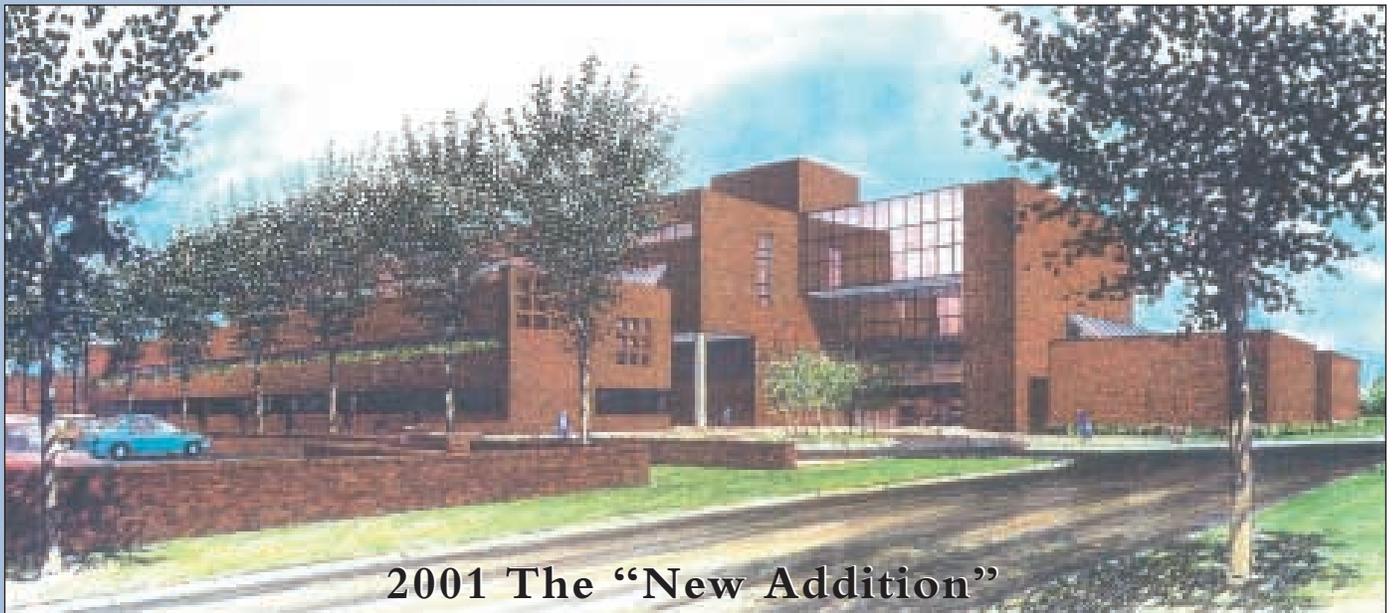
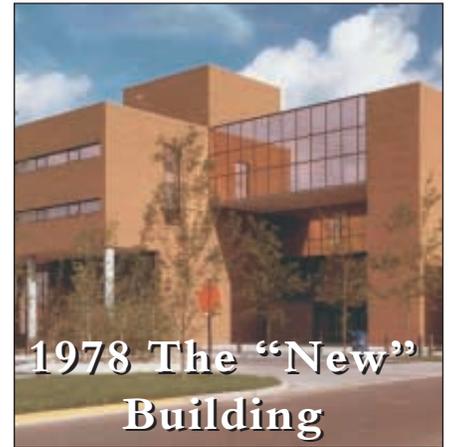
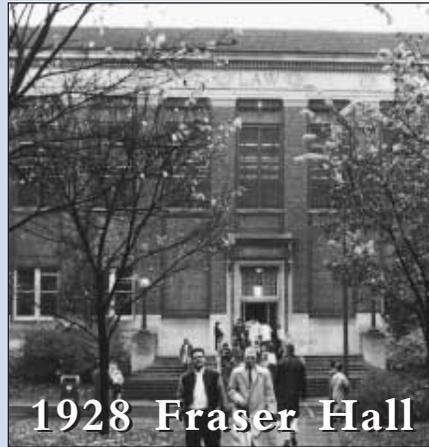


LAW ALUMNI NEWS

FALL ■ 1999

UNIVERSITY OF MINNESOTA



The Dean's Perspective



Dean E. Thomas Sullivan

In the last issue of the *Law Alumni News*, we featured several aspects of the emerging curriculum at the Law School, and underscored the importance of public law and the distinguished faculty who teach in the public law curriculum. We noted that students should view the curriculum from the viewpoint of a seamless web from theory, to doctrine, to skills development, to application of law in the context of clinical education, to how law is actually practiced today.

In this issue, we describe a new interdisciplinary approach to the study of law and public policy questions. Those who practice law today know that with the explosion of legal information, technology, and the internationalization of law, the lawyer, judge, and public policy analyst must have the capacity, interest, and understanding of the interdisciplinary nature of how law is evolving and changing all of our lives.

In addition to expanding our existing Joint Degree Programs with the Humphrey Institute of Public Affairs and the Carlson School of Management, the Law School has launched a new Joint Degree Program in Law, Health, Life Science and Biotechnology. Each of these areas is directly connected with the explosion of practice in the field of intellectual property law. In Minnesota and throughout the University, this Law School will take a leadership role in these interdisciplinary connections. Together with our new Affiliated Faculty, we are excited about the integration of interdisciplinary studies to the strong curriculum already in place at the Law School.

Further, a curriculum that looks to the future is essential for a leading law school. Indeed, as we announce at Homecoming on October 29–30, the public phase of the Law School's Capital Campaign, we also consider how the Law School Building, itself, is able to adapt to new technologies and new areas of study. "Campaign Minnesota: The Law School's Next Century," the capital campaign for the Law School, will strive to expand the physical boundaries of the Law School in order to accommodate the rapidly growing dynamic curriculum and research interests of the faculty.

The cover of this issue of the *Law Alumni News* features the three Law School buildings that have housed the academic legal program for 112 years. The Law School moved into Pattee Hall in 1889, one year after the commencement of legal studies at the University. For 39 years Pattee Hall served the Law School during the early foundations of building a great Law School. In 1928, the Law School moved to Fraser Hall where it remained for 50 years. In January of 1978, the "new Law School" building was built to accommodate the modern contemporary curriculum. A centerpiece of the Capital Campaign will be an addition to the present "new Law School" building. In reality, it will be Phase II of the plan developed nearly 25 years ago to build the "new Law School" building. At that time, the Legislature ordered that the building be built in two phases since the initial cost estimates, in the Legislature's view, were too expensive. Now some 22 years later, we hope to finish that marvelous design and create new space for the Law School of the 21st Century.

During the month of October, the architectural and general contractor selection will be made, with plans to commence construction in early Spring. After several years of careful review, we believe that the new space, together with the integration and redesign of the present Law School building, will permit us to have a state of the art complex for approximately \$8 million in construction costs. We are excited. As we have the opportunity at Homecoming and thereafter to share these exciting plans with the alumni/ae and friends of the Law School, we hope you, too, will be impressed with the opportunities that the Capital Campaign, including the building addition, will provide the Law School.

We think you will share our enthusiasm when you see the wonderful architectural rendering which completes the original design of the Law School. The new addition will bring symmetry and harmony to the functionality of the present building as well as to enhance the building's design. The architecture and geometry of the building are as important to our Law School as are the functionality and practicality of our dynamic programmatic initiatives within the building.

The new space will provide:

- new offices for the now 30-plus student activity groups, adjunct faculty, permanent faculty.
- a new student-faculty commons area on two levels designed for interaction and dining among faculty members and students.
- a stunning new Rare Book Room for scholars' access to our world-renowned rare book collection.
- a new multi-media information technology center.
- office suites for our important and growing research centers and our new Joint Degree Program.

The success of our Capital Campaign will permit us to continue to compete for the best law students and to recruit and retain a stellar faculty, the hallmarks of the Minnesota Law School.

We hope you'll continue to be a partner with the Law School throughout "Campaign Minnesota: The Law School's Next Century."

E. Thomas Sullivan
Dean and William S. Pattee Professor of Law

LAW ALUMNI NEWS

Dean

E. Thomas Sullivan

Editor

Terri Mische

Editorial Assistance

G. Mickelene Garnett
Carl Johnson

Contributing Writers

Priscilla Crary
Robert Levy
Sharon Reich
Paula Swanson
Tricia Baatz Torrey
Susan Wolf

Photographers

Carl Johnson
Dan Kieffer
Tim Rummelhoff

The rendering of the new Law School addition on the cover was provided courtesy of Leonard Parker Associates.

Designer

Jennifer Kaplan

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Correspondence should be addressed to the Editor, Office of Alumni Relations and Communications, University of Minnesota Law School, 229-19th Avenue South, Minneapolis, MN 55455-0444.

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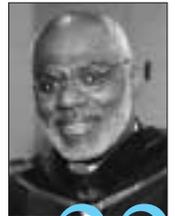
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Casting the Wide Net: Interdisciplinary Studies at the Law School

—by *Tricia Baatz Torrey*

Most of us of a certain age remember seeing, as children, an animated film that began with a boy fishing in a boat, zoomed into a view of his molecular structure and then out again to the edges of our universe, presenting us, within a few moment's time, with an ultimate, mind-boggling concept of "big and small," the coexistence and interrelatedness of all matter and substance. Analogous to this is a world at once made small by technology and internationalization of law and economy and enormous by the capacity to expand ideas, knowledge, and understanding. There is a great challenge to be met in harnessing the energy created by the era of an "information explosion." The University of Minnesota Law School is taking on the task.

When Dean E. Thomas Sullivan first arrived at the Law School in 1995, he thought it important to expand the interdisciplinary curriculum. "I think it's absolutely crucial in today's world," Sullivan said. "We know that society and business and the practice of law have become internationalized with a great emphasis on global reach and impact, so we must do a better job of educating and training the well-rounded lawyer. Today that means a very significant exposure to more interdisciplinary studies."

The Law School has taken several approaches to this idea. First, it has expanded the roster of existing joint-degree programs with the Humphrey Institute of Public Affairs and the Carlson School of Management's MBA program. Second, by developing a new Joint Degree Program in Law, Health, Life Science and Biotechnology, and finally, by increasing the number of affiliated faculty at the Law School, which, according to Sullivan, "permits us to reach across campus and to identify major researchers

and scholars who write and teach in the areas connected to law."

The Dean added "When a student is exposed to a broader and deeper curriculum, that student is going to be better educated...We must continue to educate well-rounded, well-grounded generalists, because, it turns out, that the most important skill a lawyer has is his or her judgment, and that comes from a well-rounded educational experience."

Law School and affiliated faculty as well as alumni can speak to the intrinsic value of interdisciplinary studies, citing the strengths and rewards of such a program. Susan Wolf, who teaches in both the Law School and Medical School at the University of Minnesota, as well as the director of the new Joint Degree Program in Law, Health and Life Sciences, commented that the new program is a natural for the University because of its preexisting strengths. "With an outstanding Law School, leading programs in genetics and genomics, and top-ranked ecology and environmental programs, this University is a logical place to establish a program unique in the nation. This program will allow students to combine a J.D. with a Ph.D. or M.S. in one of seven fields: molecular biology, pharmacology, science and technology policy, health services research, and a cluster of environmental programs. It will produce highly trained lawyers ready to lead in health law, drugs and devices, environmental law and intellectual property relating to biotechnology to name only a few areas.

"This program was devised to fit a need, and the need is for people who can think effectively and deeply about some of the biggest problems we have, those at the intersection of law, science, medicine, and the environment," Wolf said. "Without interdisciplinary work, you can't really

wrestle to the ground problems like how to protect people's privacy in the era of genetic information, what kind of patent rights should exist in the era of genomics, and how do you protect the environment adequately while encouraging human industry and activity. Those are unavoidably interdisciplinary problems. A law degree doesn't quite get you there in terms of equipping you to handle those problems and devise an answer, nor does a science degree. You need both. You need to be able to think outside the envelope, using the tools of more than one discipline, to solve problems like that. It was to meet that need, to generate people who could lead in answering these problems, that we put this program together." (For a more detailed description of the new joint degree program, see Wolf's article on page 4.)

In addition to building this new joint degree program, the Law School, over the last two years, has appointed scholars throughout the University whose work is closely related to law. Those affiliated faculty members now participate in the Law School's weekly Faculty Workshops, may teach in the Law School, and have strengthened collegial connections to the rest of the law faculty.

One affiliated faculty member is Elizabeth Boyle, who has both a J. D. and a Ph.D. in Sociology. She sees the two disciplines as essential compliments to fully understanding the drafting and the implementation of laws; while she sees lawyers as focused authors, concerned with exactness in wording, she views sociologists as empiricists who ask what happens to laws in terms of actual implementation, whether there are expected or unexpected consequences.

"Both sides can learn from one another," Boyle said, "Where lawyers might tend to

perhaps overemphasize the direct impact of law on behavior, I think sociologists tend to get so caught up in the context, so caught up in the structure of society that sometimes they're not looking for prescriptive outcomes, they shy away from saying 'what ought we to do?' and lawyers just really jump in there, I mean, they really want to know, and I think those two things should be combined."

In her "Sociology and Law" course, open to both law and sociology students, Boyle spends a lot of class time exposing students to different perspectives in law, such as the feminist perspective and critical race theory, studying such authors as Catherine McKinnon and Paul Butler.

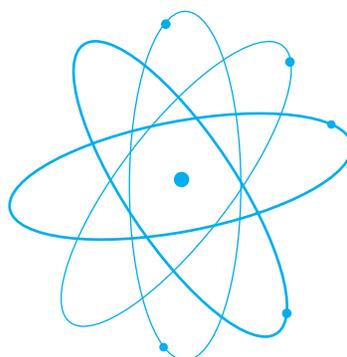
"I think most days are kind of eye-opening for students, in part because there's so many internal contradictions within the different systems and that surprises them when they come into the classroom," Boyle said, "they think everything is constant and makes sense, when in fact you're constantly confronted with inconsistencies, like majority rule versus minority rights, things like that, and of course it's the resolution of those issues that really determines what the legal system is and what it means."

Boyle said she is pleased with the direction Dean Sullivan is taking with joint appointments, saying that it really gives students access to a lot of different perspectives. She hopes many will take advantage of it.

She added, "A lot of law students will be drafting laws or corporate policies, having a bigger understanding of the context in which they're doing that is likely to really help them in terms of their effectiveness, and also just to become very conscious of possible negative consequences that may occur that weren't expected."

Eugene Borgida, Professor of Psychology and Law, also commented on the benefits of combining two disciplines, saying there are two points to be made about the value of interdisciplinary study: "First, there are any number of substan-

tiative, scholar and policy issues in the law that have engaged and continue to engage social scientists like myself. To be able to collaborate with interested law faculty and to be able to take advantage of the Law School's considerable resources to pursue those interests is a great advantage in terms of producing significant contributions for consumption



in the law and social science community. Second, it is hugely important to me that my Ph. D. students can more easily avail themselves of law courses and seminars, speakers and library resources...the way Dean Sullivan and the law faculty have set up their affiliated faculty appointments not only promotes more integrative and creative research, but also supports the training and professional development of graduate students by creating a climate of exchange and cooperation."

Another, newer addition to the Law School's affiliated faculty, Barbara Welke, who holds a J.D. and a Ph.D. in History, teaches a legal history course that she hopes provides her students with a broader context in which to understand the law and its place in our society. "I think it's critical to develop this perspective," she said. She believes that in the past, law schools focused so much on training students to work in large firms that students developed tunnel vision. She supports the pursuit of interdisciplinary studies as part of a legal education. "If students can be helped to think about the law in the broader context, it will help them better use law in making value judgments for themselves, to understand the place and role of law at various points in American

history, and to see law as a positive force in our society."

For those pursuing interests and careers other than the traditional practice of law, a joint degree program that provides interdisciplinary education and training may well be the link required to achieve those goals.

After finishing his first year as a law student, during which he worked as a volunteer for Minnesota Advocates and then spent the summer working for Legal Services of Greater Miami, Gavin Kearney decided to apply for the joint degree program the Law School has with the Humphrey School of Public Affairs. He believes the joint degree program will allow him to address the symptoms of the larger problems in our society rather than just attacking the problems themselves, and the combined law and public affairs curriculum would provide him with a policy-oriented and traditional law school education. "You really need to be more pragmatic than just rely on the law," Kearney said, "and so I decided I wanted to get a better, more well-rounded perspective on the issues, in understanding them and addressing them as well."

Now the Director of Research and Programs at the nationally known Institute on Race and Poverty, which is a center at the Law School, Kearney said his joint degree studies help him in his present vocation. "[It was] skill-oriented, knowledge-oriented, research-based. I learned about numbers and read critically to understand information that comes out. It helped me understand the realities of the political process, understand economic considerations that affect and dictate how issues play out in legislative and agency venues."

Kearney remarked that there is a "branching out" of schools and departments at the University that is definitely beneficial to the University's community. "I think more and more you're seeing a move away from traditional, compartmentalized education. We at [the Institute of] Race and Poverty have chosen a substantive focus that takes us into different disci-

plines, because to truly address the issues of race and poverty you do need to span disciplines. To be too focused is to work at issues in an incomplete way. Creating the opportunities for people to do course work that makes those connections is incredibly important.”

In summary, Dean Sullivan said “We’re really in a transformative era, for a number of reasons, but certainly a part of that is the dynamic changes taking place in the curriculum. We now offer some 150 different courses, including forty-five seminars a year. It’s a very broad, deep, and I hope rich curriculum...I think we are giving students broader analytical skills to be able to handle the issues of the new millennium, so I’m very positive and excited about the direction we’re going. I still believe, and I think our alumni believe, our mission ought to be to educate the well-rounded, well-grounded generalist, because law is ever-changing. What we teach today may well become obsolete tomorrow, so we have to have individuals who are practicing who are not only bright and adaptable, but also have very strong academic, analytical and communication skills.” ■

Joint Degree Program in Law, Health & the Life Sciences

The intersection between law, science, and medicine has never been more important. We are living through a biomedical revolution fueled by genomics, powerful new information technologies, and medical therapeutics undreamed of a generation ago.



Susan Wolf

All of this forces us to devise law and policy adequate to answer profound new questions: how to reconcile intellectual property protection in genetics with the norms of science and need for new therapeutic agents, how to increase access to health care while protecting individual patient well-being, how to reconcile

environmental conservation with human industry, and how to safeguard genetic privacy as we map and sequence the human genome. These are just some of the pressing societal questions that require a new kind of interdisciplinary work crossing law, health policy analysis, ethics, environmental studies, and the life sciences.

The University of Minnesota is rising to the challenge by offering a unique Joint Degree Program approved by the Regents in June of 1999. No other university has a program as broad and interdisciplinary. The Program is geared to students interested in combining a law degree with one of a wide range of graduate degrees in health and the life sciences. These students will become experts in the legal, ethical, and policy problems posed by health, the sciences, and the environment in the 21st century. They will serve as leaders in areas such as managed care and health policy, intellectual property issues in biotechnology, and environmental law and policy.

Students in the Program will be able to obtain a J.D. together with an M.S. or Ph.D. in less time and with more academic support and potentially more financial support than if they pursued the two degrees separately. The Program will be presenting a speaker series, colloquia, and other meetings to draw scholars in these fields to campus. Students will also be able to take advantage of close relationships we are building between the Program and practicing attorneys, policymakers, and business people.

Susan Wolf, Professor of Law and Medicine in the Law School and a Faculty Member in the University’s Center for Bioethics, was appointed by Dean Sullivan to lead the new Joint Degree Program. The Joint Degree Program spans 7 collegiate units and involves roughly 300 faculty members. The Program links the Law School, Graduate School, Medical School, School of Public Health, College of Biological Sciences, College of Natural Resources, Humphrey Institute, and Center for Bioethics. It draws on the University’s commitment to human

Law School Affiliated Faculty

Eugene Borgida
B.A., Ph.D.
Psychology Department.

