



## **U.S. District Judge Patrick Duggan 1933-2020**

U.S. District Judge Patrick Duggan, whose 39-year judicial career put him at the apex of high-profile civil and criminal cases, passed away at 4:30 a.m. today at Angela Hospice in Livonia following a lengthy illness. He was 86.

Duggan, the father of Detroit Mayor Mike Duggan, launched his judicial career by chance – when someone sent him an unsolicited application for appointment to the Wayne County Circuit Court.

It took three attempts for Duggan to land a spot on the Wayne County bench and two more to become a federal judge.

“If I hadn’t gotten that application in the mail, I don’t think I would have even thought about it,” Duggan told the District Court’s historical society in 2009.

Duggan’s passing is a big loss, said judges who knew him.

“Judge Duggan was a great judge and a valued colleague,” said Chief U.S. District Judge Denise Page Hood. “He was fair minded and respected the law. He had a good sense of judges as a group and I valued his opinion on issues facing our court and judges. I will miss him... My heart goes out to his wife, Joan, and his family of whom he was extremely proud.”

Added Senior U.S. District Judge Avern Cohn: “Judge Duggan and I first met when he was city attorney for Livonia and I was practicing law. We developed a friendship that continued through his service on the Wayne County Circuit Court and his appointment as a judge of this court. He was always calm, thoughtful and fair minded. Absent from his makeup was any prejudice or bias. We will all miss him.”

U.S. District Judge Sean Cox, whom Duggan mentored throughout Cox’s judicial career, said: “Judge Duggan was a great judge but an even better person. He

had an incredible work ethic. He cared about the law and the people who appeared before him. He had a quality which is very rare now days – common sense.”

Duggan was born Sept. 28, 1933, in Detroit, the son of an Irish immigrant father who worked in auto plants before opening a real estate business on the city’s eastside, where Duggan grew up with three older sisters. His mother, who was born in Detroit, taught in the city’s elementary schools.

His parents were very religious, enrolled their children in Catholic schools and imparted the values of honesty, hard work and integrity.

Duggan attended St. Clare de Montefalco Elementary School in Grosse Pointe and graduated in 1951 from De La Salle High School, an all-boys Catholic school which has since relocated to Warren.

His father was a Notre Dame University fan and wanted him to enroll there. But Duggan opted for Xavier University in Cincinnati after visiting the campus with a friend. Duggan said he worked part-time as a loader at a nearby dairy and made special deliveries for the U.S. Post Office to help pay for his education.

After receiving his Bachelor of Science Degree in Economics from Xavier in 1955, Duggan enrolled at the University of Detroit School of Law and received his law degree (cum laude) in 1958. (The school selected him Alumnus of the Year in 2008.)

During his third year of law school, Duggan married Joan Colosimo, a nursing student he met two years earlier at a college dance. The Duggan’s have four sons: Mike, Dan, Jim and Tim. A fifth son, Bob died in 2011.

After receiving his law degree, Patrick Duggan joined what would become the Brashear, Duggan & Mies law firm in Livonia, where he had clerked while attending law school. He specialized in personal injury and commercial cases and became a partner.

The firm’s founding partner, William Brashear, was mayor of Livonia and encouraged his associates to get involved in civic activities.

Duggan obliged, serving as president of the Michigan Jaycees in 1967-68, chairman of the board of the Livonia Family YMCA, 1970-71, president of the Livonia Bar Association, 1975-76, and trustee of Madonna University in 1970-79. He also got involved in Republican Party politics and supported Gov. William G. Milliken’s campaign for governor in the late 1960s.

In the mid-1970s, Duggan received the unsolicited judicial application. Milliken appointed him to the Wayne County Circuit Court in 1976 on his third try. Duggan

said close friend, Livonia Mayor Edward McNamara, a Democrat, put in a good work for him with Republican Lt. Gov. James Brickley.

“I have nothing but positive memories of the Wayne County Circuit Court,” Duggan said of his 10 years there. He said the court attracted high-profile civil cases because its juries’ penchant for awarding plaintiffs huge damage awards. He said he also enjoyed working with lawyers who practiced before him.

When vacancies opened on the U.S. District Court bench in Eastern Michigan, Duggan filled out another judicial application and received a nomination on the second try.

Duggan said some Republicans were concerned that Duggan might be too liberal because his wife, Joan, was an administrative assistant to McNamara. Duggan said Richard Headlee, an influential Michigan Republican, voiced his support for Duggan and his name was submitted to the White House.

President Ronald Reagan nominated Duggan in September 1986, the U.S. Senate easily confirmed him, and Duggan took office that October.

In the years that followed, Duggan handled several newsworthy cases.

In 1989, he sentenced Detroit Red Wing star Robert Probert to six months in prison for trying to cross the border from his native Windsor to Detroit with 14 grams of cocaine concealed in his underwear.

In 1997, Duggan sentenced former Detroit Tigers great Denny McLain to eight years in prison for embezzling more than \$2.5 million from a Chesaning meat packing company that McLain and a business partner had purchased in 1994.

In 1998, Duggan upheld a statewide referendum that imposed term limits on state elected officials.

In 2000, he made national headlines by upholding affirmative action in admissions at the University of Michigan’s College of Literature, Science and the Arts. The U.S. Supreme Court eventually disagreed with Duggan on the facts of U-M’s point-based admissions policy but agreed with him that race could be considered compelling government interest in a narrowly tailored admissions policy.

In 2013, Duggan ruled that Wayne County sheriff’s deputies did nothing wrong when they asked a group of confrontational Christian evangelists to leave the annual Arab Festival in Dearborn to avert a clash with Muslim festival goers. A three-judge panel of the U.S. 6<sup>th</sup> Circuit Court of Appeals upheld Duggan’s decision in a 2-1 ruling, but the full appellate court, sitting en banc, later overturned him.

Duggan says he took such reversals in stride.

“Occasionally, when I looked at the opinion, I’d say, ‘You know, they were right, and I was wrong.’ Or, I’d say ‘They are still wrong.’ But that’s the way it is.”

Lawyers gave Duggan high marks for his legal ability.

“He really knows his stuff,” one of them told the Almanac of the Federal Judiciary. He is extremely intellectually curious.”

But they said Duggan’s gruff manner, booming voice and impatience occasionally intimidated lawyers, especially when they showed up unprepared for court.

Duggan was old school. He rarely used a computer and relied on his secretary to print out his email.

He said the isolation of being a federal judge didn’t bother him much, though he missed the frequent contact he had with lawyers in circuit court.

Duggan took senior (semi-retirement) status in September 2000 but continued working with a full case load. He went on inactive status in September 2015

His wife said he simply came home one day and announced that he was ready to retire.

“I enjoyed the work immensely, but there comes a time to call it quits,” Duggan said in a 2018 interview.

Asked how he would like to be remembered as a judge, Duggan told the historical society: “As one who carefully evaluated the issues before him, and listened to the arguments, and treated the lawyers with respect.”

Judge Duggan will be interred in a private service. A public memorial service will be planned for later this year when the coronavirus crisis has eased.