law. I sometimes felt sorry for my clients. It was hard going but with the help of my wife and two other members of my little firm of Crum, Allen and Mullen, I managed to squeak through.

Tom Downs: There were only three members of the firm?

Judge Allen: There were only three members of the firm.

Tom Downs: Yeah. Well that's amazing. I say there's a lot of pro bono work you did.

Judge Allen: And after I came with George Romney, one of the two remaining partners, Mullen, became a circuit judge in Kalamazoo County. And did it very successfully. CH Mullen, he died a week ago and I was at his funeral in Kalamazoo last Thursday.

Tom Downs: So you had a close connection there within your firm.

Judge Allen: Yes.

Tom Downs: Now, let's talk a little bit more about ConCon. What committee were you on in ConCon?

Judge Allen: I served on the local government committee which was a fascinating job. Art Elliott was the chairman of the committee. He was a long-time friend of George Romney, he was also a Mormon like George Romney and because of all the work I'd done in the municipal league I was well suited for that committee.

Tom Downs: Were you officially representing the municipal league or just the experience?

Judge Allen: No, I was not, no. We didn't have ... I think that would have been prohibited.

Tom Downs: Did the municipal league send anybody up to the meeting?

Judge Allen: The municipal league followed our convention closely and issued a bulletin every month about what we were doing and on certain issues said we were wrong and on other said we were right.

Tom Downs: Did you have a pretty good score?

Judge Allen: I don't recall.

Tom Downs: How about the townships. Did they have much influence in ConCon?

Judge Allen: Yes, I think the townships had an influence. There were a number of us including myself who felt we could be better off if we didn't have townships. We were too fragmented. But we knew that if we'd eliminated townships we never would get a yes vote on a new constitution, so we didn't press that point and there were other incidences during ConCon which I'm sure you will remember where we thought of making some changes but didn't because we would lose the vote.

Tom Downs: You learned to be very practical.

Judge Allen: We had to be practical if we were going to get a new constitution and I think we were. I think both parties used a lot of common sense.

Tom Downs: And how about in the committees. Was it a pretty good relationship between both political parties and the individual members?

Judge Allen: We really had three political parties. We had two thirds of our delegates were Republican and one third Democrat but the Republican, two thirds was divided about equally in two between farm bureau more conservative group led by D. Hale Brake and the more moderate Republicans led by George Romney.

Tom Downs: D. Hale Brake what was his background?

Judge Allen: D. Hale Brake?

Tom Downs: Yes.

Judge Allen: D. Hale Brake background was primarily a background of county government and he eventually ... He was the leader of the Michigan county organization and did it very effectively. And then he became state treasury.

Tom Downs: I don't wanna beat a dead horse but the delegates were elected on the basis of the old legislature. Did that have much affect on things or do you think it mattered much?

Judge Allen: I don't think it mattered much.

Tom Downs: Yeah. But the three groups were the conservative Republicans, the George Romney Republicans and the Democrats.

Judge Allen: Right.

Tom Downs: At about equal number of the three.

Judge Allen: At about equal numbers.

Tom Downs: Yeah.

Judge Allen: And we couldn't do anything without making a deal with one of the groups and we were constantly making various relationships. We were bitter enemies at one time and good friends on another issue. But it worked.

Tom Downs: Yeah. That's the important thing was that it worked.

Judge Allen: Yes.

Tom Downs: I think that's interesting that with all your academic background, Kalamazoo College, Columbia University and so on, maybe your experience in the mayor's office gets to be very practical, which it did.

Judge Allen: Oh, I think my experience into the mayor's office and I think equally the experience I had as a county supervisor, we called it supervisors then rather than commissioners. I learned a tremendous amount. I'd be on the board of supervisors of Kalamazoo County.

Tom Downs: We haven't mentioned that before. How were supervisors selected at that time?

Judge Allen: Supervisors then were selected by election from the various townships in Kalamazoo County, but the city automatic used its city councilmen. It used one member who could be on the board of supervisors and they selected me as mayor.

Tom Downs: One member of the city council to be on the board of supervisors. So you were both on the board of supervisors at the same time you were being mayor.