Elizabeth Heger Boyle
B.S., M.A., J.D., Ph.D.
Sociology Department

Philip T.K. Daniel
B.S., M.S., Ed.D., J.D.
Education Administration and Policy Department

Sally Kenney
B.A., M.A., Ph.D.
Humphrey Institute of Public Affairs

Samuel Krislov
B.A., M.A., Ph.D.
Political Science Department

Robert Kudrle
B.A., M.Phil., Ph.D.
Humphrey Institute of Public Affairs

C. Ford Runge
B.A., M.A., Ph.D.
Applied Economics Department

Gordon Silverstein
B.A., Ph.D.
Political Science Department

Barbara Welke
B.A., J.D., Ph.D.
History Department

David Wilkins
B.A., M.A., Ph.D.
American Indian Studies and Political Science Departments

genetics; microbial, plant, and animal genomics; developmental biology; environmental and health policy; analysis of technology; molecular and neuropharmacology; health law; and bioethics. Law faculty involved in addition to Professor Wolf include Professor Jim Chen, who brings expertise in agricultural and environmental law; visiting Professor Dan Burk, who is expert in intellectual property and biotechnology; and Professor Dan Farber, an authority on constitutional and environmental law. ■

The Joint Degree Program offers the following degree combinations now, with more likely in the near future:

for those interested in biotechnology and genetics:

- a J.D. in Law with an M.S. or Ph.D. in Molecular, Cellular, Developmental Biology & Genetics

for those interested in environmental policy and law:

- a J.D. with an M.S. or Ph.D. in Ecology
- a J.D. with an M.S. or Ph.D. in Conservation Biology
- a J.D. with an M.S. or Ph.D. in Environmental Health)

for those interested in health policy:

- a J.D. with an M.S. or Ph.D. in Health Services Research, Policy & Administration

for those interested in science policy:

- a J.D. with an M.S. in Science, Technology and Environmental Policy

for those interested in drug development and regulation:

- a J.D. with an M.S. or Ph.D. in Pharmacology

For more information about the Joint Degree Program, call 612-625-0055 or e-mail vanpe005@tc.umn.edu. The Program's Web site is under construction at <http://www.law.umn.edu/jointdegree/>.

Faculty Lectures



Professor Donald A. Dripps and Dean Tom Sullivan.

the inaugural holder of the James A. Levee Visiting Chair in Criminal Procedure in 1997. In 1998, he was appointed to the Levee Chair on a permanent basis.

Professor Donald A. Dripps
James A. Levee Chair in Criminal Procedure
May 3, 1999

“Values and Doctrine in Criminal Procedure” was the title of his lecture. Professor Dripps is a recognized scholar of criminal procedure, evidence and criminal law. In addition to these areas of law, he teaches administrative law. Professor Dripps was named



Pictured from left to right are: Joseph Goldberg and Professor Steven Goldberg, nephews of Benjamin N. Berger, Professor Richard S. Frase and Dean Sullivan.

and the federal prosecution clinic. His seminars include comparative criminal procedure, sentencing guidelines and a sentencing policy workshop. He was the Julius E. Davis Professor of Law for 1988–89 and became the Benjamin N. Berger Professor of Criminal Law in 1991. ■

Professor Richard S. Frase
Benjamin N. Berger Chair in Criminal Law
September 7, 1999

His lecture was entitled, “Sentencing Guidelines in Minnesota and Other Jurisdictions: A Twenty-Year Retrospective.” Professor Frase is recognized for his scholarship in the area of criminal justice. He teaches criminal law, criminal procedure, the criminal justice system

Eco-Pragmatism: Environmental Regulation for the New Century

—by Daniel A. Farber, Henry J. Fletcher Professor of Law and Associate Dean for Faculty Research and Development

Each field of law has its own challenges. Nevertheless, after teaching a dozen different courses, I still consider environmental law the most challenging. It spans many different subject matters, ranging from grazing on public lands to the global greenhouse effect. It is governed by multiple statutes, several of them nearly as long and complex as the Internal Revenue Code (but not as well drafted). These statutes and the implementing regulations are apt to change just when you think you finally have them figured out. And environmental law involves some of the most obscure doctrines in the law, governing issues such as regulatory takings and standing.

But in a sense these are merely superficial problems. The problems that make environmental law *really* difficult are more fundamental. Environmental regulation requires us to make decisions under great scientific uncertainty, involving values such as human life and economic cost that are difficult to compare, and over time horizons that are often decades or even centuries in the future. No matter how we tinker with the legal framework, these will be formidably difficult decisions. The real challenge for environmental law is to find better ways of addressing these difficulties.¹

In the past few decades, great battles have been fought over how to approach these problems. On one side are fervent environmentalists—their opponents call them tree huggers—who would put environmental quality above all competing goals. On the other side, businesses and many economists—whose opponents call them bean counters—emphasize the cost of regulation and often think environmental risks have been exaggerated. This is a debate that seems to have generated more heat than light.

Because of the difficulty of these issues,



Daniel A. Farber

it is tempting to approach them at a highly abstract level, seeking what physicists would call a Grand Unified Theory to resolve them once and for all. Such theories have had little success in any area of law, and environmental law is certainly no exception. What we need instead is an analytic framework that can provide coherence while recognizing the need for flexibility.

Rather than starting at a more theoretic level, it may be more useful to begin by exploring a concrete example in depth, so as to get a feel for the dimensions of the problem. As it happens, one of the leading cases in environmental law is from Minnesota. *Reserve Mining Company v. United States*² was among the first major judicial confrontation with these environmental issues. It remains a leading case on the subject of risk regulation even today. Its dramatic facts make it an ideal vehicle for thinking about environmental risks and how they should be controlled. Thus, it provides a perfect setting for exploring the fundamental problems of environmental regulation.

I. Reserve Mining Revisited

Reserve Mining was a joint venture of Armco and Republic Steel. Reserve was established to mine taconite, a low-grade

iron ore. Taconite requires extensive processing before it can be used. Basically, the process involves smashing the taconite into small pieces, separating out those with the most iron, then breaking up those pieces, once again separating out the chunks with the most iron, and so forth. The process produces small green pellets with a high iron content. It also produces immense amounts of “tailings” or leftover pieces of rock. The company got rid of the tailings by letting them flow through troughs into Lake Superior.

Reserve was ultimately dumping 67,000 tons of tailings per day into the lake. According to Reserve’s own estimates, it had deposited tailings over more than a thousand square miles of Lake Superior. The manufacturing process used more than two million tons of water per day, which was recycled back into the lake.

Given our general feelings these days toward polluters, it’s important to keep in mind the other side of the story. When Reserve began operations, it was welcomed with open arms by local communities, state politicians, and the media. Richer ore deposits had already been exhausted, and the Iron Range was severely depressed. Reserve was seen as an economic savior for a region that badly needed help. The enrichment process for taconite was the result of years of research by a University of Minnesota professor.

The 1960s saw a great upsurge in environmentalism. By the end of that decade, massive dumping like Reserve’s was no longer easily tolerated. After some unsuccessful negotiations, the EPA filed suit. Until just before the trial, the dispute centered on ecological damage to Lake Superior. The focus of the case changed radically, almost by accident, due to a sudden insight that the asbestos in the tailings might be dangerous. EPA immediately went to Judge Lord with its new

evidence; the asbestos data was made public, causing a panic in Duluth; and the focus of the case shifted from ecology to public health.

The trial took 139 days. The evidence included testimony from over a hundred witnesses, over fifteen hundred exhibits, and eighteen thousand pages of transcript. Although there was also an air pollution issue, which I will not discuss here for space reasons, the major issue was the possible public health threat of asbestos in drinking water.

Like many environmental disputes, the case involved highly technical issues. Reserve initially claimed that the tailings did not contain asbestos, that they settled to the bottom of the lake without causing any pollution, and that any asbestos found in the lake must come from natural sources. Judge Lord heard extensive testimony about such matters as the chemistry of asbestos, the behavior of the Lake Superior thermocline, and erosion patterns on the North Shore. For example, asbestos is not the name of a particular compound but of a family of minerals; there was debate about whether the minerals in taconite belonged in the same family as the minerals causing cancer among insulation workers.

We often talk loosely about environmental regulation being on the “frontiers of science,” but this was very much true in *Reserve Mining*. The technology was barely up to the task of identifying, let alone accurately counting, small asbestos fibers. So the judge faced great difficulty in even ascertaining the asbestos level in Duluth drinking water. By the time of the Reserve Mining trial, it was clear that inhaled asbestos is a very serious carcinogen. One issue in the case involved the effect of airborne asbestos on Reserve’s workers and their families. There seems to be little doubt that this health hazard required stringent pollution control. For present purposes, however, the relevant portion of the case relates to the water pollution issue. Here, even after asbestos counts in Duluth water were established and traced to Reserve’s discharge, a major problem remained: nobody knew

whether asbestos was dangerous to ingest. The evidence on this central issue will be discussed later in connection with the Eighth Circuit’s opinion.

Judge Lord viewed asbestos as a major public health threat to the Duluth drinking water. This left only the choice of remedy. Until late in the proceedings, Judge Lord apparently hoped to find a solution that would not disrupt Reserve’s operations. By the end of the trial, however, he saw no alternative to an immediate shut-down order, which he issued on April 20, 1974. If Reserve had taken a more cooperative attitude, perhaps Judge Lord would have given it time to put land disposal into effect. But he was apparently too outraged by Reserve’s litigation tactics to allow any delay.

**...Environmental
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The Eighth Circuit’s decision on appeal focuses on the likelihood of a serious health hazard. As mentioned earlier, everyone knew that inhaling asbestos can cause severe harm. The question was whether drinking asbestos was also hazardous and indeed, whether ingested asbestos even enters the body at all. Ingesting asbestos presumably doesn’t provide any health benefits—so far as I know, no one has ever recommended asbestos as a source of dietary fiber—but there was very real doubt about whether it was harmful.

The Eighth Circuit carefully summarized the evidence bearing on this issue. This evidence fell into three major groups: animal studies; studies of Duluth residents; and inferences from studies of asbestos workers.

The animal studies were designed to determine whether asbestos fibers can penetrate the intestinal tract and enter the body. The results of the studies were conflicting as to whether asbestos can enter the body. None of the studies found evidence that asbestos caused cancer in lab animals.

The crucial study of Duluth residents was initiated by Judge Lord. The purpose of the study was to determine whether the tissues of long-time residents contained asbestos fibers. Tissue samples from Duluth cadavers were compared with samples from Houston, which does not have asbestos in its drinking water. The plaintiffs predicted that the study would yield solid information about the risk to Duluth residents. When the study was completed, however, the asbestos fibers failed to appear. The Eighth Circuit found this result highly significant, and was not impressed by belated efforts to explain away the negative findings. As the court also noted, epidemiological studies had failed to produce evidence of an elevated gastrointestinal cancer rate in Duluth.

Up to this point, the court had found virtually no evidence of harm. The really troubling point, however, was that asbestos workers do have an increased rate of gastrointestinal cancer. A reasonable explanation is that they cough up asbestos fibers and then swallow them, resulting in gastrointestinal cancer. Dr. Selikoff, the leading expert on asbestos-related disease, considered this a likely mechanism. Assuming that to be correct, another expert testified that the total exposure of Duluth residents was comparable to that of asbestos workers.

According to the court, “it cannot be said that the probability of harm is more likely than not...On this record it cannot be forecast that the rates of cancer will increase.” The most that could be said was that asbestos contamination in Lake Superior “gives rise to a reasonable medical concern for the public health.” The existence of this concern was enough, however, to justify what the court called “abatement of the health hazard on reasonable terms.”

The remaining issue was the remedy. The court believed that an immediate shut-down was untenable, given the equivocal evidence of any danger to the public. At oral argument, Reserve said it was willing to spend \$243 million to halt its air and water pollution. A shutdown would not simply harm shareholders. Reserve had over three thousand employees, and the firm produced over ten percent of the nation's iron. Moreover, the union argued that the health effects of a plant closure on workers might be more severe than those caused by the asbestos. Based on all these factors, the court concluded that Judge Lord had abused his discretion by ordering an immediate shut-down, and it gave the company a reasonable time to switch to land disposal.

The courts in *Reserve Mining* were faced with a difficult task: weighing an uncertain risk to public health against an approximately \$200 million expenditure. The question posed by the case is how to go about making such trade-offs between safety and cost. *Reserve Mining* provides an excellent context in which to discuss why these choices are so hard, what methods have been proposed for making them, and how we might go about resolving cases like *Reserve Mining* in a sensible way.

II. Transcending the War Between Tree-Huggers and Bean-Counters

Like Judge Lord, some readers may find *Reserve Mining* an easy case on the ground that health considerations should always outweigh cost, mandating immediate closure of Reserve to eliminate the risk. But *Reserve Mining* is actually an excellent illustration of why both cost and risk have to be considered. A shut-down would not merely have taken money out of the pockets of some wealthy shareholders. It would also have imposed enormous costs on the company's employees, their communities, and the economy of the whole region. There is some possibility—in the view of the Eight Circuit, more than a fifty percent chance—that switching to land disposal did not in fact save a single human life. And if we were looking for

ways to save lives, perhaps we could find better ways to use \$243 million. So the mere abstract possibility that spending \$243 million might *conceivably* save a life is not enough. We need to take both the cost and the benefits of regulation into account in some way. This, of course, is easier said than done.

Other readers might find it equally obvious that the switch to land disposal was a gigantic waste of money, just another environmentalist boondoggle. But that reaction is also too hasty. If the asbestos was harmful, the court had no way of knowing just how many lives were at risk. Don't forget that a hundred thousand people were drinking that water. In a plausible worst-case scenario, hundreds of people might have died from cancer. Thus, the company was creating a serious public health concern.

...Reserve Mining is an excellent illustration of why both cost and risk have to be considered...

Since *Reserve Mining* was discussed, a great debate has taken place about the use of cost-benefit analysis to decide these issues. Once the darling of the Reagan Administration, in more recent years this approach has been close to the heart of an increasingly conservative congressional leadership. The topic tends to polarize people. Environmentalists sometimes consider cost-benefit analysis immoral; economists sometimes accuse their opponents of a quasi-religious fanaticism.

This technique deserves neither devoted faith nor moral condemnation. Properly understood, cost-benefit analysis can be a useful tool. We need a decision method that can take both costs and benefits into account. If we could eliminate the asbestos risk in *Reserve Mining* cheaply enough, we wouldn't hesitate to shift to land disposal. On the other hand, it would also have been an easy decision to spend \$240 million if we could eliminate a large and clearly documented risk like tobac-

co-induced cancer. How can we go about striking a balance? Given the difficulty of assigning values to the costs and benefits of health regulations, regulatory decisions clearly cannot be made by any mechanical formula or test. It is tempting to fall back on sheer intuition. Yet intuition can be an unreliable guide. Cost-benefit analysis can provide a valuable benchmark for determining the reasonableness of our decisions.

But as most regulatory economists admit, cost-benefit analysis cannot provide a litmus test for evaluating regulations. One reason is that the seeming certainty of the numbers often conceals abysmal uncertainty. Trying to calculate the exact risk associated with a particular chemical is like trying to guess the number of grains of sand on a beach, when we don't even know the size of the beach. (Actually, in some ways, it's even harder, because sometimes we're not even sure if there actually is *any* "sand" there to count.) As *Reserve Mining* indicates, there are huge technical problems in trying to determine risk levels. Of course, science has improved since 1975, and it continues to improve all the time. Nevertheless, it is not uncommon for respectable risk estimates to vary by several orders of magnitude, so we don't know with any confidence whether a regulation might save a single life or a thousand. Like computers, cost-benefit analysis obeys the GIGO principle (Garbage In, Garbage Out).

A more fundamental problem is that the technocratic surface of cost-benefit analysis conceals some fundamental policy issues. To do a cost-benefit analysis in a case like *Reserve Mining*, we need to determine how much money we would be willing to pay to eliminate a single death, so we can place a value on various levels of risk reduction. This value is usually based on an estimate by economists of how much people are willing to pay to reduce risks in their own lives. The problem is that these estimates are quite imprecise. Most people seem to act as if they place a value of somewhere between \$1 and \$10 million on their own lives. Any number within this range can be justified on an economic basis. Within this

range, then, the selection largely turns on policy preferences.

Another difficult issue in cost-benefit analysis involves what seems like a hyper-technical issue, the discount rate. In *Reserve Mining*, the company has to spend the \$240 million up-front, but the return on this investment, in the form of lives saved, will not be seen until years in the future. How do we take this delay into account? Some people find it immoral to “discount” future human deaths. But if we don’t make some adjustment for the time factor, we would find ourselves compelled to spend the entire GNP today to prevent a single death once every century because between now and the end of time, that would be an infinite number of deaths. That would be absurd. We obviously wouldn’t be willing to spend a huge amount of money even if doing so would eliminate such a tiny risk once and for all. The cost-benefit analysis needs to take this into account. The problem, once again, is that a wide range of rates can be justified on a technical basis. As you know if you’ve ever gotten a mortgage, a seemingly small change in interest rates (just a couple of points) can have a huge effect on your monthly payments. The same is true of discounting.

Putting all of these uncertainties together, it turns out there is a lot of leeway in cost-benefit analysis. For example, in the *Reserve Mining* situation itself, you can make the analysis go either way, depending on the risk estimate, value of life, and discount rate you choose. For this reason, in practice cost-benefit analysis is most useful in extreme cases, where it can show us that a regulation would be far out of line with costs or that the costs are dwarfed by the benefits.

This leaves us with a huge problem—what to do when the relationship of costs and benefits is ambiguous, which it will often be. We have many environmental statutes, and although they are often quite complex, they tend to share the same general approach to this problem. Under this approach, if we determine that a situation presents a significant environmental risk, we should take every reasonably

feasible step to reduce the risk. This approach is a good reflection of our general societal commitment to the environment. As a society, we are strongly environmental, but we are not about to spend every penny to eliminate every ephemeral chance of harm to the environment.

Overall, our best strategy is to combine the two approaches. Because of the uncertainties involved in environmental regulation, we should place our primary reliance on the “significant risk” approach, but we should use cost-benefit analysis as a “reality check.” In *Reserve Mining*, this hybrid approach supports the Eighth Circuit’s decision. To allow the company off the hook completely would have needlessly tolerated a significant environmental risk. But Judge Lord’s closure order would have been too drastic; closing the plant passed beyond the line of reasonable feasibility under the circumstances.

...Even as the science gets better on some issues, we discover entirely new issues with their own uncertainties...

III. Confronting an Uncertain Future

Even as the science gets better on some issues, we discover entirely new issues with their own uncertainties. When *Reserve Mining* was decided, for instance, air pollution was considered to be a serious but local problem. We were unaware that acid rain could make pollution a problem for regions hundreds of miles away from the polluter. Nor did we know that the cumulative effect of pollution might be to change the climate. Scientific uncertainty is here to stay as a feature of environmental law. So is the need to make tough tradeoffs between risk reduction and economic welfare—a need which is sometimes captured by the phrase “sustainable development.”

Court decisions, the scholarly literature, and more recent legislation on the subject all demonstrate that we have become far more sophisticated about environmental risks than we were in 1975, when *Reserve Mining* was decided. At the time, courts and agencies were struggling to confront new problems of unknown magnitude with a fragmentary data base. The Eighth Circuit did a creditable job in wrestling with those issues. Today, with the benefit of nearly another 25 years of thought, perhaps we can do a little better. In any event, if we are to progress, we might do well to spend less time on ideological debate about the relative merits of environmentalism and economics as views of the world. We could then spend more time confronting the hard problems presented by specific environmental risks in the real world.

Although mechanical formulas cannot solve tough regulatory problems, we can still usefully search for guidelines to aid in risk assessment.

Politics being what it is, we can never expect an entirely coherent public policy on risk management. But we could move considerably farther in that direction. As we enter the next century, we need as much help as we can get in confronting our environmental problems resolutely and realistically. Combining cost-benefit analysis with the “significant risk” approach would be a good starting point.

