

Judicial Profile

CLARENCE M. DASS

Hon. Mark A. Goldsmith U.S. District Judge, Eastern District of Michigan

THE DECISION WEIGHED heavily on him. It seemed as if, after years on the bench, reaching a conclusion would be easy. But not for Mark Goldsmith, who, while a judge of the Oakland County Circuit Court in Pontiac, Mich., was confronted with a sentencing hearing involving a young mother convicted of smothering her newborn infant to death. This was not Goldsmith's only case, but he treated it—as he treats all the cases over which he presides—as if it were his only case.

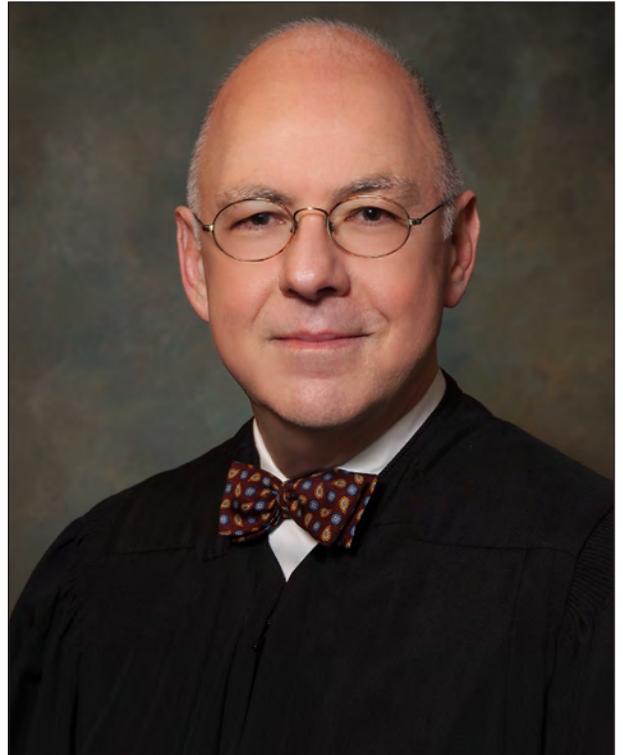
While that experience and the gravity involved in making his decision in this case undoubtedly left an indelible impact on his life, Judge Goldsmith would soon embark on a chapter in his career that would present a new frontier of important problems to solve—serving as the newest federal judge in the Eastern District of Michigan.

Growing Up a Problem Solver

President Barack Obama nominated Mark Goldsmith for the federal bench, and the Senate confirmed him unanimously on June 21, 2010. His career of solving complex problems and making critical decisions, however, began long before then.

Judge Goldsmith was born a Michigander. After growing up in the Detroit area as the youngest of five children, he attended the University of Michigan. His passion for solving problems led him to a career in the law, which he began after graduating from Harvard University Law School in 1977.

Faced with a host of opportunities, Goldsmith moved to the fast-paced legal arena of New York City. His first job as a lawyer was with Paul, Weiss, Rifkind, Wharton & Garrison, where he handled complex commercial litigation, including securities and antitrust matters. Problem-solving became his niche, and he soon realized how much his hometown could benefit from his growing skills. He moved back to Michigan and set up his own private law practice. He solved problems on a variety of levels, handling both civil and criminal matters at both the trial and appellate levels and in



state, federal, and even military courts.

After managing his own law firm for six years, Goldsmith took his problem-solving techniques to the law firm of Honigman Miller Schwartz and Cohn in 1987, eventually becoming a partner in the firm's Litigation Department. At Honigman, he handled civil litigation in broad areas such as environmental law, insurance, real property, receiverships, partnerships, and debtor-creditor relations. He also represented prisoners in civil rights pro bono litigation.

Solving Problems from the Other Side of the Bench

Judge Goldsmith's reputation as a problem solver soon caught the eye of Michigan's political leaders. In 2004, Gov. Jennifer Granholm appointed him to the Oakland County Circuit Court. Even though it was a new arena with new problems to solve, his passion for doing so remains the same.

As a judge, Mark Goldsmith enjoyed learning new things from the attorneys who practiced before him. The broad variety of issues, the volume of cases, and the outstanding practitioners he encountered created

what he refers to as an “effervescence” in the court over which he presided.

To be sure, Judge Goldsmith always enjoyed solving problems as a lawyer. On the other side of the bench, however, he found many more tools and opportunities to do that. “Getting litigants to see a reasonable compromise as preferable to full-dress litigation brings me a great deal of satisfaction,” he has remarked. Still, Judge Goldsmith often misses the intimacy he enjoyed with his clients when he was a practicing lawyer. The sense of helping his clients through legal crises enriched his life.

The judge has found the same kind of satisfaction from his judicial responsibilities, especially in the area of sentencing. Realizing that these types of problems often involve a person’s freedom and liberties, he often found himself “wrestling” with how to fashion an appropriate sentence. He gave each case and each party his full, undivided attention, and made sure to consider every possible factor before making a decision.

Such thoughtfulness reflects the change he experienced when he moved from the state bench to the federal bench. As a federal judge, Goldsmith enjoys having more time to deliberate, which he distinguishes from the time he spent as a busy state court judge. He uses his newly found, less hectic pace to spend more time thinking through issues and writing opinions, rather than issuing rulings from the bench.

Even though he enjoys the extra time he has to spend on cases, Judge Goldsmith did not expect how few cases would reach trial at the federal level. While he was in trial just about every week as a state court judge, he has presided over only two trials in his nine months as a federal judge.

Addressing Society’s Problems Beyond the Bench and Bar

Despite his storied and busy career, Judge Goldsmith has always given back to the society that shaped his life. He sits on the Executive Board of Wayne State University’s Center for the Study of Citizenship, an entity that promotes interdisciplinary research and exchange about citizenship within a global community of scholars; students; political, community, and business leaders; and the general public. In particular, he finds himself aligned with the center’s mission of encouraging analysis of the relationship between citizens and the political, social, economic, and cultural communities of which they are a part. According to Judge Goldsmith, such a sense of community is what makes America great.

Judge Goldsmith has also served as president of the Eastern District of Michigan Chapter of the Federal Bar Association and also as the chapter’s pro bono chair for many years. It makes sense, then, that Judge Goldsmith worked on the board of Forgotten Harvest, a food bank, and Circle of Friends, a program that teaches acculturation skills to immigrants.

As if these commitments were not enough, he has



Judge Goldsmith with his wife and daughter.

also served as a hearing panelist for the Michigan Attorney Disciplinary Board and has taught students as an adjunct professor at Wayne State University’s Law School.

Finding the Balance

To prevent succumbing to the rigors of a federal judgeship, Judge Goldsmith maintains an active personal life. Besides enjoying his relationship with his 31-year-old stepson and 17-year-old daughter, he now spends time with his new granddaughter. He enjoys going to the movies with his wife and daughter, as well as reading, especially books dealing with American history.

Amidst it all, he always finds time to nurture his spiritual life. He spends several hours every week leading religious services at his synagogue, where he serves as the cantor. He also attends weekly classes studying the Talmud, an ancient compendium of Jewish law and lore.

Problem-Solving for the Future While Relying on the Past

Judge Goldsmith’s career as a federal judge has just begun, but his exceptional career as a problem solver has been long in the making. The lessons he learned while serving as a state court judge—and, before that, as an attorney in private practice—have solidified his dedication to treating every problem in the case before him as though it is the only one confronting him.

The Eastern District of Michigan will long benefit from Judge Goldsmith’s thoughtfulness and dedication. **TFL**

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