Judge Allen: Right. And when we would hold our meetings in the board of supervisors, we were paid \$15 a day but if we only worked a half a day we got, I think, \$7.50 so always, as our meetings were carried over 'till afternoon.

Tom Downs: You didn't have to punch in and out. Well then, let's talk about after George Romney was elected Governor. What happened in that period?

Judge Allen: George Romney appointed me to be director of the budget. The technical term at that time was controller, not comptroller but controller. And I was automatically the secretary to the state administrative board. And state budget director. My official title was state controller. And I was in charge of and would

call the meeting of the state administrative board all during the time I served with George Romney.

Tom Downs: And did you attend those meetings regularly?

Judge Allen: And I attended those meetings. I actually, although I had the title of secretary, I didn't sit there and take all the notes. I used my own secretary Doris Barber, a wonderful lady who had been the secretary for my predecessor Ira Polley and she would sit with me in the meetings in the Governor's office and take all the notes and write them up.

Tom Downs: Tell me more about Ira Polley, did you know him very well?

Judge Allen: I didn't know Ira Polley until I came to Lansing. George Romney was to take office on January 1st, 1963. And I had been appointed right about Thanksgiving time by Romney to be his new budget director. I came and made an inquiry, "How are you doing on the budget, Ira?" And he said, "I haven't done anything. There's a new Governor and I shouldn't do anything. I haven't done anything." Well, we almost panicked because here was already Thanksgiving and nothing had been done on the budget and I said, "We start right now," I took off my coat and I sat down at the table and we started on that budget.

Tom Downs: You and Ira Polley?

Judge Allen: No, without Ira Polley.

Tom Downs: Yeah. No, but I used Ira Polley's two chief lieutenants, Dick Beers and Paul Weldon and various members of the office of management and budget. Without them we couldn't have done it.

Judge Allen: So, you started acting as budget director even though the Governor wasn't in office yet.

Tom Downs: Even though I wasn't.

Judge Allen: Even though you weren't until January.

Tom Downs: Yes.

Judge Allen: Well, that's interesting. So then your budget director ... Do want to tell us a little bit more about what happened as budget director?

Tom Downs: Well, we did very well on our budget. Particularly Romney's first year, we had the budget completed and voted on well before the middle of June and we had excellent cooperation from the Democrats also in that first year. While I was budget director we never had a deficit. But I'm not going to take the credit for it

because we had a strong economy and JFK was president, we had just as we do today, we had a strong economy going and that helped us.

Judge Allen: You said the Democrats worked well with you. Was that the staff people or the legislators or both?

Tom Downs: Both.

Judge Allen: Who was it. Was it Joe Kowalski? Who was the Democratic leader then?

Tom Downs: Kowalski.

Judge Allen: Joe happened to be my best friend incidentally, so ...

Tom Downs: Well, the first year Bill Ryan and then Kowalski. And Bill Ryan was very helpful.

Judge Allen: Bill Ryan was very helpful. He read every bill. Joe Kowalski had his staff read the bills.

Tom Downs: That's right. But we also had a new speaker. We had Bob Waldron who turned out to be excellent.

Judge Allen: Yeah, Bob Waldron I know was very conscientious.

Tom Downs: Yes.

Judge Allen: Then that was your experience as budget director. How many years were you budget director?

Tom Downs: Eight years.

Judge Allen: And that was under the Romney administration.

Tom Downs: That was under the Romney administration.

Judge Allen: Then how did you become a judge?

Tom Downs: When Bill Milliken became Governor, Romney in February of 1969 was appointed by Nixon to be head of HUD and went to Washington. Bill Milliken immediately became Governor.

Judge Allen: He'd been Lieutenant Governor.

Tom Downs: For a few months still as budget director but then Milliken named John Dempsey as state budget director and controller and made me his legal advisor so I served with Milliken for three years as his legal advisor and then a vacancy occurred in the supreme court to which Milliken appointed John Fitzgerald.

Judge Allen: As legal advisor, what did you do in that role? Legal advisor to Governor Milliken?

Tom Downs: What other advisors?

Judge Allen: No, what did you do?

Tom Downs: I served in a double capacity as legal advisor and also as legislative advisor. I did a lot of work on the floor with the house and senate members trying to steer legislation that Milliken favored and opposing that which he opposed.