Notes

1. I discuss possible solutions in a recent book, *Eco-Pragmatism: How to Make Sensible Environmental Decisions in an Uncertain World* (University of Chicago Press, 1999).
2. 514 F.2d 492 (8th Cir. 1975) (en banc). The discussion of the case is drawn from Chapter 2 of the *Eco-Pragmatism* book, which provides factual documentation. ■

Faculty Research and Development

EDWARD S. ADAMS revised an updated his *Selected Corporate Statutes* book he co-edits with Professor John Matheson, his *Federal Securities Laws* text, and his *Proxy Rules Handbook*. He also completed an article with David Runkle entitled “Derivative Insecurities,” which will appear in a forthcoming issue of the *William & Mary Law Review*, an article with Professor Daniel Farber entitled “Fuzzy Logic and ‘Situation Sense’: Utilizing Fuzzy Logic in the Context of Statutory Interpretation,” which will appear in a forthcoming issue of the *Vanderbilt Law Review*, an article entitled “A Market-Based Solution to the Judicial Clerkship Selection Dilemma,” which will appear in a forthcoming issue of the *Maryland Law Review*, an article with Stuart Albert entitled “Making Sense of Practicing Law: The Transformation of a Profession into a Business,” which will appear in a forthcoming issue of the *Rutgers Law Review*, and an article with Arijit Mukherji entitled “Finding a Fiduciary Duty to Spin-Off,” which will appear in a forthcoming issue of the *Fordham Law Review*. In addition to these articles already accepted for publication, Professor Adams completed three other articles for submission to law reviews “Executive Compensation, Equity Swaps, and Agency Costs”; “Securitization, Rating Agencies, and Reputational Advantage; A Fiduciary Duty To Utilize 360 Degree Executive Evaluations”—and a book review on Cameron Stracher’s new book, *Double Billing*. Finally, Professor Adams spoke at numerous forums, including: “Analyzing Dayton Hudson’s Financial Statements,” presented to Dayton Hudson Corporation’s Legal Department in Minneapolis, Minnesota; “Securitization of Commercial Receivables,” presented at the International Association of Commercial Collectors Meeting in New Orleans, Louisiana; “Securitization of Bad Debt Receivables,” presented at American Collectors Association Meeting in Las Vegas, Nevada; “Securitization in the Twenty-First Century,” presented in connection with the Columbia University School of

Law; and “Securitization of Bad Debt Receivables,” presented at the American Collectors Association Committee of 100 Meeting in Acapulco, Mexico.



Beverly Balos

BEVERLY BALOS completed work on an article co-authored with Mary Louise Fellows titled “A Matter of Prostitution: Becoming Respectable.” The article will be appearing this spring in the *New York University Law Review*. Professor Balos was invited to speak at a Law Enforcement, Prosecution and Judicial Responses to Domestic Violence Training Institute on enhancing civil protection for battered women. She also presented at a Rural Law Enforcement Policy Development Program on policy-making and the legislative process. Additionally, she co-presented at a conference titled “When the Victim is a Prostitute: A Multidisciplinary Training” sponsored by the Commercial Sexual Exploitation Resource Institute. The presentation addressed the issue of the criminal justice response to prostituted victims of sexual assault.

STEVE BEFORT completed work on two articles relating to the intersection of employment law and employee benefits. The first, entitled “Mental Illness and Long-Term Disability Plans Under the Americans with Disabilities Act,” will be published this fall in the *University of Pennsylvania Journal of Labor and Employment Law*. The second article, co-authored with Christopher Kopka, is entitled “The

Sounds of Silence: The Libertarian Ethos of ERISA Preemption.” Professor Befort also prepared a 1999 Supplement to his *Employment Law and Practice* book for West Publishing. In May 1999, he presented a paper on “The Ten Most Significant and Unsettled Issues Under the Americans with Disabilities Act” at the Upper Midwest Employment Law Institute. The paper was published in the 1999 *Employment Law Handbook*. Professor Befort continues to serve as editor of *Labor & Employment Law News*, a publication of the Minnesota State Bar Association which appears three times each year. Along with co-author Lydia Potthoff, he contributed an article on “WARN Act Developments” for the most recent issue of that publication. Professor Befort taught in the Law School’s exchange program at Uppsala University in Sweden during the second half of the Spring 1999 semester.

DAVID BRYDEN finished his article on “Redefining Rape” which discusses the major proposals for changes in rape law. The article will appear in the fall issue of the *Buffalo Criminal Law Review*, along with commentaries by several leading scholars. Professor Bryden is now working on another article, “Explaining Rape,” in which he appraises several theories about rapists’ motivations.

KAREN C. BURKE prepared a revised edition of *Federal Income Taxation of Partners and Partnerships*, published by West Publishing Company in spring 1999. In October 1998, she spoke on the partnership anti-abuse rules at the American Association of Law Schools Workshop on Taxation in Washington, D.C. In February 1999, she participated in a tax policy symposium at the New York Law School. Her co-authored article, “The Impact of Social Security Reform on Women’s Economic Security,” will appear with the symposium proceedings in the *New York Law School Journal of Human Rights*. (forthcoming 1999). Her co-authored review of the current debate over social

security reform, "Perspectives on Social Security Reform," has recently been accepted for publication by the *Florida Tax Review*. She is currently working on a co-authored article concerning the impact of social security reform on minorities. Professor Burke continues to be actively involved as a Consultant to the American Law Institute's Federal Income Tax Project on Pass-Through Entities. During spring 1999, she visited at Boston College Law School. In July 1999, she was appointed to the Dorsey & Whitney Professorship in Law. She will deliver her inaugural lecture, "Retirement Security: Reform, Ideology and Administration," in March 2000.

ANN M. BURKHART published a Property Law casebook and teacher's manual this summer with Professors Barlow Burke of American University College of Law and R.H. Helmholz of University of Chicago Law School. This fall, West Group will publish *Real Property Law in a Nutshell* (4th ed.), which she coauthored with Professor Roger Bernhardt of Golden Gate University College of Law. During May and June, Professor Burkhart taught a course on American law at Uppsala University School of Law in Sweden. She recently has been appointed to the Law School Admission Council Test Development and Research Committee.

JIM CHEN recently returned from Düsseldorf, Germany, where he was the first American to teach as a visiting professor of law at Heinrich-Heine-Universität. Among other topics, he lectured on globalization, telecommunications regulation, and criminal procedure. The visit was made possible by a grant from the Deutsch-Amerikanische Vereinigung Steuben-Schurz e.V. Closer to home, Professor Chen has spoken on economic regulation in general and telecommunications reform in particular before the Association of American Law Schools and at the Hastings, Chicago-Kent, and University of Texas law schools. His most recent articles include "DeFunis, Defunct" for *Constitutional Commentary*; "The Second Coming of Smyth v. Ames" for the *Texas Law Review*; and "The Magnificent Seven: American Telephony's Deregulatory

Shootout" for the *Hastings Law Journal*. He organized a symposium for *Constitutional Commentary* on "The Sound of Legal Thunder: The Chaotic Consequences of Crushing Constitutional Butterflies." His own contribution, "Midnight in the Courtroom of Good and Evil," will appear in the symposium. Finally, Professor Chen has been elected President of the Minnesota Association of Scholars.

CAROL CHOMSKY has completed work on an article entitled "The True History of the *Holy Trinity* (Case)," which has been submitted for publication. During the past year, she presented a paper at the annual meeting of the American Society for Legal History based on her research on the history of Minnesota's women lawyers, a project still in progress. Professor Chomsky recently became Coordinator for the University's Bush Faculty Development Program on Excellence and Diversity in Teaching, which provides a focused enrichment package on learning theory and teaching methodology for a select group of faculty across the University. Starting in January, she will begin a two-year term as Co-President of the Society of American Law Teachers.

LAURA COOPER has submitted to the Minnesota Historical Society an annotated oral history interview with Rosalie Wahl, the first woman appointed to the Minnesota Supreme Court. The Law School's new Assistant Director of Admissions, Stacy Doepner-Hove, also worked on the oral history project. Professor Cooper's article, written with Suzanne Thorpe, "Researching Labor Arbitration and Alternative Dispute Resolution in Employment," was published in Volume 91 of the *Law Library Journal*. She presented a Continuing Education Program for the University of Minnesota Law School in June, "ADR for Employment Disputes: Building Mediation and Arbitration Skills," with Adjunct Professor Carolyn Chalmers. Her mediation simulation of a sexual harassment dispute in a law firm, written with Professor Chalmers that recently won a prize in a national competition, is being distributed to law teachers nationally on a Westlaw academic web site.

BARRY C. FELD presented a paper at American Society of Criminology on "Social Structure, Race, and the Transformation of the Juvenile Court," in Washington, D.C., on November 13, 1998, and at the Delaware Center for Justice Conference on "Juvenile Justice: Is There a Future?" University of Delaware, in Wilmington, Delaware, on June 3, 1999. He presented a paper to the National Academy of Sciences' National Research Council Panel on Juvenile Crime: Prevention, Treatment, and Control on "Juvenile Justice: Sentencing Issues and Correctional Consequences," in Washington, D. C. on January 21, 1999. He participated on an "Author-Meets-Critics" panel on his recently published book, *Bad Kids: Race and the Transformation of the Juvenile Court* (Oxford 1999), at the annual meeting of the Academy of Criminal Justice Sciences in Orlando, Florida, on March 12, 1999. He was "Scholar-in-Residence" at the Department of Sociology, Western Washington University, Bellingham, Washington, April 7-10, 1999, and gave a public lecture, "Social Structure, Race, and the Transformation of the Juvenile Court." He also lectured at Carleton College in May 1999. In addition to *Bad Kids*, Professor Feld also published *Readings in Juvenile Justice Administration* (Oxford 1999); "The Juvenile Court," in the *Oxford Handbook on Crime and Punishment* (1998); "Abolish the Juvenile Court: Youthfulness, Criminal Responsibility and Sentencing Policy," in *Journal of Criminal Law & Criminology* (1998); "Juvenile and Criminal Justice Systems' Responses to Youth Violence," *Crime & Justice: An Annual Review* (1998); "The Honest Politician's Guide to Juvenile Justice in the Twenty-First Century," *The Annals* (1999); "Rehabilitation, Retribution, and Restorative Justice: Alternative Conceptions of the Juvenile Court" in *Restorative Justice: Repairing the Harm of Youth Crime* (L. Walgrave & G. Bazemore eds. 1999). He has been quoted extensively in local and national media in stories about juvenile and criminal justice.

RICHARD S. FRASE published a chapter on French criminal justice, which is included in *Criminal Procedure: A Worldwide View* (Carolina Academic Press

1999). In July, the manuscript for a book tentatively entitled *Sanctions and Sentencing in Western Countries* was submitted to Oxford University Press. The book, jointly-edited by Professors Frase and Tonry, contains papers from the international sentencing conference held at the Law School in May of 1998. It also includes a chapter by Professor Frase, entitled "International Perspectives on Sentencing Policy and Research." In September, Professor Frase submitted the manuscript of his chapters for the Third Edition of *Minnesota Misdemeanors and Moving Traffic Violations*, co-authored with Martin J. Costello & Stephen M. Simon, to be published early next year by Lexis Law Publishers. In addition to his teaching, scholarship, and public service activities, Professor Frase serves as Director of Research for the Institute on Criminal Justice. In the previous year, the Institute expanded its research and consulting activities and hired an Associate Director, Janet Wiig, and a Research Associate, Robert Weidner.

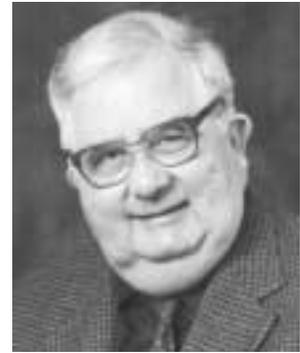
PHILIP P. FRICKEY delivered his inaugural lecture as the Irving Younger Professor of Law in March. The lecture, "Revisiting the Revival of Theory in Statutory Interpretation: A Lecture in Honor of Irving Younger," will appear in the *Minnesota Law Review*. He has also written "A Common Law for Our Age of Colonialism: The Judicial Divestiture of Indian Tribal Authority over Non-members," forthcoming in the *Yale Law Journal*, and "An Overview of the Legal Status of Indigenous Tribes in the United States," forthcoming in *Heidelberg Journal of International Law*. In May he moderated a panel discussion for a Minnesota Institute of Legal Education continuing legal education presentation on the Mille Lacs fishing case in the United States Supreme Court.

DANIEL J. GIFFORD has been examining the fit between federal labor law and changes in manufacturing which have transformed factories from a fixed format with reserve inventories of components into a format involving just-in-time delivery of inputs and continuous improvements. He completed a manu-

script on this subject over the summer which will form part of a book which he has been writing. He has also been doing research on various ways in which the law affects innovative activity. He presented a paper embodying that work to the Canadian Law and Economics Association in September. His article, "Java and Microsoft: How Does the Antitrust Story Unfold?" was published in July in the *Villanova Law Review*.

JOAN S. HOWLAND completed an article entitled "An Enduring Tribute to the 'Age of Innocence': The Eleventh Edition of the Encyclopaedia Britannica and Its Impact on Anglo-American Social and Legal Thought." At the 1999 Annual Meeting of the American Association of Law Libraries, Professor Howland coordinated a program entitled "The Potential Impact of Electronic Publishing on Law Libraries, Legal Education, and Legal Scholarship" and moderated a program entitled "Recruitment and Retention Strategies for Building the Law Library Profession of the Next Millennium." As an Executive Board Member of the American Indian Library Association, she will serve as a delegate to the 1999 International Indigenous Librarians Forum, to be held in New Zealand in November of 1999, and will speak on the topic "Legal, Economic, Social, and Technological Challenges Facing American Indian Communities." Professor Howland has recently been appointed to the Association of American Law Schools Advisory Group on Electronic Publishing in Legal Education, and also serves on the American Association of Law Schools Committee on Libraries and Technology.

ROBERT E. HUDEC has been appointed chairman of a panel of three arbitrators convened by the World Trade Organization (WTO) to rule on a legal dispute between the European Community and Canada involving the question of whether certain amendments to Canada's Patent Act are in conformity with Canada's obligations under the WTO TRIPS agreement. In February, he published an article entitled "The New WTO Dispute Settlement Procedure: An Overview of the First Three Years" in the



Robert E. Hudec

Minnesota Journal of Global Trade. In May, Professor Hudec published a collection of essays entitled "Essays on the Nature of International Trade Law" (London: Cameron-May 1999) (www.cameron-may.com). Also in May, he delivered a paper on the remedies available in WTO dispute settlement proceedings at a conference organized by the European Community at the University of Amsterdam. In July, he delivered a paper on proposals for reforming the WTO dispute settlement procedure at a conference at Columbia Law School.

MAURY LANDSMAN made a presentation on "Race and Gender Issues in Jury Trials" in March 1999 for the Minnesota Institute of Legal Education. In June 1999, he presented a continuing legal education class on "Identifying and Eliminating Bias in the Legal System" for the University of Minnesota Summer Continuing Legal Education Program. Professor Landsman has continued his work with Professor Simon in the Judicial Trial Skills and Ethics Training Program. He will be on leave fall 1999 working on a project on the development of moral reasoning in law students, preparing ethics training materials for small firms and solo practitioners as part of an American Bar Association project. He will also be consulting with the State of Minnesota Office of Administrative Hearings on Ethics, Professionalism and Skills Training.

ROBERT J. LEVY gave lectures at the Penn State/Dickinson Law School summer program in Florence on interstate custody issues and wrote an article for the

Family Law Quarterly on legislature-court relationships in family law matters on the 20th and 21st century. Professor Levy's book *The Desk Book for Judges* has been nominated for the 2000 Guttmacher Award of the American Psychiatric Association for the best forensic writing for the year 1999.

JOHN H. MATHESON was honored as the Stanley V. Kinyon Teacher of the Year for the 1998–99 academic year. He previously won this award in 1984–85 and 1990–91. Professor Matheson published an article, "Corporate Governance at the Millennium: The Decline of the Poison Pill Antitakeover Defense," as a solicited article for a corporate law symposium in the *Hamline Law Review*. He also published annual supplements for his *Corporation Law and Practice*, Volumes 18 and 19, and *Business Law Deskbook*, Volume 20 of the Minnesota Practice Series for West Group, as well as a annual supplement to his *Publicly Traded Corporations* treatise. The 1999 edition of *Corporations and Other Business Associations: Statutes, Rules and Forms*, co-authored by Professor Ed Adams, was also published.

FRED L. MORRISON spent the summer completing editing on a major treaties on International Environmental Law, which he is writing in collaboration with Professor Ruediger Wolfrum of the University of Heidelberg. Professor Morrison also was invited by the Constitutional Court of Ukraine to speak at a conference in Kiev, Ukraine, on questions of international law. While there, he spoke at a meeting of the Ukrainian association of law schools.

MICHAEL STOKES PAULSEN is the author of an entry on "Impeachment" in the forthcoming revision of the *Encyclopedia of American Constitutions*. Professor Paulsen published the following five articles during the 1998–1999 academic year: "Nixon Now: The Courts and the Presidency After Twenty-Five Years" (1999) and "Who 'Owns' the Government's Attorney-Client Privilege?" (1998) in *Minnesota Law Review*; "I'm Even Smarter than Bruce Ackerman: Why the President Can Veto His Own Impeach-

ment" (1999) and "Medium Rare Scrutiny" (1998) in *Constitutional Commentary*; and "Hell, Handbaskets and Government Lawyers: The Duty of Loyalty and its Limits" in *Law and Contemporary Problems* (1998).

KATHRYN SEDO worked on a paper concerning statute of limitations in special education cases over the summer. She made a presentation entitled "Compensation Education" at the 6th Annual Education Law Institute at Franklin Pierce Law Center in Concord, New Hampshire on August 5, 1999. Professor Sedo tried a self-employment tax case in U.S. Tax court in June concerning value-added payments paid to members of a farm processing cooperative in southwestern Minnesota. She worked on the brief over the summer and expects a decision early next year. Professor Sedo was awarded \$40,060 from the Internal Revenue Service as part of their Low Income Taxpayer Clinic program for operation of the Federal Income Tax Clinic at the law school. This program provides funds for clinics that provide representation for low income taxpayers before the IRS. Finally, Professor Sedo serves as the chair of the Assembly Committee on Intercollegiate Athletics, the faculty committee that oversees athletics on the Twin Cities campus. As part of her duties this past year, she served on the search committees for the new men's basketball and hockey coaches and the director and assistant director for support services for student-athletes.

SUZANNA SHERRY published "Independent Judges and Independent Justice" in *Law and Contemporary Problems*, "Judicial Federalism in the Trenches: The Rooker-Feldman Doctrine in Action" in the *Notre Dame Law Review*, and "Beyond All Criticism?" (with Daniel A. Farber) in the *Minnesota Law Review*. She also published a 1999 supplement to the 4th edition of Redish & Sherry, *Federal Courts*, and an op-ed essay in the *Washington Post* about the Supreme Court's 1998–1999 term. She currently has in press a book chapter on the canon in constitutional law, an article (with mathematics professor Paul H. Edelman) on the size of

Supreme Court majorities, an article on the Court's most recent eleventh amendment cases, and an essay speculating on the consequences had an important eleventh amendment case of 1908 been decided differently. She and Professor Farber have completed a book manuscript examining and criticizing several prominent theories of constitutional interpretation, which they hope to publish next year.

E. THOMAS SULLIVAN finished the revisions to the 14th edition to *Federal Land Use Law* with Daniel Mandelker and Jules Gerard. He also has completed an article for the inaugural issue of the *Minnesota Intellectual Property Review* entitled, "Antitrust and Intellectual Property: The New Century." Dean Sullivan chaired the President's Boosterclub Task Force at the University regarding contributions to the Athletic Department. In addition, he has served as a consultant to the University of Oklahoma on its periodic review of its law school.



Michael Tonry

MICHAEL TONRY has had two books, *Prisons* (with Joan Petersilia) and *Crime and Justice*, volume 25, and eight articles published since the beginning of the 1998–99 academic year. Articles appeared in *Crime and Delinquency*, *Crime and Justice*, *The European Journal on Criminal Policy and Research*, and the *UCLA Law Review*, among other places. In addition, two policy briefs—"The Fragmentation of Sentencing and Corrections in America" and "Reconsidering Determinate and Indeterminate Sentencing"—were published by the U.S. Department

of Justice. In December 1998, he concluded a three-year part-time visiting appointment at the Faculty of Law, University of Leyden, the Netherlands, and from March to June 1999 was a visiting professor at the Max-Planck Institute for International and Comparative Criminal Law in Freiburg, Germany. He gave a number of public lectures including to the International Association of Paroling Authorities (April 1999), the triennial meeting of the Campaign for Effective Crime Policy (November 1998), and the annual meeting of the American Society of Criminology (November 1999). In September 1998 he convened a meeting in Minneapolis of the Executive Sessions on Sentencing and Corrections sponsored by the U.S. Department of Justice. Beginning in October 1999, Professor Tony became director of the Institute of Criminology, University of Cambridge, while retaining a part-time appointment at the University of Minnesota.

DAVID WEISSBRODT completed his four-year term as the United States member of the U.N. Sub-Commission on the Promotion and Protection of Human Rights, which meets each August in Geneva, Switzerland. In August 1999, Professor Weissbrodt made a presentation on human rights violations in such countries and regions as Belarus, Indonesia, Kashmir, North Korea, Peru, Tibet, Togo, and the United States. He also introduced his preliminary study for the Sub-Commission on the rights of non-citizens and his study on the history of League of Nations and U.N. actions against slavery. In addition, he commented on four studies about economic, social, and cultural rights; two studies on indigenous rights; and a study about terrorism and human rights. He proposed a new study on the rights of Roma (gypsies). Furthermore, he served as a member of the Sub-Commission's Working Group on Communications which identifies countries that have engaged in consistent patterns of gross violations of internationally recognized human rights. Professor Weissbrodt co-authored articles on the 1998 session of the Sub-Commission for publication in the *Journal of Law and Inequality* and the *Netherlands Quarterly for Human Rights*.

He also co-authored an article on the origins of the Universal Declaration of Human Rights provisions on the right to a fair trial which has been accepted for publication by the *Human Rights Quarterly*. In addition, he published an article on the non-refoulement provisions in several treaties including the Convention against Torture. In April, Professor Weissbrodt gave an introduction to human rights resources on the Internet to the national conference of Amnesty International USA held in Minneapolis and presented a paper on transnational corporations and human rights to a Conference on Corporate Liability in International Law, held in Rotterdam. In May 1999, he presented a lecture on the rights of non-citizens at Macalaster College in St. Paul and another lecture on international trial observers to the annual meeting of the International Bar Association in Boston. Professor Weissbrodt was also among the first faculty to receive a University of Minnesota Community Service Award for his activities on international human rights.

SUSAN M. WOLF published "Toward a Systemic Theory of Informed Consent in Managed Care" in the *Houston Law Review*. She is working on articles and a book on a range of topics in genetics, assisted reproduction, and bioethics. A new Joint Degree Program in Law, Health & the Life Sciences that Professor Wolf took the lead in developing was approved by the Regents, and Dean Sullivan named her first Program Director. Professor Wolf has been promoted to full professor and named to the 1999 Julius E. Davis Chair in Law. In April she gave birth to twins.

JUDITH T. YOUNGER is currently working on two projects. One is a study of the "family" and the "common law trust." The other is a study of the child protection system in the United States, based on some field work done in Minneapolis, examining strengths and weaknesses and suggesting reforms. ■

Faculty Recognitions

Edward S. Adams has been promoted to the rank of Professor of Law by the University of Minnesota Board of Regents. Professor Adams is also the co-recipient of the Julius Davis Chair in Law for the 1999–2000 academic term.

Karen C. Burke has been named to the Dorsey & Whitney Professorship in Law. She will deliver her inaugural lecture on Wednesday, March 15, 2000 at the Law School.

Ann M. Burkhardt has been promoted to the rank of Professor of Law by the University of Minnesota Board of Regents.

Jim Chen has been promoted to the rank of Professor of Law by the University of Minnesota Board of Regents. He also again received the honor and title of Vance Opperman Research Scholar.

Maury S. Landsman was awarded the Stanley V. Kinyon Clinical Teacher of the Year Award in May during the Class of 1999 Commencement Ceremony.

John H. Matheson was awarded the Stanley V. Kinyon Teacher of the Year Award in May during the Class of 1999 Commencement Ceremony.

Michael Stokes Paulsen has been appointed to the Briggs and Morgan Professorship in Law. He will deliver his inaugural lecture on January 12, 2000 at the Law School.

John a. powell has been appointed as a co-holder of the Marvin J. Sonosky Chair in Law and Public Policy. He gave his inaugural lecture at the Law School on Tuesday, October 19, 1999.

Stephen M. Simon has been appointed the second holder of the Vaughan Pape Clinical Professorship in Law, an appointment which will run from 1999 to 2001.

Susan M. Wolf has been promoted to the rank of Professor of Law and Medicine by the Board of Regents. She has

been named the co-recipient of the Julius Davis Chair in Law for the 1999–2000 academic term. Professor Wolf is also the Director of the new Joint Degree Program in Law, Health & Life Sciences. ■



Bradley G. Clary

New Legal Writing Director

Bradley G. Clary joined the Law School as the new Director of Legal Writing and Research in July, 1999. He will coordinate and supervise the first year legal writing program and the moot court programs. Mr. Clary has been a partner at Oppenheimer Wolff & Donnelly law firm since 1975. He was chair of the Business Litigation Practice Group from 1995 to 1998. From 1993 to 1995, he was chair of the firm's former General Litigation Department and co-chair of the former Antitrust Practice Group. Mr. Clary has been an adjunct professor at the University of Minnesota Law School since 1985, serving as a faculty advisor for the National Moot Court program. Mr. Clary was also an adjunct professor at William Mitchell College of Law, where he taught antitrust in 1997 and 1999 and lawyering skills in 1995, 1996 and 1998. Mr. Clary received his J.D. degree, *cum laude*, from the University of Minnesota Law School in 1975. ■



Justice Albie Sachs

Justice Albie Sachs Visits the Law School

From April 5 through April 9, 1999, the Honorable Albie Sachs, Associate Justice of the Constitutional Court of South Africa was a guest of the Law School, the University's Interdisciplinary Center for the Study of Global and the University's Human Rights Center. During his visit, Justice Sachs addressed the faculty and staff on a variety of subjects including South Africa's Constitution and the death penalty, gave an address to a community-wide audience on South Africa's Truth and Reconciliation Commission, and taught a seminar for students on fundamental rights in South Africa.

Born in 1935 in Capetown, Justice Sachs has become one of South Africa's most outstanding and honored civil rights lawyers. He has taught at law schools around the world, was twice detained by South African police for his civil rights activities and was nearly killed by a car bomb in Mozambique while advising Nelson Mandela and the African National Congress. Before his appointment to the Constitution Court, Justice Sachs was the founding director of the South Africa Constitution Studies Centre, a member of the Constitutional Committee of the African National Congress and a member of the National Executive of that Organization. Author of many books on human rights, and a jail diary which was dramatized for the Royal Shakespeare Company and broadcast by the British Broadcasting Company, Justice Sachs has been awarded Honorary Doctorates of Law by the University of Southampton and the University of York in Toronto, Canada. ■

The John Dewey Lecture in the Philosophy of Law

Jack M. Balkin, Knight Professor of Constitutional Law and the First Amendment at Yale Law School, delivered the John Dewey Lecture in the Philosophy of Law entitled "Is Law Good to Think With?" on April 7, 1999. Professor Balkin teaches and writes in the areas of constitutional law, with a special emphasis on the First Amendment. He also teaches torts, jurisprudence, telecommunications and cyberspace law, multiculturalism, social theory and the theory of ideology. He has written dozens of articles on many different aspects of legal theory from the forms of legal rhetoric to the constitutionality of the V-Chip. His interdisciplinary work ranges from law and economics and law and literature to law and music.



Jack M. Balkin

Professor Balkin received his A.B. and J.D. degrees from Harvard University and his Ph.D. in philosophy from Cambridge University. He served as a clerk for Judge Carolyn D. King of the United States Court of Appeals for the Fifth Circuit and practiced as an attorney at Cravath, Swaine, and Moore in New York City before entering the legal academy. He has taught at several law schools in this country and has been a visiting professor at the Buchman Faculty of Law at Tel Aviv University and Queen Mary and Westfield College at the University of London. He is the founder and the director of Yale's Information Society Project, a center devoted to the study of law and the new information technologies. ■

1999–2000 Visiting Faculty

Professor **Dan L. Burk**, a recognized intellectual property scholar, will teach this year Copyright Law, Patents, and a seminar in Law & Biotechnology. Professor Burk received his B.S. degree in microbiology from Brigham Young University, M.S. degree from Northwestern University in molecular biology and biochemistry, a J.D. degree from Arizona State University and a J.S.M. from Stanford University Law School. He is a nationally recognized scholar in the fields of copyrights, patents and intellectual property in cyberspace.

Elizabeth Rynning is a visiting faculty member from Uppsala University in Sweden. Since graduating from law school in 1980, she has served as a judge and a staff lawyer with the Parliamentary Ombudsmen in Sweden. Her area of speciality and research includes health law and bioethics and administrative law. At the Law School this fall, she will teach a seminar on health law from a comparative and international perspective.



Adam Samaha

Adam Samaha joins the Law School as a visiting scholar directly from a clerkship on the United States Supreme Court with Justice John Paul Stevens. He will teach Local Government Law in the fall and a First Amendment course in the spring. Prior to clerking for Justice Stevens, he clerked for Chief Justice Sandy Keith on the Minnesota Supreme Court and practiced law with Robins, Kaplan, Miller and Ciresi in Minneapolis. He is a graduate of the Harvard Uni-



Professor Elizabeth Rynning and her husband Jan, visited with Professor Dan Burk, and his wife Laurie, during the annual Faculty Dinner held Sunday, August 29, 1999.

versity Law School and holds a B.A. degree in history and government from Bowdoin College.



Keith Bystrom

Keith Bystrom is visiting in the law clinic from the University of Oklahoma. He has been the director of the clinical legal education program at the University of Oklahoma Law Center, a faculty member at the University of Oklahoma since 1985 and served as acting dean of the law school in the late 1980s. He received his law degree from Georgetown University Law Center and his B.S. degree from the University of Nebraska. During the fall semester he will teach a simulation-based Interviewing, Counseling and Negotiations course as well as supervise students in the Civil Practice Clinic. ■

Order of the Coif Class of 1999

Jeannette Arazi
 Stacy Lynn Bettison
 Robin Caneff
 Paul Civello
 Curtis Fisher
 Margaret Garvin
 Eileen Day Graton
 K. Andrew Hall
 Theresa Hankes
 Michael Hellwich
 Bridget C. Johnson
 Ryan S. Johnson
 Todd D. Lee
 Greg McAllister
 Ryan Miest
 Erick Ottoson
 Emily Rome
 Estella Schoen
 John B. Simko
 Nicole Terpstra
 Kari Thoe
 Thayer Thompson
 W. Mark Weidemaier
 Elizabeth C. Welter
 Jeffrey Witt

A Minnesota Anchorage

Alumni Flock North to the Legal Frontier

—by Carl H. Johnson ('99)

As I made the approach into Anchorage International Airport on Sun Country Flight 29, I looked frantically through the window, trying to get my bearings. Nothing looked quite like it did on the map, which is the only way I have come to know my new home—through research.

As I was about to take my first step onto the soil of our forty-ninth state, I felt small in the face of this vast land. I brought with me the comfort of knowing, however, that I was merely one of the 26 Minnesota law alumni who chose to settle in Anchorage, Alaska's largest city.

With 6,200 out of 8,900 alumni practicing in Minnesota, one would think that few if any University of Minnesota Law School graduates ever left the state. While this may have been the historical trend, in recent years Minnesota alumni are leaving the state upon graduation in ever-increasing numbers. This reflects the Law School's growing national reputation, as well as the respect and recognition shown to Law School alumni in organizations and firms in other states.

In 1998, 35 percent of the graduating class left the state. This was an anomaly in the face of recent trends: From 1995 to 1997, the number of graduates leaving the state increased from 30 percent to 41 percent.

Aside from the trend reflecting the Law School's growing reputation, the out-of-state movement also presents opportunity. With Minnesota alumni becoming increasingly mobile, Minnesota businesses have an increased opportunity to grow nationally and globally. Through the alumni network, Minnesota employers are increasingly developing contacts in cities throughout the United States.

Minnesota alumni are flocking to certain areas of the country, with concentrations



At 250,000, Anchorage is Alaska's largest city and legal hub, hosting the State Supreme Court, Court of Appeals, and courthouse for the Third Judicial District.

in particular metropolitan areas. Many of these cities are well-known as legal hot spots—Washington, D.C., Chicago, San Francisco, and New York to name a few. Yet silently and consistently, Minnesota alumni are emigrating to the far north of Anchorage, Alaska. In fact, it is the second highest per capita concentration of alumni outside of Minnesota.

When most people think of Alaska, the things that come to mind are cold, darkness, brown bears, commonly known as “grizzlies,” and *Northern Exposure*. But unlike the reluctant and petulant Dr. Joel Fleischman of the CBS television series, Minnesota alumni go willingly, seeking opportunity in a climate that is close to that at home.

Contrary to beliefs about darkness and harsher winters, Anchorage has slightly milder winters than in Minneapolis, and Alaska has the highest daily average of sunlight hours of any state in the country. Anchorage enjoys an annual daily average of 12.5 hours of sunlight, with a high of 19.3 hours a day in June and a low of 5.5 hours a day in December. The hours of daylight in each day is part of the regular forecast.

Despite the many stereotypes associated with Alaska, many of its true qualities are well known. Alaska is still accurately known as “The Last Frontier.” It occupies over 365 million acres of land, while only one twentieth of one percent of that land is developed.

More than just its size and remoteness, Alaska still holds for many the true spirit of the frontier that attracted settlers West in the nineteenth century. Many people migrated to Alaska to experience life without outside interference, to choose whatever path they wanted to follow, says Ethan Windahl, Class of '69. Windahl, a retired Magistrate in Anchorage, adds, “Alaska appeals to those who have no interest in society's strictures. It appeals to the rebels.” He laments, however, that the influx of pipeline wealth has tainted Alaska's formerly laissez-faire spirit.

Since much of Alaska's vast interior is uninhabited wilderness, the primary mode of transportation for Alaskans is the airplane. Only one-third of Alaskan communities are accessible by roadway. Alaska has both the highest number per capita of registered pilots as well as airplane owners of any state in the country. Mer-



The Chugach Mountains, which border Anchorage to the east, provide many outdoor recreational opportunities, such as berry picking, hiking and fishing, to those who practice law in Anchorage. Favorite activities during the work day include whale watching and salmon fishing over the lunch hour in nearby Ship Creek.

rill Field, an airstrip in Anchorage for smaller, private planes, is one of the busiest airfields of its type in the country. The Lake Hood Seaplane Base, located near the International Airport, has the largest number of seaplane landings and takeoffs in the country.

The wild and unique nature of the Alaskan countryside also tends to find its way into the populated areas, particularly Anchorage. With the official state sport of dog mushing, it is no surprise that one of the most famous dog sled races in the world, the Iditarod, would begin in Alaska's largest city. Even as early as August, 1999, over 70 mushers had signed up for the over 1,000 mile race that begins on March 4, 2000.

Alaska's abundant wildlife also manages to find its way into Anchorage. Reports of encounters with moose and brown bears in the city limits are not uncommon. With

a population of over 2,500 in the Anchorage "bowl," moose cause over 100 traffic accidents in the city each year. Locals know that leaving out birdseed can bring an unwanted visit from an Alaskan brown bear in the summer or a hungry moose in the winter. Tourists discover the hard way that small pets are easy prey for an area that is home to the largest population of bald eagles in the world.

Encounters have ranged from irritating, such as the confrontation between a bull moose and a tire swing in Soldotna last year, to deadly, including a fatal moose stomping on the campus of the University of Alaska Anchorage in 1995.

The wildness, the climate, the abundant opportunities, and the unique nature of life in Alaska are among the many qualities that draw Minnesota alumni Up North.

John Novak, Class of '85 and Chief Assistant District Attorney and Supervisor of the Violent Crimes Unit at the Anchorage District Attorney's Office, believes that the climate and abundant opportunities are what brings Minnesotans to Alaska. "There are opportunities in Alaska for young lawyers that are not available in the Lower 48," he adds. Novak also believes that the unique character of the people and the wild land add to Alaska's appeal.

Mara Kimmel, Class of '96, is an immigration attorney for Catholic Social Services in Anchorage. She sought to return to Alaska after living there briefly in 1984, and in 1989-90 while working with an Alaskan Native corporation after

the Exxon Valdez oil spill. Her office is currently the only office in Alaska that provides legal services to immigrants.

Kimmel agrees that the abundant opportunities in Anchorage are a strong draw for the area. She adds that not only is the climate similar to that of Minnesota, there are so many Minnesotans up there already that it "probably feels a bit like home."

Peter A. Michalski, Class of '71, is a judge with the Alaska Superior Court's Civil Division in Anchorage. He first came to Alaska in 1971 and joined the Attorney General's office in Juneau. After two years, he transferred to the AG's office in Fairbanks where he was an assistant district attorney. In 1977, he transferred to the Anchorage AG's office and was appointed to the court in 1985.

The moving around to different villages and cities is not uncommon for those who practice law in Alaska.

Despite recent declines in the timber and oil industries, and the significantly diminished salmon runs, natural resources still play a dominant role in Alaska's economy, and, consequently, in the practice of law in Anchorage.

Judge Michalski notes that the significant amount of federal and state land resources in Alaska contribute to a practice of law with issues relating to extractive aspects of taxation and protection of natural resources. Some of the more unique aspects of practicing law in Alaska he has encountered revolve around the sensitive issues associated with Alaskan Native children.

The uniqueness of being a judge in Anchorage is not limited to the law. The new state courthouse stands near an area that was swallowed up by the ground in a 9.2 Richter Scale earthquake, the most powerful in United States history, that hit Anchorage on Good Friday in 1964. Occasionally, a large enough tremor hits to force judges, clerks, and secretaries alike into doorways for shelter.

Jim Reeves, Class of '70, is a litigator for Dorsey & Whitney, working primarily

with public lands and natural resources issues. He notes that practice in Anchorage invariably is more litigation-intensive. There simply is not nearly as much transactional work here as there is in the States, he explains. (Many Alaskans do not use the term “Lower 48,” but instead prefer “the States” or simply “Outside”). He adds, “One of the best things about practicing law in Alaska—you can be a generalist.”

Reeves finds it ironic that he now is an attorney for a firm like Dorsey & Whitney. Fresh out of law school, he had no desire to do commercial litigation, to “go into a law factory.” He considered it the “ultimate dark side of law practice.” A larger firm partner once told him that large firm life was like the “solemn joining together of you and a law firm, just like the joining of a man and a woman in marriage.” Young and seeking adventure, he set out for Alaska, landing first in the AG’s office in Juneau in 1971.

For Mara Kimmel, the unique character of practice in Alaska has been the casual, close-knit nature of the community. “You can get to know everyone in a hurry,” she adds. Others warn that if you make an ethical blunder, “you might as well leave town, because everyone will know it.” Most alumni agree, however, that any aspiring attorney will find that Anchorage offers everything for legal practice that any other city has to offer. The only barrier to a satisfying practice is one’s imagination.

Another unique aspect of practicing law in Alaska flows from the youth of the state. Admitted to the Union in 1959, there is a dearth of case law in the state court system. Every new case has the potential for becoming precedent. With so many issues of law unsettled, every attorney has the potential to make their mark. With Anchorage as the legal hub for the state, that makes practice in Anchorage even more attractive.

Even in downtown Anchorage the courthouse is not isolated from nature. Just the other day a man was chased into a bar on Fourth Avenue by an Alaskan brown bear,

just blocks away from the courthouse. News of the bizarre encounter spread quickly through the building.

Stories about the quirks of a legal life in Alaska abound. Jim Reeves notes that the Alaskan bush adds some interesting twists to the experience. “You’ll have these villages in the middle of nowhere where everyone has to fly in to hold a hearing. The judge will come in to town, so will the PD and the prosecutor. Maybe there might be a magistrate who lives in town.” With a laugh he adds, “Then everyone will shack up together with sleeping bags in someone’s cabin and drink beer together.” That’s just the way it is. Other alumni reflect similar experiences.

Whether seeking a unique practice that concentrates on natural resources or Alaskan Native issues, or hoping to practice criminal law or personal injury, Anchorage has more to offer than merely a challenging and opportunity-ripe practice.

After reminiscing about the diverse, exciting, satisfying, and colorful life and practice he has found in Alaska, Ethan Windahl adds with a wink: “They say that in Alaska there are no secrets because in the summer the sun never sets and in the winter you leave tracks in the snow.”