Judge Allen: And there you worked on a bipartisan basis.

Tom Downs: And the reason I was in that role is I was the only senior member of the Romney staff that carried over to the Milliken administration so I had a lot of acquaintanceship with the legislators that no one else on the new Milliken staff had.

Judge Allen: William Milliken was a lieutenant Governor under Governor Romney, is that correct?

Tom Downs: That's correct.

Judge Allen: So then Romney went to HUD in Washington?

Tom Downs: He went to HUD and I actually took his letter of resignation down the hall and gave it to Dick Austin and the secretary of state and I made Milliken Governor.

Judge Allen: So you made Milliken the Governor.

Tom Downs: Yes

Judge Allen: Now, did you know them both pretty well?

Tom Downs: Oh, I knew them both very well, yes of course.

Judge Allen: You want to tell a little about them, what you thought of the two of them and how they worked?

Tom Downs: Well, I think Michigan was fortunate to have two very excellent Governors but their styles were very different. George Romney was up and charging on everything. Sometimes he would go too far too fast and we on the staff would take turns trying to slow him down, really. Wonderful man to work for but we had to tell him no every now and then. Milliken was calmer, more reserved and exceedingly polite. Seldom made any mistakes. Very seldom, he would say the wrong thing at the wrong time. Each had their own style and each I think were very effective.

Judge Allen: Of course, Romney had come out of private industry.

Tom Downs: He came out of private industry.

Judge Allen: He'd been the CEO of the company. And what about Milliken's background. What was his?

Tom Downs: Milliken had a father who had a leading mercantile store, Milliken's, in the Traverse City area and in Cadillac but he also was a senator in the legislature in Michigan so Bill had a combination of the two.

Judge Allen: Yeah, the combination of business background plus a political background.

Tom Downs: Right.

Judge Allen: Whereas George Romney came out of the private sector.

Tom Downs: I think one thing that helped Romney so much was his ConCon experience. There are a number of us who have felt, and I don't mind saying so, that if George Romney had been president of ConCon rather than Nesbitt he probably would not have been Governor.

Judge Allen: Well, Steve Nesbitt had ability to keep things glued together.

Tom Downs: Steve Nesbitt kept everybody calm and kept things moving.

Judge Allen: Yeah. I said glued together and moving.

Tom Downs: Right. Romney needed the political experience of ConCon in order to adequately do the job as Governor.

Judge Allen: Where did his key staff come from?

Tom Downs: Romney's key staff came from people he worked with at ConCon.

Judge Allen: Which bears out your point that ConCon not only gave him a stepping stone in government but gave him the ability to analyze how people could work.

Tom Downs: That's right.

Judge Allen: So that ConCon provided a farm team for executives of the Governor's office.

Tom Downs: For example, Bob Danhof was a ConCon delegate and head of the committee on judiciary and he became Governor Romney's legal advisor. First he started out for one year as his legislative advisor and then switched to legal advisor. People who had worked on the staff under CFM became Walter De Vries for example. People that Romney worked with at ConCon were the basis of his staff.

Judge Allen: What did Walt De Vries serve as with Governor Romney?

Tom Downs: He was the think tank of the new programs and development. Head of that branch of the Governor's staff.

Judge Allen: So, he was the think tank.

Tom Downs: He was the think tank operator.

Judge Allen: Not that others weren't but he was ahead of it.

Tom Downs: Yes. Arthur Elliott for example became state chairman but he worked with Romney at ConCon.

Judge Allen: Now Danhof had been the campaign manager for Steve Nesbitt to be ConCon president.

Tom Downs: I had forgotten that. You're reminding me Tom.

Judge Allen: Maybe I'll be interviewed sometime but I hope you don't mind me opposing some of those things.

Tom Downs: Not at all.

Judge Allen: That I think could help us. And the other thing, just aside. I feel that you and I've become very good friends since ConCon.

Tom Downs: My criticism of term limits that those of us there, most of us got there not knowing each other at all, and I think if you and I had known each other as well as ConCon started as we do now, we might have gotten a little more done. I don't know, but I think that's true. We've made very good friendships in ConCon.

Tom Downs: Did you feel that?