Carl Johnson is currently serving as a law clerk with the Alaska Superior Court in Anchorage. ■

Highest Concentrations of University of Minnesota Law School Alumni Outside Minnesota

By Actual Number

1. Chicago, IL
2. Washington, D.C.
3. Los Angeles, CA
4. San Francisco, CA
5. New York, NY
6. Seattle, WA
7. Milwaukee, WI
8. Phoenix, AZ
9. Denver, CO
10. Dallas, TX
11. Anchorage, AK
12. Madison, WI
13. Portland, OR
14. Houston, TX
15. Kansas City, MO

Per Capita by General Population

1. Washington, D.C.
2. Anchorage, AK
3. San Francisco, CA
4. Madison, WI
5. Milwaukee, WI
6. Seattle, WA
7. Denver, CO
8. Chicago, IL
9. Portland, OR
10. Phoenix, AZ
11. Dallas, TX
12. Los Angeles, CA
13. New York, NY
14. Kansas City, MO
15. Houston, TX



Matters of the Mind: A New Intellectual Property Review

When the end of any semester arrives and students hovel in study carrels more than usual to prepare for exams, discussions inevitably turn, after hours of contracts review, to any number of happy distractions. On one such evening two years ago, Abraham Chuang and Eric Hwang started talking about petitioning for the law journals; they were dismayed over the fact that the Law School had no intellectual property review. They gathered a few of their friends and approached Dean Sullivan, and the result was the creation of the *Minnesota Intellectual Property Review*, the first on-line law journal of the University of Minnesota Law School that will publish its first edition in May 2000.

Hwang, who will be an Executive Editor, showed a great deal of enthusiasm for the project. "I think we're taking part in a very important trend in legal development," he said, "given its growth as a field of law, I would say it's imperative that a law school of this great caliber has to make an inroad into intellectual property law." He pointed out the intellectual resources available at the Law School, faculty such as recent visiting Professor Dennis Karjala, Professors Jim Chen, Daniel Gifford, David McGowan (who will be the review's faculty advisor) and visiting faculty member Professor Dan Burk.

Anthony Jacono, the *Review's* Editor-in-Chief, addressed the broad range of topics the journal will cover, ranging from patents to entertainment law to technology. "There seems to be a confluence of a lot of energies and efforts put toward intellectual property; it's exciting to be a part of that, it's exciting to take the forefront in Minnesota, certainly in the Twin Cities...the University is usually at the forefront of a lot of areas, and this is certainly reasserting its prominence in intellectual property. It's another way to add



During the orientation for the journal, members of the first Intellectual Property Review staff posed for this picture.

depth to a program that they're trying to strengthen. We offer the courses, we have the experts, and we also publish scholarly works."

Jacono and Hwang both discussed the appropriateness of the *Review* as electronic media. "It's a natural place to put it," Jacono commented, "people in technology are very comfortable with the internet."

"There's a cost benefit, but [beyond that] being online allows us to take advantage of online technologies," Hwang added, "We can hyperlink articles to other sites, other articles, also set up chat rooms, have readers post their comments. Obviously this is a very fertile arena for intellectual discussion. There's a whole world of possibilities out there, and we've barely scratched the surface."

The journal will publish a few print copies for archival purposes, and because "we know that hard drives can crash, how fragile computers can be," Jacono said.

Besides Jacono and Hwang, the *Review's* first staff includes Kristin Longley, Executive Editor, Managing Editors Abraham Chuang and Ramon Naguiat, Articles Editors Timothy Cole, Theodore Kittila, Daniel Nitzani and Carl Olson, and staff members Johnny Aguilar, Mark Boelke, Jeremy Cobb, Theodore Dorenkamp, Barry Edwards, Kerry Evans, Matt Franken, Alicia Hughes, Hugh McTavish, Tamara Rollins, Rohit Sabnis, Erin Skold, Sarah Wasmundt and Mike Wu.

"Intellectual property is a booming field," Hwang said, "and given that this is a corporate city, with many high-tech firms, there are so many intellectual property and technology resources here; there are little pockets like these emerging all over the country. It's not just Silicon Valley anymore. We have the chance to make this difference, and we have the resources. I believe the project is going to be a success." ■

Professor John J. Cound's Retirement Dinner



Professor Cound



Family, colleagues, friends, and alumni shared the special evening.



Ronald A. Jacks ('59), a member of Professor Cound's first Remedies class



Professor Jack Cound and wife, Jeanne, and family.



Professor Doug Kilbourn



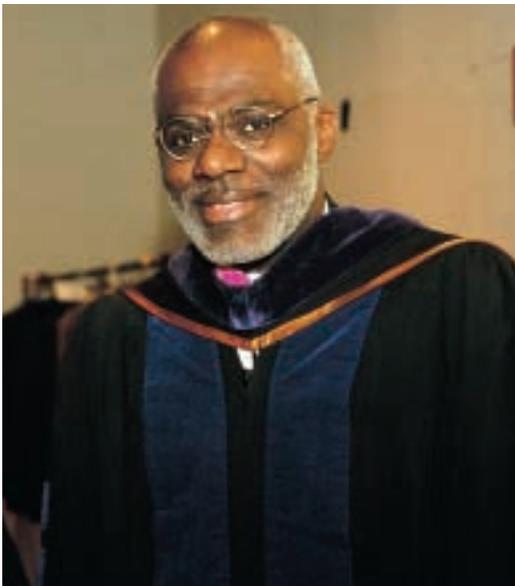
Bronwen L. Cound, Professor Cound's daughter



Robert Stein, executive director of the ABA and former dean, Professor Cound and Dean Tom Sullivan.



Class of 1999



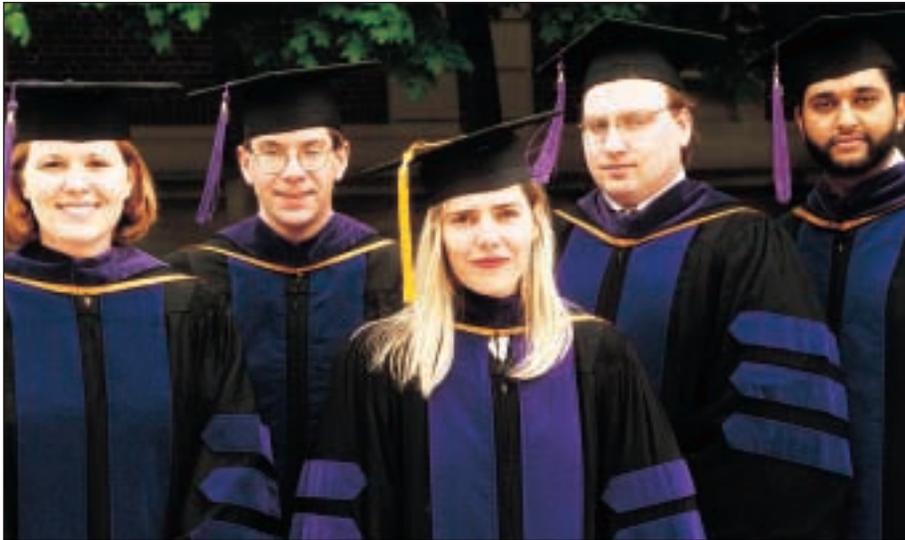
Justice Alan C. Page ('78) delivered the Commencement Address to the Class of 1999.



LL.M. Class of 1999

...Character is who we are at our core. It's what determines what we believe and how we choose to respond in any given situation. Character is not something we are born with, nor does it develop automatically it must be consciously developed...Whether we're 50 or 15, or 5 or 75—whether we're a professor, a student, or an alumnus of the University of Minnesota Law School, a family member or friend of one of today's graduates, or a Supreme Court Justice—we will be forced to re-evaluate and renew our character again and again. It isn't enough to rely on what we've done in the past, it isn't enough to give lip service to what we believe, and it certainly isn't enough to compare our own character to that of someone we consider to be of bad character. How we act today, and every day for the rest of our lives, will define who we are...

—Excerpt from the Commencement Address given by Justice Alan Page.



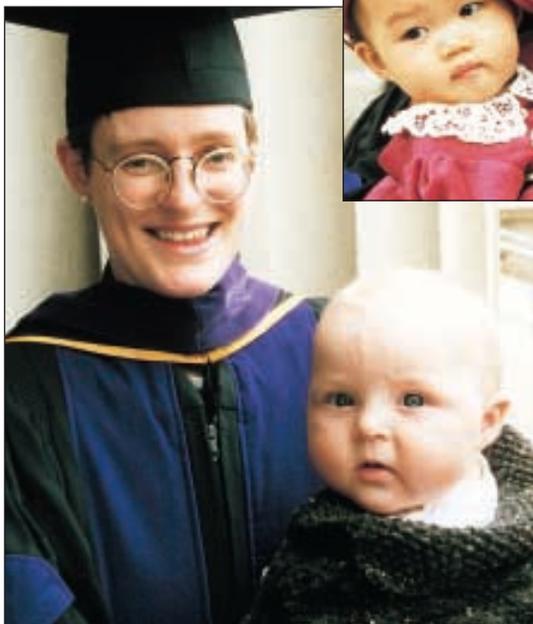
Pictured from left to right: Bridget Cathleen Johnson, recipient of the Excellence in Public Service Award; Greg A. McAllister, recipient of the Most Promising Lawyer Award; Monika Vicandi, delivered the LL.M. Graduation Address; Joshua Kammerer, co-chair of the Graduation Committee, presented the Student Awards; and Azhar M. Usman, delivered the J.D. Graduation Address.



Professor John H. Matheson received the Stanley V. Kinyon Teaching and Counseling Award.



Professor Maury S. Landsman received the Stanley V. Kinyon Clinical Teaching Award.



Families, including the youngest members, celebrated with the graduates.



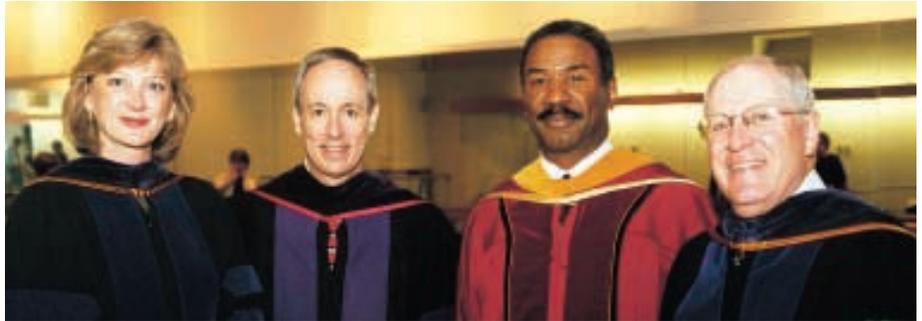
Four Distinguished Law School Alumni Receive the University of Minnesota's Outstanding Achievement Award

In the spring of 1999, four distinguished alumni were awarded the University of Minnesota's Outstanding Achievement Award by the Law School. The award which recognizes exceptional achievement in a professional field or in community service, is the highest honor given to alumni. Each of the recipients has given freely of their time, energy and resources to support and direct the growth of the Law School.

Michael Wright and Michael Ciresi received their awards at the annual Lockhart Dinner on April 29, 1999. Jean Hanson and Hubert H. Humphrey, III received their awards during the Law School's Commencement Ceremony on May 8, 1999.

Michael Wright is the Chair, CEO and president of SUPERVALU INC. Mr. Wright was captain of the 1959 Gopher football team and an Academic All-American. He graduated from the University of Minnesota with a B.A. degree in 1961 and graduated with honors from the Law School in 1963. He practiced for 13 years with Dorsey & Whitney law firm in Minneapolis before joining SUPERVALU INC. as Senior Vice President in 1977. He was elected President and Chief Operating Officer in 1978, became Chief Executive Officer in June 1981 and was named Chairman of the Board in 1982. Mr. Wright is a recipient of the 1999 Horatio Alger Award. He is a member of several boards including: the St. Thomas Academy board of trustees, a trustee emeritus of the University of Minnesota Foundation, the board of overseers of the University of Minnesota Carlson School of Management and also serves as Co-Chair of the Building Fund of the Law School's Capital Campaign.

Michael Ciresi is a partner and Chairman of the Executive Board of Robins, Kaplan, Miller & Ciresi law firm. He received his undergraduate degree from the University of St. Thomas and his law degree from the Law School in 1971. He began practicing with Robins Kaplan in 1971. Under his strong leadership Robins, Kaplan, Miller & Ciresi has grown internationally and became a more diversified law firm. Mr. Ciresi's trial practice and consulting is focused in the areas of product liability, intellectual property, business and commer-



Gathered moments before the 1999 Commencement Ceremony are Jean Hanson ('76), Dean Sullivan, Regent William Hogan, president of the University of Minnesota Board of Regents, Hubert H. Humphrey, III ('69).



Dean Sullivan posed with recipient Michael Ciresi ('71).

cial litigation. He has acted as counsel for corporations, individuals and governmental entities throughout his career. He has received numerous awards and recognitions, including, in 1998, the "Trial Lawyer of the Year Award" by the Trial Lawyers for Public Justice Foundation and a "Lifetime Achievement Award" by the Minnesota Trial Lawyers Association. Mr. Ciresi has been a member of the Law Alumni Association Board of Directors and was the 1997-98 National Chair for the Law School Partners in Excellence annual fund drive. He currently serves on the Law School Capital Campaign Cabinet.

Jean Hanson is a partner in the New York City law firm Fried, Frank, Harris, Shriver & Jacobson. She received her J.D. degree, *cum laude*, from the Law School in 1976. She joined the law firm of Fried, Frank, Harris, Shriver & Jacobson after graduation and in 1983 she became a partner. In 1993, President Clinton appointed Ms. Hanson as General Counsel for the United States Department of the Treasury. She rejoined Fried Frank in 1994. In her practice she represents a wide variety of clients, both foreign and domestic, public and private, as



Michael Wright ('63) and his wife, Judy, receive congratulations from members of the Lockhart Club.

well as investment banking firms and corporations. The National Law Journal selected her as one of 50 under 50 years of age whose accomplishment, influence and reputation have placed them in a category of their own. Ms. Hanson serves on the Law School Board of Visitors.

Hubert H. Humphrey, III is a Public Affairs consultant with the Tunheim Santrizos Company. He was educated from American University in Washington, D.C. and received his law degree from the Law School in 1969. He worked in private practice in Minneapolis from 1969 to 1982. He was elected to the Minnesota Senate in 1972, where he served for 10 years. Mr. Humphrey was elected Minnesota Attorney General in 1982 and in his sixteen years as attorney general, he was widely recognized as a dynamic and aggressive advocate for the public interest. He fought for consumer and environmental protection, children's advocacy, fighting drugs and anti-crime. He was at the forefront of several celebrated cases including the tobacco case. Mr. Humphrey also has served on the Law School Board of Directors. ■

“Dukedom large enough”

—By Katherine Hedin, Curator of Rare Books and Special Collections

The pivotal role of libraries has perhaps never been expressed in more colorful language than in Shakespeare’s *The Tempest*. “My library,” speaks Prospero, “was dukedom large enough.” Certainly the University of Minnesota’s Law Library—the primary learning laboratory for both students and faculty—is “dukedom large enough.” This article is one in a series describing the rich collections and vital services of the Law Library. One of the most fascinating but arcane collections of the Law Library is the Arthur C. Pulling Rare Books Collection.

An appropriate place to begin a discussion of the highlights in the Rare Books Collection is Magna Carta, surely “dukedom large enough” in the history of constitutional thought. The Law Library owns a stellar collection of early printings of Magna Carta and outstanding examples of key works in legal history which bear a direct relation to Magna Carta.

The Great Charter agreed to by King John on June 15, 1215, “in the meadow which is called Runnymede, between Windsor and Staines,” influenced the development of constitutional law in England and America, and in countries which followed their example. Although it was an extremely practical document, spelling out the rights the king promised his rebellious barons and, in turn, the rights the barons promised to the freemen under them, many of its provisions still resound today:

“No free man shall be taken, imprisoned, disseised, outlawed, banished, or in any way destroyed, nor will We proceed against or prosecute him, except by the lawful judgment of his peers and by the law of the land.” (Chapter 39)

“To no one will We sell, to none will We deny or delay, right or justice.” (Chapter 40)

Four copies of King John’s Magna Carta



Magna Carta, cu alijs antiquis statutis. London, 1531.

survive: two are in the Cathedrals of Lincoln and Salisbury, where they were originally placed in the thirteenth century, and two are in the British Library. Fortunately, the Charter survived the rage of King John as well as Pope Innocent III, who declared it null and void and pronounced excommunication on anyone who enforced it. Both the king and the pope died shortly thereafter and the Charter was reissued in 1216 and 1217, with alterations, by the government of Henry III, as a way of rallying support for the boy-king. A third reissue in 1225, with additional modifications, became the version of the Charter that was known and used in England until the eighteenth century.

Commentary on Magna Carta began almost immediately. Most famous was a treatise on English law written by Henry de Bracton between 1250 and 1258. His manuscript *De Legibus et consuetudinibus Angliae* (Laws and customs of England), described by legal historian F.W. Maitland as “the crown and flower of English medieval jurisprudence,” was the earliest attempt to treat English common law in

a systematic manner. It remained the principal source of legal authority until the publication of Sir Edward Coke’s *Institutes* 350 years later. One of the gems of the Law Library’s Rare Books Collection is its copy of the first printed edition of *De Legibus*, published by Richard Tottell in London in 1569.



Henrici de bracton de Legibus...London, 1569. One of the earliest commentaries on the provisions of Magna Carta.

Throughout the Middle Ages, Magna Carta continued to be confirmed by the Crown and interpreted by the courts and Parliament. In 1297, during the reign of Edward I, it was placed on the Statute Books of England. By the end of the fourteenth century it had become fundamental law. For example, a 1368 statute of Edward III states that the Great Charter should be “holden and kept in all Points; and if any Statute be made to the contrary that shall be holden for none.”

Magna Carta existed in manuscript form until 1508, when it was first printed by Richard Pynson in London. According to bibliographer Joseph Beale, eighteen printings occurred during the sixteenth century. The Law Library owns fourteen of these early printings of Magna Carta. One of the Library’s treasures is its 1514 copy of Magna Carta, the earliest printing of Magna Carta in the Library. Another is its copy printed in 1534, the



Sir Edward Coke. Second part of the Institutes of the lawes of England...London, 1642. An elaborate and influential commentary on Magna Carta.

first time the Charter appeared in English rather than Latin.

It was not, however, until the time of Sir Edward Coke in the seventeenth century that Magna Carta became fully celebrated as the chief cornerstone of the common law. In *The Second Part of the Institutes of the Lawes of England*, an extensive analysis of Magna Carta completed in 1628, Coke argues vigorously against the absolute power of the monarchy. For example, Coke wrote of the king's promise in Magna Carta not to sell or deny justice,

As the goldfiner will not out of the dust, threds, or shreds of gold, let passe the least crum, in respect of the excellency of the metall: so ought not the learned reader to let passe any syllable of this law, in respect of the excellency of the matter.

The Law Library's copy of the first edition of Coke's *Institutes* is undoubtedly one of the highlights of the Rare Books Collection. Coke's commentary on Magna Carta, based on the 1225 reissue,

had an enduring influence not only on the battle between the Crown and Parliament in seventeenth century England, but also on the belief of colonists in the New World that their rights as Englishmen reached back to Runnymede.

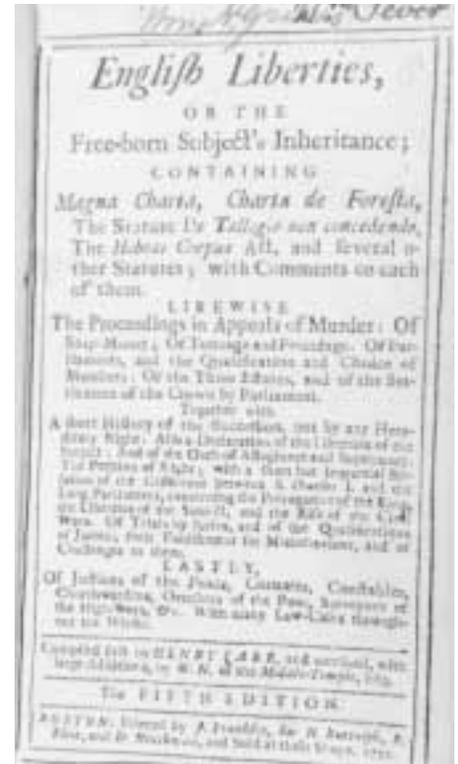
In spite of the reverence with which Magna Carta was held, it was not until the eighteenth century that Sir William Blackstone discovered that all previous printings of Magna Carta had been of Henry's 1225 reissue, rather than the original charter as issued by King John in 1215. His *Great Charter and Charter of the Forest*, published in 1759, was the first printing of the original charter. As Jordan Luttrell, owner of Meyer Boswell Books, wrote, "It is surely striking that we had to wait more than half a millennium to achieve the first accurate, printed render-



Sir Edward Coke. From Second part of the Institutes of the lawes of England. 1642.

ing of John's Magna Carta." (*AB Bookman's Weekly*, May 8, 1989). The Law Library's copy of Blackstone's *Great Charter*, a handsome first edition folio, was purchased in October 1935 by Arthur C. Pulling, the Library's first director. (The price, incidentally, was \$20.00; a copy was recently listed in a rare book dealer's catalog for \$3500.)