Judge Allen: Tom, I remember so well when ConCon finished, we started having debates on should they have a yes vote or a no vote. And the first big debate was before the CIO, and I was to debate you, and you and I put on the first big debate. And when I, and Gus Shull was the moderator, when I got up to speak, someone had handed the delegates yard sticks as an advertising gimmick, and everyone started beating their yard stick on the table and my voice couldn't be heard.

Tom Downs: I think the ACLU would probably have disapproved of that.

Judge Allen: It took Gus Shull after about five minutes to stand up and give his delegates a lecture and say let Glenn Allen talk. You don't have to believe a word he says, but let him talk.

Tom Downs: At least let him talk.

Judge Allen: Yeah. So I didn't. I did talk and then we all went and had lunch together.

Tom Downs: And we've had lunch ever since from time to time.

Judge Allen: And that is true. Then you came to Kalamazoo and we had a debate in Kalamazoo that was moderated by Willis Dunbar, the well-known professor of history who wrote the book on Michigan history and who did a political analysis on WKZO in Kalamazoo and he moderated in the debate between you and me.

Tom Downs: So we've had a lot of relationships-

Judge Allen: So we have, that's right.

Tom Downs: But I think in all that time when, I feel it's been a very friendly relationship.

Judge Allen: It was a friendly relationship. We didn't agree on some things, on a number of things.

Tom Downs: Yeah, apportionment was the big issue.

Judge Allen: But we politely disagreed.

Tom Downs: Apportionment was probably the biggest single issue, and it's kind of sad because the US Supreme Court decided that it's kind of a tempest in a teapot with our getting so involved, and really the Supreme Court decided it.

Judge Allen: Yes, that's true.

Tom Downs: Tell us a little bit more about the Court of Appeals. People tend to think that the judicial operates a very stuffy, removed from reality. Can you tell us about some of the people on the Court of Appeals and experiences they had?

Judge Allen: Well, when I went on the Court of Appeals there were only 12 judges and we were elected from three different districts. Each district had approximately three million people, but in Wayne County and two other counties you could get, you had three million people, but from my district it took 63 counties to have three million people.

Judge Allen: One of our more interesting judges on the Court of Appeals when I went on was T. John Lesinski. But I had known T. John Lesinski when he was Lieutenant Governor under George Romney and could even tell you an interesting story if you would like.

Tom Downs: We would.

Judge Allen: T. John would love to have the car, the Governor's car, when Romney would leave the state, and every now and then Romney would go out to Salt Lake City because of his Mormon connections. When T. John had the car, he had a habit of not smoking a cigar, but biting little pieces of it off and spitting them out, and Lenore didn't like that when the car came back. So she told George don't let him have the car.

Judge Allen: So there comes a day, and he is invited to go out to Salt Lake City, and he leaves without telling T. John. It just so happened that Judge Gillis on the Court of Appeals was at the airport and saw Romney leave. Gillis goes down to his office and bumps into T. John. And he says, I see, I hear you're Governor today. And T. John says I didn't know that. What do you mean? Well, he said I'm going to call and ask for the car.

Judge Allen: So T. John gets on the phone and calls Governor Romney's secretary, Peg Little, and says to her I understand that the Governor is gone to Salt Lake City. And Peg said yes. He said, well, I want the car. Peg said you'll have to talk to the trooper, who was Neil who sat right next to her at the office. She turns the phone over to Neil and Neil says to T. John, the Governor says you're not to have the car. And T. John says listen, you are talking to the Governor. Peg, while this is going on, is calling me in my office and telling me all this saying what do we do? I said, you give him the car, which we did, which is a very interesting story.

Tom Downs: I can tell a little sequel to that. Bill Marshall worked for the CIO at that time and had been a ConCon delegate. He and I were at the old Olds Hotel, and T John called us Pork Choppers. Says Pork Choppers, I'll be by in the car. And he picked the two of us up. We went on our way to Hamtramck, and that was quite an evening, I can tell you. I said T. John knew how to live and he had that feeling about the car that he was the Governor, and I can see how that happened.

Judge Allen: T. John was a very colorful person and a very good administrator. He ran a very successful court.