Magna Carta's influence was transported to the New World by colonists eager to assert their rights as Englishmen. Colonial charters, of which the Law Library

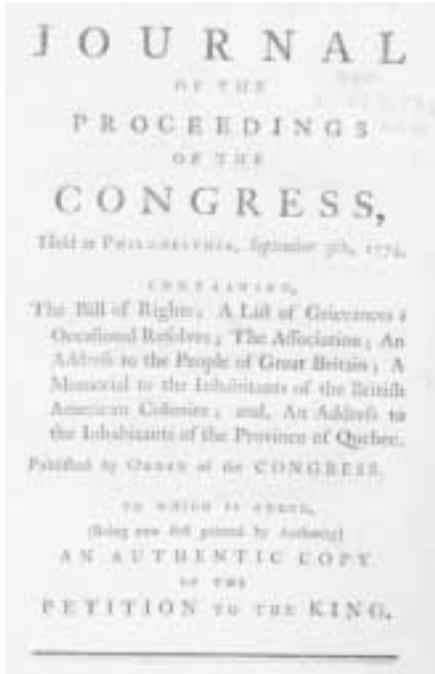


The provisions of Magna Carta became part of the fabric of colonial America through works such as Henry Care's *English Liberties*, printed in Boston, 1721.

has an exceptionally rich collection, repeatedly echo the sentiment expressed in the Virginia Charter of 1606 in which colonists are granted "all Liberties, Franchises and Immunities" of those living in England. Magna Carta was also brought to the colonies through the works of Coke and Blackstone, which were the foundation of colonial collections of law books. In addition, Henry Care's *English Liberties*, an influential commentary on Magna Carta, was frequently found in colonial libraries. Care's work, printed in Boston in 1721, is the earliest legal treatise printed in America that is owned by the Law Library.

Magna Carta's enormous capacity for growth is evident in the influence it exerted in revolutionary America and in the period which followed. The "rights of Englishmen" are expressed over and over again: *The Declarations and Resolves of the First Continental Congress* (1774), Thomas Paine's *Common Sense* (1776), and John Adams' *A Defence of the Constitutions of the United States* (1787) are but

three examples. The Bill of Rights, of which the Library has many early printings, shows a direct correlation between the agreement at Runnymede 576 years earlier: "No person shall...be deprived of life, liberty, or property, without due process of law..."



Journal of the proceedings of the Congress, held at Philadelphia...1774. London, 1775. *With this is bound:* Extracts from the votes and proceedings of the American Continental Congress...London, 1774.

The rights of Englishmen as first embodied in Magna Carta found expression in the resolutions of the Continental Congress, in the writings of John Adams and others, and ultimately in the Declaration of Independence. The work shown here is a London reprint which followed the first printing in Philadelphia. It is the first complete account of the first American Continental Congress.

It is my hope as Curator of Rare Books and Special Collections that even a description as cursory as the above may lead alumni to a deeper appreciation of legal history as it is preserved and made available at the Law Library. ■

University of Minnesota Law School Lectures 1999-2000

Professor Herbert Hovenkamp

Ben B. & Dorothy Willie Professor of Law and History
University of Iowa College of Law
William B. Lockhart Lecture
Wednesday, October 13, 1999

Professor John Powell

Marvin J. Sonosky Professor of Law and Public Policy
Tuesday, October 19, 1999

Professor Michael Stokes Paulsen

Briggs and Morgan Professor of Law
Wednesday, January 12, 2000

Professor David P. Bryden

Gray Plant Mooty Mooty & Bennett Professor of Law
Tuesday, February 8, 2000

Professor Karen C. Burke

Dorsey & Whitney Professor of Law
Wednesday, March 15, 2000

Professor Neil MacCormick

Centre for Law and Society
University of Edinburgh, Scotland
The John Dewey Lecture in the Philosophy of Law
Wednesday, April 5, 2000

Professor Suzanna Sherry

Earl R. Larson Professor of Civil Rights and Civil Liberties Law
Tuesday, April 11, 2000

1.25 CLE credits have been requested for the John Dewey Lecture and
1.0 CLE credits has been requested for all other lectures.

If you would like to attend any of the lectures, please RSVP to
Priscilla Cray at 612-625-4544 one week before the lecture.

Staff Recognitions

Janet Wiig, has been appointed the new Co-Director of the Institute on Criminal Justice. Ms. Wiig has served as Associate Director of the Institute since October 1998. She will assume the duties as Director of Operations upon the retirement of Ken Schoen on October 31. Ms. Wiig will share the directorship of the Institute with Professor Richard Frase, who is the Director of Research.



Stacy Doepner-Hove

Stacy Doepner-Hove was appointed as the new Assistant Director of Admissions. Ms. Doepner-Hove is a 1997 graduate of the Law School and for the past two years has served as the Executive Director of Minnesota Women Lawyers.



John Allen

John Allen has become the new Director of Computing and Technology at the Law School. Prior to joining the Law School, Mr. Allen served as Director of Technology for the Department of Medicine at the University's Medical School.

Nora Klaphake was appointed as the new Associate Director of Career Services. She is a 1994 graduate of the Law School. Ms. Klaphake was the Associate Director of Career Services at Hamline Law School. Prior to that, her work experience includes serving as a judicial clerk, practicing law at Rinke-Noonan in St. Cloud, teaching business law and juvenile justice and serving as a lobbyist. ■

Farewell to

Janet Hein accepted a new position as the Director of Admissions at University of Dayton Law School. Ms. Hein had served as Assistant Director of the University of Minnesota Law School Admissions for 17 years.

Dennis Kern, former Computer Services Manager, accepted the position of Information Systems Director for the Minnesota House of Representatives.

C. Ann Olson served as the Law School's first full-time Director of the Research and Writing Program. She left the Law School to complete her doctoral studies. Ms. Olson is the principal of Effective Writing, a company that offers tutoring, consulting and evaluation, coaching, and training in writing skills to lawyers, law firms, businesses and the academy. ■



Class of 2002 Profile

Entering Class: 210
 101 Women (48%)
 38 Students of Color (18%)
 Median GPA: 3.58
 Median LSAT: 162

Average age is 25 years.
 The age range is from 19 to 58 years.
 107 colleges and universities represented
 31 states and 4 foreign countries represented

Student Recognitions

Bridget C. Johnson ('99) was appointed by the Minnesota Justice Foundation as its NAPIL Equal Justice Fellow. The two-year fellowship began in September, 1999. Ms. Johnson is developing volunteer placements for law students through the new Law School Public Service Program.

Brad Lovelace ('99) received the 1999 Steven M. Block Prize for Scholarship for his paper titled, "Pump up the Volume: Changes in Radio Policy and the Marketplace Require Creation of a New Low Power FM Service to Protect the Public's Right to Information."

Jill Robertson was presented the Equal Justice Award by the Minnesota Women's League. The Equal Justice Award is given each year to a law student who authors an essay or article addressing a topic related to justice and equality. ■

The Nature of Things

Besides toting the usual cumbersome torts and contracts books through the hallways of the Law School, Carl Johnson ('99) could also be seen, in his days as a student, packing his portfolio of awe-inspiring nature photography. There was a conflation of his two avocations this past spring when he was awarded first place in the annual Roscoe Hogan Environmental Law Essay Contest for his essay "Charletans, Neurotics, and Scheisters: A Daubertospective View of Science in the Courtroom for the Environmentally Challenged."

Johnson said his paper was "not so much an environmental essay as an evidence essay," describing his approach to the questions he addressed. This year's essay topic was "What is an Expert?" and Johnson addressed three questions: What are the differences in understanding and proof between the scientific and legal community, how has the nature of the expert changed since Daubert and Joiner (two Supreme Court cases which dealt with tests and levels of review standards), and how do you get novel scientific theory admitted into the courtroom?

At first Johnson thought he would make a general analysis of the topic, but he noted "in my research I found that there is an illness that the courts consistently do not allow causation testimony on and that's Multiple Chemical Sensitivity (MCS)...basically because the AMA and a few other mainstream scientists believe it doesn't fit into the normal paradigms of what defines an illness, so they don't like it." Through his research, Johnson discovered that a lot of people are afflicted with MCS, and in his essay he discussed theories, symptoms and treatment for MCS, specific criticisms the AMA and others have about it, as well as how a plaintiff can get causation evidence into a courtroom. He pointed out that while federal courts tend to fall back on the old test that if the scientific community has not accepted a theory that it not be allowed in court, there is a way for attorneys to present their cases.

"You have to become more actively involved. Lawyers don't really have an understanding of the scientific method, it's not the objective process people think it is. You really need to get the courts to look back at the scientific fact. It may not be exactly the same as something before, but you can make analogies, you can make existing science work for you, and you don't have to have all the answers."

Carl H. Johnson with Gerson Smoger, Contest Committee Chair, at the 1999 Annual Roscoe Pound Fellows Dinner.



The Roscoe Hogan Award includes a \$3000 prize, honorary membership in the Roscoe Pound Foundation, and an awards dinner that took place in San Francisco July 18, 1999, which Johnson attended.

Johnson first became interested in environmental law after earning his bachelor's degree in Political Science. He found "there was nothing really interesting to do" with his degree, so became a canoe guide in the Boundary Waters Canoe Area for two summers, became aware of the many issues surrounding the BWCA and got much more in touch with the wilderness than he ever had been before. He then worked for a year as an activist for the Sierra Club and as a page at the Minnesota House of Representatives, where he served on the regulated industries and natural resources committees.

"I'd always had an interest in the environment and these experiences really solidified it for me. It really jumped off the map for me when I started law school, because [my] first year I attended the National Association of Environmental Law Society's Conference in Chicago. I really got exposed to environmental law for the first time, the complexity and diversity of the issues." ■

Tom McDonald, U.S. Ambassador to Zimbabwe

After working ten years as a law firm partner at Arder and Hadden, Tom McDonald ('79) was nominated by President Clinton in 1997 to be a U. S. Ambassador to Zimbabwe. McDonald had first traveled to the African continent in 1974 as an undergraduate at George Washington University. At that time he visited Ghana and Nigeria and since then has been involved in election work in Uganda, South Africa, Kenya and Cambodia, advising and drafting election laws.

Ambassador McDonald describes his position as a "very busy and a dynamic job. It is very satisfying; a place where we can matter and get things done." He pointed out that since the early 1990s, Zimbabwe has been attempting to liberalize the economy, an activity which has occurred in fits and starts. It is interesting to note that Zimbabwe is the second largest economy in Africa, he noted.

Even with some liberalization, the economy remains a controlled environment, with parastatles dominating critical sectors such as the railroads, telecommunications and energy resources. The U.S. government has been working with the government of Zimbabwe, encouraging a move to privatization.

While some African countries are moving toward capitalism and democracy, McDonald said each of these countries may have a different perception of what this means.

"We have our western perspective on democracy, and we can't unilaterally impose those views on others. We have to be willing to look at things from their perspective. We are really partners who give constructive criticism and encourage more citizen participation," McDonald said.

There are several thousand Americans students, teachers, missionaries and business people living in Zimbabwe, and McDonald said one of the Embassy's primary function is to represent those people. However, he also pointed out the

Peace Corps is more active in Zimbabwe now than it has ever been, going beyond traditional teaching and engaging in such activities as environmental programs. There is also a humanitarian de-mining program in which American troops train Zimbabwean soldiers to safely remove mines that were planted during the guerilla struggles of the 60s and 70s. Many of the mines were planted near Victoria Falls, which is a great tourist attraction, and the de-mining program has the potential of having a significant economic impact in the Victoria Falls area.

Ambassador McDonald believes his "excellent education" at the University of Minnesota Law School helps him in his current position. "The writing, analytical skills and training in critical thinking are very beneficial to this position." McDonald said. "Law school really does prepare one for broad opportunities; it's true that you can do many things with a law degree." ■

Distinguished Alumnae

Judge Diana E. Murphy ('74) has been selected the first woman to chair the United States Sentencing Commission. Judge Murphy has served as a Circuit Judge for the United States Court of Appeals for the Eighth Circuit since 1994. The Commission, which was created in 1984 as part of the Sentencing Reform Act, is an independent commission in the judicial branch which establishes policies and practices for the federal courts, including guidelines prescribing the appropriate form and severity of punishment for offenders convicted of federal crimes.

Pamela F. Olson ('80) was named the first woman Chair of the American Bar Association's Tax Section. Ms. Olson is a partner in the Washington D.C. office of Skadden, Arps, Slate, Meagher & Flom. Her practice focuses on tax matters. She will begin her duties in 2000. ■



The Board of Directors attended the annual meeting of the Board of Visitors on April 30, 1999.

David S. Doty Class of 1961

David S. Doty serves as a Federal District Court Judge for the district of Minnesota. He took senior status in 1998, but continues to carry a full load of civil and criminal cases.



David S. Doty

After graduating from high school, he was fortunate enough to receive a Holloway Plan NROTC scholarship, and began attending the University of Minnesota in 1948. He was honored to become the NROTC student battalion commander during his senior year and in 1952, during the Korean war, he was commissioned a Second Lieutenant in the Marine Corps. It was in the Marines that he became interested in the law, serving as a legal officer and a member of various court martial boards. Captain Doty was discharged from the Marines on a Sunday and started law school on Monday, appearing in Professor Yale Kamisar's class in military garb.

Judge Doty graduated with honors from the Law School in 1961. He served on the editorial board of the *Minnesota Law Review* and was a member of Phi Delta Phi. After graduation, Judge Doty practiced in the firm that became known as Popham, Haik, Schnobrich, Kaufman and Doty. That firm was renowned for its policy of encouraging pro bono and community-oriented work. Judge Doty flourished in that setting, and developed a general practice concentrating on trial and administrative law. In 1987, Judge Doty was nominated and confirmed as a Federal District Court Judge for the district of Minnesota.

He has served as an adjunct professor at William Mitchell College of Law and later received an honorary Doctor of Laws degree from that school. He served on the University of Minnesota Law School Board of Visitors. He has been a frequent lecturer locally and nationally on many subjects. Judge Doty also was very active in bar activities, becoming president of the Hennepin County Bar Association, president of the Minnesota State Bar Association and later became the president of the Federal Bar Association. Judge Doty was elected to the Fellows of the American Bar Association and the American Law Institute. While on active status, Judge Doty served as a member of the Judicial Conference Advisory Committee on Civil Rules and Liaison member to the Advisory Committee on Evidence. He was also a member of the Eighth Circuit Judicial Council and served on numerous committees in the Eighth Circuit and the district. ■

Roberta K. Levy Class of 1964

Roberta K. Levy is a Hennepin County District Judge. She has served as a District Court Judge in the Fourth Judicial District since 1983.



Roberta K. Levy

Judge Levy received her B.A. degree, *magna cum laude*, from Temple University in 1959. She also earned a degree in Hebrew Education in 1957 from Gratz College while she was attending Temple. She received her J.D. degree, *magna cum laude*, from the University of Minnesota

Law School in 1964, where she was a member of the *Minnesota Law Review*. After graduation, she worked as an associate with the law firm of Robins, Davis & Lyons (currently Robins, Kaplan, Miller & Ciresi). From 1965 to 1971 she served as an Assistant State Public Defender, concentrating on appellate work and practiced with the law firm of Maslon, Kaplan, Edelman, Borman, Brand & McNulty from 1971 to 1978. Judge Levy also served on faculty here from 1975 until 1978. She was appointed to the Hennepin County Municipal Court in 1978 and in 1983 she became a Hennepin County District Court Judge.

Judge Levy retired from the University of Minnesota Law School Trial Practice Program at the end of Spring Semester 1999, after teaching Trial Practice for 24 years. Judge Levy served as a team leader and/or as a faculty member for the National Institute for Trial Advocacy during 1976–1989. She was a co-founder and team leader for the Minnesota Institute of Criminal Justice in Bemidji, Minnesota and has served as a faculty member for the Equal Employment Opportunity Commission Training Session in Trial Advocacy in Wisconsin. Judge Levy was a faculty member at Harvard Law School for the annual course in Trial Advocacy for most of the years from 1976 to 1989. She has also been a speaker for the Litigation Section of the American Bar Association, Continuing Education for Women at the University of Minnesota, Minnesota Continuing Legal Education Evidence Seminars, and the annual Minnesota Supreme Court Orientation for New Judges on Evidence and Judicial Ethics.

Judge Levy was elected to the American Law Institute in 1986. She is currently a member of the two Minnesota Supreme Court Advisory Committees: the Committee on Uniform General Rules of Practice for the State of Minnesota and the Committee on Alternative Dispute Resolution. She is also on the Advisory Committee to the Minnesota Legislature on Criminal and Juvenile Justice Information Systems, the Minnesota District Judges Association Civil Jury Instruction

Guides Committee and the Advisory Committee to the Conference of Chief Judges on State Corrections Delivery Systems. ■

Bill Luther Class of 1970

Bill Luther is the United States Representative of the 6th District in Minnesota and serves as the Deputy Regional Whip. The 6th district includes Anoka, Washington and Central Dakota counties.



Bill Luther

Congressman Luther graduated with high distinction in electrical engineering from the University of Minnesota in 1967 and received his J.D. degree, *cum laude*, from the University of Minnesota Law School in 1970. He then clerked for Judge Myron Bright of the United States Court of Appeals Eighth Circuit. He practiced with the law firm of Dorsey and Whitney from 1971 to 1974, then opened his own practice in 1974. He was the Founder of Luther, Ballenthin, and Carruthers law firm and was Senior Partner from 1983 to 1992. Congressman Luther was elected State Representative for Minnesota's 45th District in 1974 and served from 1975 to 1976. He served as State Senator for Minnesota's 47th District from 1977 to 1994 and was Assistant Majority Leader from 1983 to 1994. He was elected to the United States House of Representative in 1994.

Congressman Luther is a member of the Commerce Committee. He is a founding

member of the New Democrat Coalition, the Bipartisan Reform Team and the Internet Caucus. He is a member of the Education Caucus, Congressional Sportmen's Caucus, Congressional Missing and Exploited Children's Caucus, Congressional Task Force on Tobacco and Health, Nuclear Nonproliferation Caucus. Congressman Luther also serves on the Minnesota special Olympics Honorary Board of Directors. He is also a member of the Congressional Youth Leadership Council and the National Guard and Reserve Caucus. ■

Mary S. Ranum Class of 1983

Mary S. Ranum is a partner in Fredrikson & Byron law firm. She is a certified as a Real Property Law Specialist and focuses her practice on real estate law and banking. She works with a broad range of clients including lending institutions, major retailers and real estate developers on acquisitions, financing and leasing.



Mary S. Ranum

Ms. Ranum received her B.A. degree, *summa cum laude*, in 1978 from Concordia College and her J.D. degree, *magna cum laude*, from the University of Minnesota Law School in 1983. She was a member of the *Minnesota Law Review* and Order of the Coif. She clerked for Justice C. Donald Peterson of the Minnesota Supreme Court following graduation. Ms. Ranum joined the law firm of Fredrikson & Byron in 1984.

Ms. Ranum is chair of the firm's Real Estate Group and has been chair of the firm's Pro Bono Committee since its inception. She also is a member of the Banking Practice Group. Ms. Ranum is a member of the Real Property, Corporations, Banking and Business Law Sections of the Minnesota State Bar Association. She is also a member of the Real Property Section of the Hennepin County Bar Association. Ms. Ranum has been a member of the Minnesota Advocates for Human Rights Board of Directors since 1983 and served as president from 1996 to 1997. She also serves on the Board of Directors for the University of Minnesota Law Alumni Association. She served on the Minnesota Justice Foundation Board of Directors from 1987 to 1989. ■

Judith H. Dutcher Class of 1987

Judith H. Dutcher was elected to her first four-year term as State Auditor in 1994 and was reelected in 1998. As State Auditor, Ms. Dutcher has worked to ensure integrity, accountability and cost effectiveness in local government. She is the first woman to hold the office of State Auditor and the first Republican woman to be independently elected to statewide office.



Judith H. Dutcher

Ms. Dutcher received a B.A. degree from the University of Minnesota and is a 1987 graduate of the University of Minnesota Law School. She served as an Assistant City Attorney for the City of Minneapolis.

lis, in criminal prosecution, from 1987 to 1988. Ms. Dutcher practiced with the law firm of Lang, Pauly & Gregerson, from 1988 to 1994, in the areas of municipal litigation, suretyship, commercial litigation and criminal prosecution.

Ms. Dutcher is a member of the State Executive Council. She is also a member of several boards including the State Board of Investment, Land Exchange Board, Public Employees' Retirement Association Board, Minnesota Housing Finance Agency, Rural Finance Administration Board and the Board of Government Innovation and Cooperation. ■



The Law School Alumni Breakfast held on July 1, 1999 at the Minnesota State Bar Association annual meeting in Duluth, Minnesota.

Celebrate Homecoming

Saturday, October 30, 1999

8:30–10:00 a.m.

1999 CLE Program

Multidisciplinary Practice Firms: Should We Prohibit or Regulate?

Lockhart Hall (room 25)
University of Minnesota Law School

Robert Stein ('61)
Executive Director of the ABA

Rebecca E. Moos ('77), Bassford, Lockhart, Truesdall & Briggs
Co-chair, Minnesota Task Force on Multi Disciplinary Practice

11:10 a.m.

Homecoming Football Game Minnesota Gophers vs. Purdue Boilermakers

Hubert H. Humphrey Metrodome

1915

JUDGE HIRAM Z. MENDOW tried his last case in Probate Court when he was 101 years old. He celebrated his 106th birthday on August 6, 1999.

1931

FLOYD E. NELSON celebrated his 92nd birthday on April 1, 1999 and says he enjoys receiving news from the Law Alumni Association.

1939

LEONARD E. LINDQUIST was presented the *pro bono publico* award by the Hennepin County Bar Association during its 21st Annual Bar Benefit.

1944

JOHN W. MOOTY was the 1999 recipient of the Hennepin County Bar Association's Diversity Award.

1949

LAUREN ASHLEY SMITH, a Minister with Presbyterian Church USA, is currently a Fellow with the Foresight Physics Institute in Palo Alto, CA, and an Associate with the Westar Institute (The Jesus Seminary) in Santa Rosa, CA. Mr. Smith is also the CEO of Interlink, which interlinks epistemological concomitants of quantum mechanics and religion. He also writes under the pen name of Christopher Crow.

1952

RAY MARSHALL recently finished third place in the Over Age 70 male group in the Motorola Marathon in Austin, Texas, and second place in the Disney World Marathon in Orlando, Florida.

1953

PHILIP E. SCHWAB recently retired from the California Superior Court after twenty two years and became one of the original panel members of J.A.M.S., Inc, now J.A.M.S./ENDISPUTE, where he is still actively involved.

1954

ROBERT M. SKARE has been appointed to the Consulting Council for the National Youth Initiative directed by the Search Institute and sponsored by the Lutheran Brotherhood. The Initiative also serves as the principal resource for the National Alliance for Youth chaired by Retired General Colin Powell. Mr. Skare now resides in Colorado where he also serves on the Board of the Aspen Institute Community.

1956

DONALD H. LAMM is in Minneapolis and still enjoying the practice of law every day. He is also enjoying fishing, skiing, going to baseball games, playing bridge and spending time with his seven grandchildren.

1958

AUSTIN G. ANDERSON, a principal in the AndersonBoyer Group and President of the Network of Leading Law Firms, recently spoke to the Section on Legal Practice of the International Bar Association in its meeting in Boston. His presentation, entitled, "The New Lawyer, the World Web and Marketing," focused on the major marketing and technological issues facing law firms today.

RICHARD G. HUNEGS was selected as a Leading American Attorney by the American Research Corporation.

1959

JERROLD BERGFALK was awarded the Minnesota Justice Foundation's Outstanding Service Award for his work in private practice.

1962

ROBERT J. BEUGEN received the 1999 Professionalism Award of the Hennepin County Bar Association. The award is given annually to a member of the bench or bar who best exemplifies the pursuit of the practice of law as a profession, including the spirit of public service and promotion of the highest possible level of compe-

tence, integrity, and ethical conduct.

1964

MAHLON C. SCHNEIDER was appointed by the Minnesota Supreme Court as a Third Judicial District attorney member of the Commission on Judicial Selection.

1965



Rolf T. Nelson

ROLF NELSON was one of ten attorneys in the U.S. named to grade the spring National Elder Law Specialty exam. Mr. Nelson is one of just 150 Certified Elder Law Attorneys in the country and became Minnesota's first elder law specialist in 1997.

1966

JOEL C. DOBRIS, a professor of law at University of California at Davis School of Law, will be living in London until mid-summer 2000.

WILLIAM COSGRIFT joined the St. Paul office of the law firm of Briggs and Morgan as a shareholder. Mr. Cosgrift practices in the areas of business law, real estate, emerging corporations and non-profit corporations. He previously practiced with the former law firm of Doherty, Rumble & Butler.

1967

ARTHUR A. DRENCKHAHN was appointed by the Minnesota Supreme Court as a Ninth Judicial District attorney member of the Commission on Judicial Selection.

RICHARD WILHOIT joined the St. Paul office of the law firm Briggs and Morgan as a shareholder. Mr. Wilhoit practices in the areas of estate administration, and estate and charitable gift planning. He previously practiced with the former law firm of Doherty, Rumble & Butler.

1968

JAMES R. SCHWEBEL was named a Leading American Attorney by the American Research Corporation, an honor achieved by fewer than six percent of practicing attorneys in Minnesota.

ROBERT J. TENNESSEN joined the law firm of Gray Plant Mooty Mooty & Bennett.

1969

MALCOLM REID has been reappointed by the Hennepin County Board of Commissioners to the Minnehaha Creek Watershed District Board of Directors. Mr. Reid practices business and intellectual property law with Gray Plant Mooty Mooty & Bennett.

1970

STEVEN C. WROE, founder of the Consorcio Economico Legal, celebrates its 25th anniversary this year. The law firm specializes in matters of concern to the foreign investor in Costa Rica.

1971

MARK W. GEHAN was appointed by the Minnesota Supreme Court as a Second Judicial District attorney member to the Commission on Judicial Selection.

1972

WILLIAM E. JEPSEN was named a Leading American Attorney by the American Research Corporation, an honor achieved by fewer than six percent of practicing attorneys in Minnesota.

1973

JAMES C. DIRACLES has been named the Managing Partner of the Minneapolis

law firm of Best & Flanagan. Mr. Diracles is a member of the Business Law Department, where he focuses his practice in the areas of securities, financing, tax issues, business formation, real estate development and general corporate matters.

BILL GEORGE recently became Vice President, General Counsel and Secretary for Jostens, Inc. of Minneapolis.

BRADLEY J. MARTINSON was named a Leading American Attorney by the American Research Corporation, an honor achieved by fewer than six percent of practicing attorneys in Minnesota.

1974



Walter A. Bowser

WALTER A. BOWSER, former Minnesota District Court Judge, has been appointed Director of Arbitration for The National Arbitration Forum, one of the largest administrators of arbitration and mediation services in the nation.

1975

CARL BAER was named as one of Minnesota's Leading Attorneys for the fifth year in a row. Mr. Baer concentrates his practice on the mediation of disputes.

WILLIAM KUHLMANN has been named Senior Vice President and Trust Officer of LB Community Bank & Trust, a bank subsidiary of Lutheran Brotherhood. His immediate responsibilities include coordinating the bank's application for trust powers to the Office of Thrift Supervi-



William Kuhlmann

sion and organizing the bank's trust department from scratch.

FREDERICK W. NIEBUHR was named a shareholder to the law firm of Larkin, Hoffman, Daly & Lindgren in Bloomington, Minnesota. Mr. Niebuhr practices in the firm's Intellectual Property group, concentrating on patent and trademark prosecution.

ALAN I. SILVER joined Bassford, Lockhart, Truesdell & Briggs as a shareholder of the law firm.

1976

FRED BURSCH has opened the thirteenth office for his company, Bursch Travel Agency, Inc. Office locations for Mr. Bursch's company include St. Cloud, Sauk Rapids, Alexandria, Brainerd, Little Falls, Monticello, Granite Falls, Marshall, Austin, Rochester, Moorhead, Fergus Falls and Sioux Falls.

JOHN C. GOETZ was named a Leading American Attorney by the American Research Corporation, an honor achieved by fewer than six percent of practicing attorneys in Minnesota.

JACK GREENWALD recently took a break from his law practice in Dubai, United Arab Emirates to climb Mt. Kilimanjaro in Tanzania. At 19,340 feet, Kilimanjaro is the highest mountain in Africa.

HEIDI M. HOARD is Vice President, General Counsel and Secretary for The Musciland Group, Inc., the retailer who owns the Sam Goody, Suncoast Motion Picture

Company, On Cue and Media Play Stores. She and husband, John Lunseth ('77) have two sons and are still juggling families and careers.

GREGORY KVAM joined the St. Paul office of Briggs and Morgan as a shareholder. Mr. Kvam focuses his practice on estate planning, trusts, charitable gifts and tax exempt organizations. He previously practiced with the former law firm of Doherty, Rumble & Butler.

WAYNE SENVILLE publishes and edits the *Planning Commissioners Journal*, a national periodical reaching 6,000 citizen planners in each of the fifty states. The journal includes a "planning law primer."

JOHN YILEK joined the St. Paul office of Briggs and Morgan as a shareholder. Mr. Yilek concentrates his practice in the areas of banking, commercial, consumer and bankruptcy law. He is also Treasurer and member of the Minnesota State Bar Association Business Law Section Executive Council. Mr. Yilek previously practiced with the former law firm of Doherty, Rumble & Butler.

1977

CAROLYN CHALMERS, after twenty years of experience as an employment litigator, now practices as an independent employment law neutral. She specializes in investigating discrimination and assault complaints in education institutions.



Peter W. Riley

PETER W. RILEY was named a Leading American Attorney by the American Research Corporation, an honor

achieved by fewer than six percent of practicing attorneys in Minnesota. Mr. Riley was elected to serve as Treasurer of the Minnesota Trial Lawyers Association (MTLA) in August and has also recently achieved Board Certification as a Civil Trial Advocate through the National Board of Trial Advocacy.

LEAH MANNING STETZNER is serving as Vice President, General Counsel and Corporate Secretary of Illinova Corporation, a global energy services holding company headquartered in Decatur, Illinois, and for its principal subsidiary, Illinois Power Company, a natural gas and electric utility.

1978

IVY BERNHARDSON is currently serving as Chair of the Fairview Southdale Hospital Board and as Vice President of the Fairview Hospital and Healthcare Services Board.

TERRY L. HALL was named Senior Vice President and Chief Financial Officer of Aerojet, the aerospace and defense segment of GenCorp. Mr. Hall also will serve as Chief Financial Officer of GenCorp after the company completes its planned spin-off of its Performance Chemicals and Decorative & Building Products businesses.

JACK S. LEVEY co-chaired and spoke at a Presidential Track CLE, entitled "Don't Panic Title Insurance and the Small Commercial Transaction," at the ABA Annual Meeting in Atlanta.

1979

KATHLEEN A. HUGHES was a 1999 recipient of SUPER LAWYER honors, as elected by other attorneys throughout Minnesota and reviewed by members of the Board of Law and Politics.

LYNN M. ROBERSON was elected to the 1999-2000 Executive Board of the Litigation Section of the Atlanta Bar. Ms. Roberson was also Chair of the Trial Tactics and Techniques seminar held in September 1999 in Chicago for the Defense Research Institute.

1980

JULIE BRUNNER was appointed to serve as deputy commissioner of the Minnesota Department of Health. For the previous three years, Ms. Brunner served as the county administrator for St. Louis County, Minnesota.

BRUCE W. MOOTY was reelected to the Board of Directors of Gray Plant Mooty Mooty & Bennett. Mr. Mooty is also chair of the firm's Business Law Department.

PAMELA F. OLSON was named the first woman Chair of the American Bar Association's Tax Section, beginning in 2000. Ms. Olson is a partner in the Washington, D.C. office of Skadden, Arps, Slate, Meagher & Flom.

1981



Mark Sellner

MARK SELLNER rejoined the Minneapolis office of KPMG as a corporate tax partner, following completion of a two-year assignment as Partner-in-Charge of Tax Training in the firm's Montvale, New Jersey headquarters. He also will serve as an adjunct professor of corporate taxation and mergers and acquisitions in the graduate tax program at the University of Minnesota.

DORIS YOCK joined the law firm of Leonard, Street and Deinard.

1982

BONNIE E. RAQUET was named President of Cargill Technical Services, Inc., a subsidiary of Cargill, Incorporated that provides agricultural assistance in developing countries. Ms. Raquet is also Vice President, Corporate Relations for Cargill and is responsible for Cargill's activities in Washington, D.C.

1983

LINDA L. HOLSTEIN joined the Minneapolis law firm of Parsinen Kaplan Levy Rosberg & Gotlieb as a partner, where she heads the firm's Litigation Department.

KIM BUECHEL MESUN recently left the Minnesota Attorney General's Office after twelve years to become Assistant District General Counsel for the Minneapolis School District.

ROBERTA WALBURN is serving as a Global Health Leadership Senior Fellow with the World Health Organization (WHO) in Geneva, Switzerland. She will assist with the drafting of an international treaty dealing with tobacco control and work on smoking and health related issues. Ms. Walburn is on leave from the Minneapolis law firm of Robins, Kaplan, Miller & Ciresi.

1984

ANNAMARIE A. DALEY was appointed by the Minnesota Supreme Court as an at-large attorney member to the Commission on Judicial Selection.

MARK R. GEIER joined the law firm of Mackall, Crouse & Moore.

JEFF MERRICK recently became one of the first attorneys in the country to win a settlement against the manufacturers of fenfluramine-phentermine, or fen-phen, and is now advising other attorneys who are seeking judgments against the manufacturers. Mr. Merrick recently started The Pediatric Law Group to represent children born with birth defects or have sustained catastrophic injuries.

MARY E. SHALLMAN was elected as a partner to the law firm of Gray Cary Ware & Freidenrich in Palo Alto, California. Ms. Shallman is a member of the firm's Intellectual Property and Technology Group.

CLARK T. WHITMORE was elected to the Governance Committee of the law firm of Maslon Edelman Borman & Brand, the firm's highest governing body. Mr. Whitmore practices in the areas of banking law, bankruptcy and loan workouts.

1985

ROBERT C. BOISVERT was a 1999 recipient of SUPER LAWYER honors, as elected by other attorneys throughout Minnesota and reviewed by members of the Board of Law and Politics.

MARK STEED, a partner with the Twin Cities law firm of Meshbeshier and Spence, was recently elected to the Minnesota Trial Lawyers Association (MTLA) Board of Governors

TODD J. THUN joined Bassford, Lockhart, Truesdell & Briggs as a shareholder of the law firm.

1986

JAMES M. BREAM was elected as a member of the District 30 School Board for Glenview/Northbrook in Illinois, which is comprised of two elementary schools and one middle school. Mr. Bream is head of the medical malpractice/healthcare team at the law firm of Querrey & Harrow in Chicago.

JOAN C. PETERSON joined the law firm of Larkin, Hoffman, Daly & Lindgren in Bloomington, Minnesota. Ms. Peterson joined the firm's Corporate Law Department, practicing in the Telecommunications area. Just prior to joining the firm, Ms. Peterson was a Deputy Attorney General in the Government Service Section of the Minnesota Attorney General's office.

VAUGHN PHILLIPS was elected Assistant Secretary of Shell Oil Company.

1987

ROBERT J. CRAWFORD is a shareholder with the law firm of Bernstein, Shur, Sawyer & Nelson in Portland, Maine. Mr. Crawford practices in the areas of municipal and administrative law.



Darcy L. Hitesman

DARCY L. HITESMAN received *City Business' 40 Under 40 Award*, recognizing her as one of the next generation of business and community leaders in Minneapolis.

MIRIAM RYKKEN was recently appointed as a Judge on the Worker's Compensation Court of Appeals for Minnesota.

KEVIN M. SHEYS is a partner with the Washington, D.C. office of Oppenheimer Wolff & Donnelly and head of the law firm's Transportation Practice Group.

1988

MAURA O'CONNOR was elected chair of the Los Angeles Economic Development Commission's committee on Real Estate Development. Ms. O'Connor practices with the law firm of Arter & Hadden.

MITCHELL SCOTT PAUL joined the M. Sue Wilson Law Offices in Minneapolis.

PATRICK S. WILLIAMS joined the St. Paul office of Briggs and Morgan as a shareholder. Mr. Williams practices in several areas, including: antitrust, trusts and estates, construction, securities' fraud, federal employment, federal white collar criminal defense, admiralty and maritime, trademark and transportation. Mr. Williams previously practiced with the

former law firm of Doherty, Rumble & Butler.

1989

PAUL McDOWALL's "newest arrival," son George Quinn McDowall, joins his brother, Miles Lachlan McDowall, in keeping their parents busy.

TERRI L. ROSEN joined Employment Learning Innovations (ELI) as General Counsel. Ms. Rosen has been a certified ELI instructor since 1994 and brings her extensive experience in employment law to ELI, the leader in workplace legal training.

1990

JON K. HOPPENSTADT was selected for inclusion in Marquis Who's Who in America, 54th edition, 2000.

MARY M. KRAKOW was a 1999 recipient of SUPER LAWYER honors, as elected by other attorneys throughout Minnesota and reviewed by members of the Board of Law and Politics.

KRISTINE A. KUBES joined the law firm of Thomas R. Olsen & Associates in St. Paul.

JORDAN LORENCE is arguing the student fee case, *Southworth v. University of Wisconsin* before the United States Supreme Court. He lives in the Washington D.C. area and practices at The Northstar Legal Center.

1991

NEIL P. AYOTTE was elected as a partner to the law firm of Maslon Edelman Borman & Brand in Minneapolis. Mr. Ayotte is a member of the firm's corporate law group, focusing his practice in the areas of public and private company mergers and acquisitions and general securities law.

CHARLES "CHAD" BARUCH received a commendation from the Southern Poverty Law Center's "Teaching Tolerance" program for his efforts in promoting cultural tolerance and understanding

during 1998. Mr. Baruch has a solo practice in Rowlett, Texas. Mr. Baruch recently had an article concerning the Fifth Circuit's standard of review for ERISA benefits denials published in the *Southern University Law Review*.

KATHRYN J. BERGSTROM became a principal with the law firm of Gray Plant Mooty Mooty & Bennett. Ms. Bergstrom practices primarily in the area of litigation, with an emphasis on real estate, health and consumer finance.

SCOTT G. BOWMAN was elected a shareholder of Briggs and Morgan. He practices in the areas of employment litigation, shareholder and partnership disputes and litigation, railroad and transportation matters and litigation and products liability defense litigation.

SUSAN DRECHSEL is Assistant Legislative Counsel to the Georgia General Assembly. One of 12 attorneys supporting the 236-member assembly, Ms. Drechsel serves as counsel to the Industry and Education Committees. She lives in Atlanta with her husband, Dan, and four year-old son, Andrew.

BEN M. HENSCHL has joined the law firm of Moss & Barnett. He practice in the area of family law.

RENEE L JACKSON recently was named a shareholder in the law firm of Larkin, Hoffman, Daly & Lindgren.



Earle F. Kyle, IV

EARL F. KYLE, IV was elected a member of the American Law Institute. Mr. Kyle practices complex litigation, class action,

and employment law with the Minneapolis law firm of Lockridge Grindal Nauen.

JONATHAN REDGRAVE became a principal with the law firm of Gray Plant Mooty Mooty & Bennett. Mr. Redgrave practices primarily in the areas of complex business litigation, products liability law, insurance law and appellate advocacy.

1992

JAMES C. BOOS recently was elected as director and shareholder of the Brown, Andrew, Signorelli and Zallar law firm of Duluth. Mr. Boos practices in the areas of estate planning, closely held businesses and related fields.