Tom Downs: Well one thing he did, in California, the Court of Appeals is divided, and the fiefdoms kind of the same once where T. John, as I understand it, insisted that the judges rotate so you wouldn't have judge shopping with the lawyers. In other words, if you had just Upper Peninsula judging Upper Peninsula, it'd be an entirely different setup. And I think it's a very sound administrator. Do you want to comment on that? You think it's good that the Court of Appeals judges didn't have specific geographical areas?

Judge Allen: I think it was much better that we could sit statewide rather than as in Ohio sitting only in our little narrow district. In other words, T. John coming from Wayne County, if we had the system of representing, being a judge only in your own district, would have constantly served only in Wayne County and two small counties.

Tom Downs: Yeah.

Judge Allen: I think it's much better. We on the Court of Appeals, we never were, and I still believe we continue not to, we are not split on Republican versus Democrat. The splits on the Court of Appeals are more on are you plaintiff-oriented or are you defendant-oriented? Or are you really tough on sentencing or are you more moderate on sentencing? Those are the issues rather than the Republican Democrat.

Tom Downs: And is not bound by geography.

Judge Allen: And we're not bound by geography.

Tom Downs: In fact I remember, as the opposite, I had a matter in Wayne County, and somebody from Wayne County wanting to be disqualified gets someone from a different part of the state to be at the hearing. So there's the very opposite of Ohio and California where you didn't gear in on a geographical location.

Tom Downs: So I think that's been very interesting enough on the apportionment. I think Judge Danhof said that the Court of Appeals was the one body we create on a one person, one vote basis. Strict population.

Judge Allen: That's true.

Tom Downs: In the whole Constitution.

Judge Allen: Yeah.

Tom Downs: So side point.

Judge Allen: Yes

Tom Downs: Do you have any more experiences on ConCon you want to talk about?

Judge Allen: No, I don't believe so, Tom. You've asked me all sorts of questions.

Tom Downs: How about the Court of Appeals? Or do you think the Court of Appeals has been successful that was created as an intermediate court? Do you think that's been a good idea or not?

Judge Allen: I think intermediate court has been a very necessary idea.

Tom Downs: Yes?

Judge Allen: Yes. Because without it, there would be no remedy for the losing party at the circuit court level. Except for the Supreme Court, which is, there would be too

many, the Supreme Court can hardly handle the case that's coming to them now.

Judge Allen: We actually act as a screening court. Three quarters of the cases, we are actually the court of last resort rather than the Supreme Court as a practical matter because most of, two thirds, at least two thirds of the decisions which is, the Court of Appeals make, are approved by the, are the Supreme Court.

Tom Downs: And how many are even not appealed to the Supreme Court? I mean people would have the decision of the Court of Appeals and those are not automatically appealed to the Supreme Court.

Judge Allen: You have no automatic appeal from the Court of Appeals to the Supreme Court. It's on a permission basis.

Tom Downs: Yeah. And actually I think many people are, they have their hearing in the Court of Appeals, and whatever the result is, they take that without even trying to get leave to appeal.

Judge Allen: That's right.

Tom Downs: Well Judge, we certainly appreciate your coming and taking the time. I'd kind of like to wrap it up. Now you want to tell a little bit more about what you've done since your term was up on the Court of Appeals and why you didn't run again?

Judge Allen: I left the Court of Appeals because of the age limitation on January 1, 1987, and in the intervening time I've sat back on the Court of Appeals from time to time, but also I've acted as trial judge, as circuit judge in Mackinac County at St. Ignace during the summers, and in order to get there from my cottage, which is at Mackinac Island, I take the ferry. So I say I'm the only judge in Michigan who goes to work by ship.

Judge Allen: Since I've left, the two new judges took my place and place of the judge who also retired with me, coming on to take our places is Judge Betty Weaver, who's now on the Supreme Court, and Judge Hal Sawyer from Grand Rapids.

Tom Downs: Well Judge, I want to thank you very much for taking the time and giving us that practical insight. I'm sure the Michigan Political History Society will appreciate this. Let you know the tapes then go the Political History Society then to Wayne University, Michigan State University, and the University of Michigan. So this does make the information available to the general public in the state.

Judge Allen: Well thank you Tom for this interview.

Tom Downs: Okay. Thank you.