PAUL J. BRADSKY is an owner/investor in two franchised hotel properties in Rapid City, South Dakota: AmericInn Motel & Suites and Country Inn & Suites.

DAN SIMON created Twin Cities Mediation to help people in conflict clarify their needs and recognize the needs of others, focusing on divorcing couples and other civil litigants. Mr. Simon also recently completed a M.H. degree in Counseling Psychology.

JONATHAN M. STEEN joined the law firm of Armstrong Allen Prewitt Gentry Johnston & Holmes as an associate in its Jackson, Tennessee regional office.

1993

KRISTI J. PAULSON formed her own law firm in Apple Valley, Minnesota.

1994

DAVID W. FEEDER joined the Denver office of Dorsey & Whitney as an associate in the Trial Department. Mr. Feeder was previously with the law firm of Shook, Hardy & Bacon in Kansas City, Missouri. He and his wife had their first child in October 1998.

HOLLY GIMBEL joined the Washington, D.C. office of Skadden, Arps, Slate, Meagher & Flom. Ms. Gimbel is a mem-

ber of the firm's International Trade department, engaging in international trade litigation before the International Trade Commission, the Court of International Trade, and the federal Circuit Court of Appeals.

CRYSTAL OLSEN GLYNN recently became Associate Director of Career Services at St. John's University in New York.

ERIK R. NORDSTROM joined the Austin, Texas office of the international law firm of Fulbright & Jaworski as a Senior Associate. Mr. Nordstrom's practice focuses on intellectual property and technology matters.

1995

ANN S. GRAYSON joined Bassford, Lockhart, Truesdell & Briggs as an associate with the law firm.

RIDDHI JANI is working in the Antitrust Division of the Attorney General's Office in St. Paul, Minnesota.

JEFF RUTHERFORD recently was awarded the Pro Bono Advocacy Award by the ACLU Foundation of Southern California for litigating a federal class action lawsuit that fought gender discrimination in municipal sports programs in Los Angeles. Mr. Rutherford is currently a litigation associate with the Los Angeles office of Kaye, Scholer, Fierman, Hays & Handler, but will soon be leaving the firm to join the trial unit of the Federal Public Defender in Los Angeles.

1996

EMILY K. COOPER was recently elected to the position of President of the Thurgood Marshall Law Association, the local minority bar association for Toledo, Ohio.

NORA FITZGERALD joined the law firm of Gray Plant Mooty Mooty & Bennett.

JULIE LONG recently moved to Rome, Italy and is having a great time exploring and discovering the city in this Jubilee Year.

JEFFREY W. POST joined the law firm of Hessian & McKasy as an associate. Mr. Post practices in the areas of commercial litigation, products liability, condemnation, and transportation law.

MICHAEL G. SLADE joined the law firm of Rider, Bennet, Egan & Arundel.

1997

JOSEPH F. HENDERSON joined the law firm of Lockridge Grindal Nauen as an associate practicing primarily in environmental and Indian law.

ERIN MAGNUS joined the law firm of Rider, Bennet, Egan & Arundel in Minneapolis.

DEBORAH NIRMALA MISIR recently was appointed Assistant General Counsel in the General Counsel's Office for the Immigration and Naturalization Service in Washington, D.C. Ms. Misir was formerly an Attorney Advisor in the Department of Justice's Executive Office for Immigration Review.

BILL OTTESON is working as a law clerk to U.S. District Court Judge Donald A. Alsop in St. Paul.

ROSHINI RAJKUMAR joined KCCI Channel 8 in Des Moines, Iowa as a news reporter. Ms. Rajkumar was previously with KVLV in Fargo, North Dakota.



Steven C. Schaefer

STEVEN C. SCHAEFER joined the law firm of Warner Norcross & Judd in Grand Rapids, MI, as an associate practicing in

corporate law, concentrating in mergers and acquisitions. Mr. Schaefer was formerly with the law firm of Faegre & Benson in Minneapolis.

CAREY WALL STARK joined the law firm of Holland & Hart in Denver, Colorado. She practices in the areas of business, tax and estates.

SHANE SWANSON joined the law firm of Larkin Hoffman Daly and Lindgren in Bloomington, Minnesota.

DAWN M. SZYMBORSKI joined the law firm of Lindquist and Vennum in Minneapolis.

ELLEN YEE is working as a Deputy District Attorney in Marin County, California, just north of the Golden Gate Bridge.

1998

RAYMOND B. EBY joined the law firm of Faegre & Benson in Minneapolis, where he practices in the Business Litigation Group.

JAMES C. MACGILLIS joined the business group in the law firm of Hinshaw & Culbertson in Minneapolis. Prior to joining the firm, Mr. MacGillis worked with the Western Minnesota Legal Services office managing cases which included consumer, welfare, housing and modification of child custody actions. Mr. MacGillis also served as a research assistant for the Huberty H. Humphrey Institute of Public Affairs where he examined and co-authored a study of the Minnesota Department of Transportation's decentralization and public involvement efforts.

RINKY PARWANI MANSON joined the law firm of Reuben & Novicoff in Beverly Hills, California. Her practice focuses on business litigation.

ANDREW P. SHIMEK joined the law firm of Gray Plant Mooty Mooty & Bennett in Minneapolis.

1999

MIKE HELLWICH began a one-year clerkship for Justices Paul Andersen and James Gilbert of the Minnesota Supreme Court.

KATHY JIMENEZ recently began a one-year clerkship with Judge Niesje J. Steinkruger of the Alaska Superior Court in Fairbanks.

CARL H. JOHNSON recently began a one-year clerkship with Judge Peter A. Michalski of the Alaska Superior Court in Alaska.

DAVID NEUBECK recently began a clerkship with the Ho-Chunk Nation Tribal Court in Wisconsin.

KRISTA SCHWARTING joined the law firm of Armstrong Teasdale in St. Louis, Missouri as an associate in the Litigation Department.

KARI THOE began a one-year clerkship with Judge Harriet Lansing of the Minnesota Court of Appeals. ■

Class Notes News

Name: _____ Class Year: _____

Address: _____

Phone: () _____

Fax: () _____

News/Comments: _____

Change of Address

Name: _____ Class Year: _____

Firm/Company: _____

Business Address: _____

Business Phone: () _____

Fax: () _____

E-mail: _____

Home Address: _____

Home Phone: () _____

I prefer my mail to be sent to my: Home Work

Send your Class Notes or Corrections to:

Law Alumni Association
 University of Minnesota Law School
 229 19th Avenue South
 Minneapolis MN 55455

or e-mail to Terri Mische at misch002@tc.umn.edu
 or fax to Terri Mische at (612) 625-2011.

A Tribute to Solly Robins Class of 1936

Solly Robins died on Monday, July 5, 1999. He was 86.

Mr. Robins was educated at the University of Minnesota. As an undergraduate, he attended the Engineering School (now the Institute of Technology) where he majored in Electrical Engineering and in 1936 received his J.D. degree from the Law School.

As founder and senior partner of Robins, Kaplan, Miller & Ciresi (formerly Robins, Davis, & Lyons) Mr. Robins was considered one of the great trial lawyers in the United States. Throughout his remarkable career, he obtained record verdicts throughout the United States. For example, he received the highest verdict in Minnesota in a condemnation case in *State v. Woodruff* and the highest verdict in Iowa in *Schnebly v Baker, et.al. Fuller Brush v. Grinnell, et.al.* was the forerunner in establishing a national practice in the catastrophe loss insurance field. In *McCormack v. Hanksraft Company*, Mr. Robins made new law in establishing the law of strict liability. Under Mr. Robins' leadership, the firm of Robins, Kaplan, Miller & Ciresi grew to over 200 lawyers and a national reputation as one of the top law firms in the country.

Mr. Robins is listed in *The Best Lawyers in America* (Original Edition 1983); Naifeh and Smith (Harvard Law 1977), and his biography appears in *Who's Who in America*. He is a recipient of the Minnesota Trial Association's Life-Time Achievement Award (1989), only the second trial lawyer in the history of the Association to receive the award. In addition, he was the first recipient of the Minnesota Jurisprudence Award from American ORT (Organization for Rehabilitation Through Training) (1955), was a member of the Honorary Advisory Board of the Ramsey County Historical Society. In 1998 he received the University of Minnesota Outstanding Achievement Award awarded by the Law School.

The law firm of Robins, Kaplan, Miller & Ciresi, under the leadership of Mr. Robins and Mr. Davis, endowed a Professorship in Law at the Law School during the 1988 Law School Centennial Campaign. This generous, major endowment has permitted the Law School to strengthen its programs of teaching, research and scholarship through the retention of outstanding faculty.

Mr. Robins is survived by his wife, Kathleen; children Stanford of Mendota Heights; Celeste of Madison, Wisconsin; Shari Peron of Minneapolis; James of St. Paul; Sean of Los Angeles, and Shannon of Minneapolis; a brother, Maurice, of Richardson, Texas; four grandchildren and four great-grandchildren. ■

A Tribute to Stefan Riesenfeld

Stefan Riesenfeld died at the age of 91 on February 17, 1999. He is remembered for his service as a faculty member at the University of Minnesota Law School from 1938 to 1952.

When Professor Riesenfeld became ill while grading papers for his classes at the University of California Hastings College of Law in Comparative Law and International Trade Regulation and he expressed a wish to continue the grading from his hospital bed. He did, and his grades were turned in the day before he died.

Professor Riesenfeld was born in Breslau, Germany in 1908 and attended the Universities of Munich and Berlin receiving the Doctor of Jurisprudence degree from the University of Breslau in 1931. He received the Dottore in Giurisprudenza from Milan in 1934. He then entered the University of California at Berkeley School of Law and studied both law and English simultaneously. In 1937, he graduated with distinction from Boalt Hall and in 1940 received his J.S.D. degree from Harvard University Law School. Professor Riesenfeld joined

the faculty of the University of Minnesota Law School in 1938 and taught until 1952, except for Naval service during World War II. While serving on the Minnesota faculty, he earned a degree in electrical engineering. In 1952, he joined the Boalt Hall faculty. He continued to teach after his retired in 1975 and also maintained a full teaching schedule at University of California Hastings College of Law until his death.

Professor Riesenfeld was a co-author with UCLA founding Dean Richard Maxwell of *Modern Social Legislation* and is credited with making the field of social welfare legislation an important area of academic inquiry. With Professors Hetland, Maxwell and Warren, he wrote *California Security Transactions* and is also the author of a casebook, *Creditors' Remedies and Debtors' Protection*.

Professor Riesenfeld is survived by his wife Phyllis, and sons Peter and Stefan.

This tribute was reprinted courtesy of Hastings Community, UC Hastings College of Law. ■

Memorial: Caroline A. Brede— “She was marvelous.” (1912–1999)¹

—by Joan S. Howland, Roger F. Noreen Professor of Law and Director of Information and Technology

When Dean E. Thomas Sullivan called on April 2, 1999 to tell me that Caroline Brede, a respected and beloved figure at the University of Minnesota Law School for over 64 years, had passed away the night before after a brief illness, I began fumbling, without much success, for the right words to express my high regard for this incredible woman. After a few moments, the Dean came to my rescue by saying, “She was marvelous, wasn’t she?” And, indeed, “marvelous” was the word for which I had been searching.

Ms. Brede was born on March 9, 1912, the granddaughter of German immigrants, and lived her entire life on the same street in Northeast Minneapolis. After graduating at the top of her class at Edison High School in 1929, she enrolled in the library science program at the University of Minnesota. Ms. Brede was elected to Phi Beta Kappa at the end of her junior year and graduated with highest honors in the spring of 1933. Immediately upon her graduation, Ms. Brede was offered a position at the University of Minnesota Library as a cataloger. Reminiscing about her first professional position, she commented shortly before her death, “It was the middle of the Depression and I had a job I loved making \$1000 a year with one week’s vacation. I felt I was the luckiest young woman in the State of Minnesota.”²

Two years later, Ms. Brede left the University Library to become a cataloger under Professor Arthur C. Pulling at the University of Minnesota Law Library. With the arrival of Ms. Brede, the Law Library’s professional staff doubled. While Professor Pulling concentrated on building the foundation for one of the greatest legal research collections in the country, Ms. Brede handled all aspects of the library’s operations including cataloging, circulation, and reference. As Ms. Brede once reflected, “Like most law libraries,



Caroline A. Brede

we didn’t have reference services in those early days, but if a student or faculty member was really stumped they would track me down and somehow together we would find the right answer or some close proximity thereof.”³

It was during these early years that the first of many generations of law students found a caring librarian in Ms. Brede who was always willing to respond to their requests but also, by her own admission, equally willing to tell them to get a haircut or to repair a frayed collar. Ms. Brede took a special interest in the woman law students who rarely numbered over 5 per class during the years prior to 1950. According to Ms. Brede “The woman law students had a significantly ‘harder row to hoe.’ I felt my job was to remind them that they might be outnumbered by the men but that didn’t mean they needed to be overshadowed. I think I may have done some good since many of these woman went on to become leaders among the Bar and the Judiciary.”⁴

Ms. Brede frequently spoke with great fondness of those early days of working with Professor Pulling as he developed the Law Library’s general and rare book collections. Ms. Brede often mentioned the excitement which accompanied the

return of Professor Pulling from one of his buying trips to Europe. Large crates would arrive containing materials ranging from an early copy of Blackstone’s *Commentaries* to a pristine early edition of the *Magna Carta* to a 15th century treatise on canon law. With equal fondness Ms. Brede remembered the boxes of Swiss chocolates that were also distributed upon Professor Pulling’s return.

With the appointment of Arlette Soderberg as the Law Library’s first reference librarian in 1946, Ms. Brede was able to devote her time to cataloging and administrative tasks under Professor Pulling’s successors Ed Bade and Leon Liddell. In addition, Ms. Brede assumed the role of matchmaker during these years when a large number of the students were veterans returning from World War II. One successful match of special note was Ms. Brede’s introduction of technical services librarian Violet Lemenowsky to a handsome third year student from Duluth who had seen action in the Pacific, Roger F. Noreen.

Despite a wide range of responsibilities, Ms. Brede found time to mentor any law student or staff member who displayed an interest in librarianship. Earl Borgeson, a member of the Class of 1949 who became a law librarian and served as Director of the Harvard Law Library from 1954 to 1970, was one such lucky student. He wrote in the Winter, 1999 issue of *Law Library Journal*, which includes a series of articles on mentors by leaders in the law library profession, “[As a student at the University of Minnesota in 1940] I was sent to do some typing at the law library. ...My first contact was with Ms. Caroline Brede—my supervisor, but soon to become my first mentor. The years that followed...established our friendship and the subtle career guidance to complete law school and yet, to become aware of a parallel career as a law

librarian. ...I was led through just about every support staff job one could envision in a major law library; I was also briefed as to the rationale of what I was doing and how each piece fit together.”⁵

It was during the years following World War II that Ms. Brede became increasingly active in professional activities. She was one of the ten founding members of the Minnesota Association of Law Libraries which was established in 1955. She served as Secretary–Treasurer (1956), Vice President (1957) and President (1958). Ms. Brede regularly attended the Annual Meetings of AALL and served on a variety of committees including Memorials, Statistics, and Ethics.

Ms. Brede served as Associate Law Librarian under Professor Bruno Green from 1960 until 1973 and then under Professor George Grossman until 1979. She was very instrumental in the move of the Law Library from Fraser Hall into the current Law School facility in 1978. Reflecting on this move, Ms. Brede mentioned, “We found many things we thought we had lost such as old rotary telephones, manual typewriters, and an old mimeo machine. Many of these things I decided were better left ‘lost.’”⁶

Ms. Brede retired from the Law Library in 1982, but only to move on to an administrative support position in the office of Robert A. Stein, Dean of the University of Minnesota Law School. In this position Ms. Brede assisted in a variety of tasks associated with the Law School’s continuing legal education programs, lecture series, and special events. She also continued to perform other professional duties such as compiling faculty vitae and bibliographies. Ms. Brede held this position under Dean Stein and, beginning in 1995, under Dean E. Thomas Sullivan until her death.

Although the University of Minnesota Law School was a major focus for Ms. Brede for over 64 years, it was hardly her whole life. She was a volunteer at the University of Minnesota Medical Center and a leader in several groups including the University Women’s Club and the

YMCA. Ms. Brede had a particular passion for folk and square dancing and, according to the March 1982 *MALL Newsletter*, even performed an occasional belly dance.⁷ She regularly attended the Minnesota Twins training camps in Florida and the Caribbean, and knew the statistics on generations of baseball players just as well as she knew the Library of Congress classification schedules.

When I arrived as Director of the University of Minnesota Law Library in 1992, Ms. Brede was one of the first members of the Law School community to greet me and invite me to lunch. Our initial lunch proved to be the first of many such outings which were always relaxing, entertaining, and incredibly informative. Over hearty Midwestern meals of pot roast, mashed potatoes, macaroni and cheese, and berry pie, which even in her 80s she ate with relish and no hint of concern for either digestive problems or cholesterol, Ms. Brede would address with great expertise topics including the history of the Law School, European travel, comparative religion, and, most recently, Minnesota’s newly elected Governor Jesse Ventura.

Of course, a major theme of these lunches was the Law Library and its evolution over the past 30 years. I once asked Ms. Brede what she felt was the greatest change she had witnessed in her career which spanned 6 decades. Expecting to hear some reference to technology, staff size, or collection growth, I was startled when she responded, “The students—they were bright, ambitious, and well-mannered in 1935, but they are even more outstanding, dedicated to excellence, and congenial today. It is a true privilege to be a part of their professional growth”⁸ I remember making the mental response, although for some reason I chose not to verbalize it, “It was a privilege for the law students to know and learn from Caroline Brede.”

Every great law library is the tangible reflection of the many librarians who have unselfishly devoted themselves to building collections rich in breadth and depth, and to providing the finest possi-

ble service to its diverse patrons. In the case of the University of Minnesota Law Library no one individual is more responsible for sustaining the excellence of the institution for more than half of its existence than Caroline Brede. And she always performed her many roles with skill, patience, grace, compassion, and humor. As Dean Sullivan so aptly stated, “She was marvelous, wasn’t she?”

References

1. This memorial is a slightly edited version of a tribute to Caroline Brede, written by Professor Joan S. Howland, that appears in the Summer, 1999 issue of *Law Library Journal*.
2. The quotes in this memorial were all recorded during an interview with Ms. Brede conducted by Joan Howland on March 4, 1999.
3. *Id.*
4. *Id.*
5. 91 *LLJ* 177 at 96.
6. *Id.*
7. *MALL Newsletter*, March 1982, p.3
8. *Id.* ■

In Memorium

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Buffalo Grove, IL
February 24, 1999

Class of 1927

Robert G. Haverstock
Minneapolis, MN
(No date available)

Gilbert Nathanson
Palm Springs, CA
January 2, 1998

Class of 1932

Vance B. Grannis
South St. Paul, MN
May 3, 1999

Class of 1933

Kenneth R. Johnson
Minneapolis, MN
October 25, 1998

Almon A. Tucker
San Antonio, TX
January 27, 1999

Class of 1936

Robert B. Luick
Belmont, MA
April 22, 1999

S. Wendell Nelson
Litchfield, MN
February 24, 1997

Class of 1937

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June 20, 1999

Honorable Maurice A. Wahlstrand
Willmar, MN
May 5, 1999

Class of 1938

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Madison, MN
April 8, 1999

Class of 1939

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Hibbing, MN
March 23, 1999

Wendell G. Johnson
Scandia, MN
January, 1999

Donald A. Nielsen
Pasadena, CA
July 21, 1999

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Glencoe, MN
August 3, 1999

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Greensburg, PA
May 24, 1999

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Edina, MN
February 27, 1999

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Prior Lake, MN
March 10, 1999

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Minneapolis, MN
August 6, 1999

Ralph L. Berman
Minneapolis, MN
April 20, 1999

Class of 1947

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Minneapolis, MN
May 19, 1999

Class of 1949

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Mounds View, MN
August 18, 1998

Lawrence H. Williams
Arlington, VA
May 17, 1999

Class of 1950

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April 27, 1997

Chester M. Oksner
Santa Barbara, CA
May 8, 1999

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Albert Lea, MN
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March 30, 1999

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April 27, 1999

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St. Paul, MN
December, 1998

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Santa Ana, CA
March 7, 1999

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Minneapolis, MN
August 14, 1999

Class of 1966

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Philo, IL
March 28, 1999

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December 28, 1998 ■



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