

SPRING 2012

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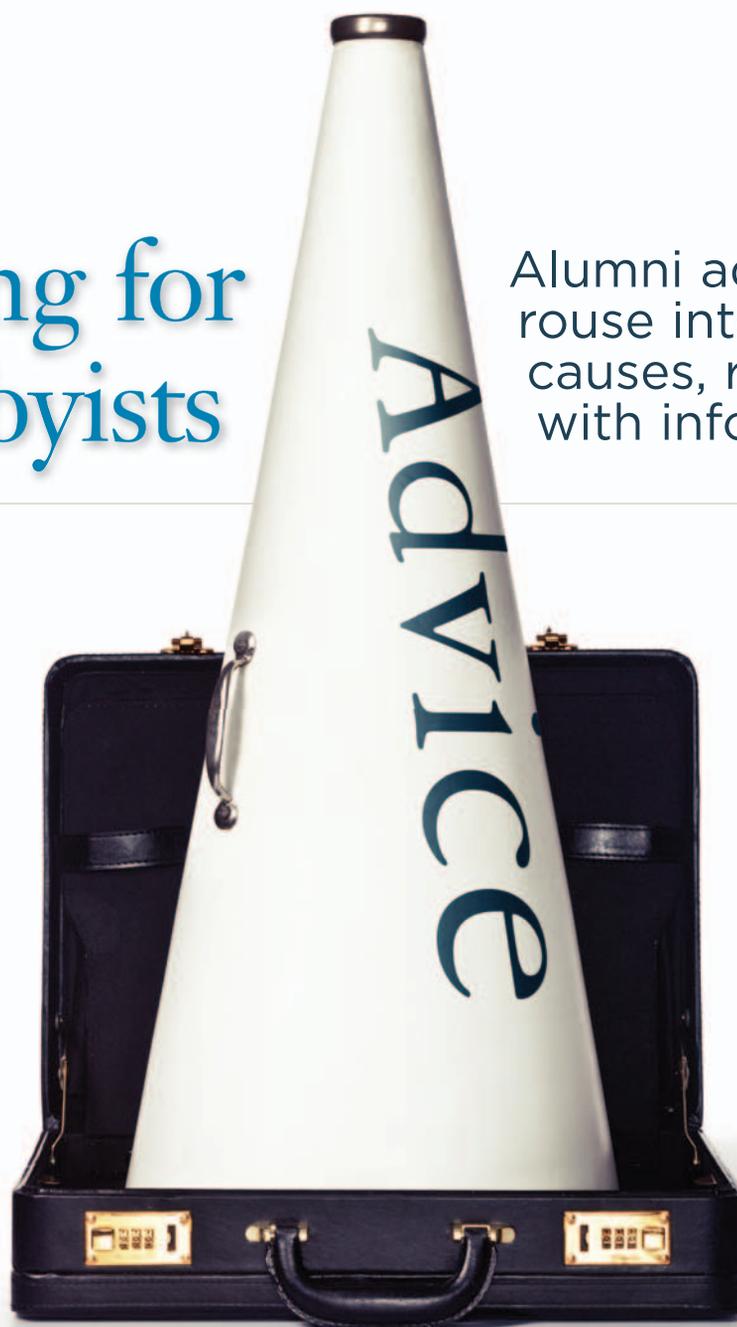
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THE UNIVERSITY OF MINNESOTA
LAW SCHOOL

Perspectives

THE MAGAZINE FOR THE UNIVERSITY OF MINNESOTA LAW SCHOOL

Lobbying for Lobbyists

Alumni advocates
rouse interest in
causes, rally support
with information



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DEAN DAVID WIPPMAN

Educating for Change

As the eminent physicist Niels Bohr once observed, “Prediction is very difficult, especially about the future.” Yet there is no shortage of pundits offering dire predictions about the future of law practice (and law schools) and contradictory prescriptions for responding to those predictions.

Recent trends certainly raise some concerns about the changing legal economy. Many law firms have seen revenues decline as clients increasingly insist on discounted fees and alternative billing arrangements. The pyramid structure of large law firms is under pressure, with many clients resisting the assignment of junior associates to their cases.

At the same time, technological change threatens to reduce or even eliminate once lucrative areas of practice. Armies of associates reviewing reams of documents in large cases may soon be a thing of the past, as firms rely increasingly on computers and sophisticated search algorithms to review vast amounts of data. Online services such as LegalZoom and Rocket Lawyer offer inexpensive do-it-yourself wills, leases, incorporation papers, divorces, and more. Outsourcing of work to lower-cost legal services providers and reliance on contract attorneys to staff large cases are growing.

Some of the difficulties lawyers have experienced in recent years may be cyclical, tied to the recession and likely to improve when the economy strengthens. But some changes may be structural, leading to long-term shifts in the practice of law.

For most of the period following World War II, lawyers took an increasing share of a growing economy. That could not last forever. It does not follow, though, that law will cease being a gateway to exceptional career opportunities. The economy is increasingly complex, regulated, and transnational; lawyers who can adapt to rapid change, solve problems, and add value for clients will remain in high demand.

The challenge for law schools is to offer an education that prepares graduates for work in this new economy, even if we cannot predict with confidence what exactly that economy will look like. Some of the proposals now floating about (e.g., make law an undergraduate degree or shorten law school to two years) may reduce the cost of a law degree but would do little to prepare graduates for successful careers.

At the University of Minnesota Law School, we are trying to sort the trends from the trendy. In my view, much of what law schools have always taught must still be taught—legal theory, doctrine, legal writing, and the analytical skills we call thinking like a lawyer. At the same time, we should be (and are) offering greater interdisciplinary, problem-solving, and practical-skills training, through new clinics, externships, simulation courses, and the like. In addition, we should be (and are) offering more business training—accounting, project management, finance, and more. And we should be offering leadership training, which we are, starting with the leadership foundations program offered for the first time this past January.

But there is only so much room in a three-year curriculum. We will not be graduating fourth-year associates any time soon, however much some may wish us to do so. We will, though, be graduating students as well prepared as any to face the challenges—and opportunities—of an economy that, like everything in the future, is difficult to predict.

A handwritten signature in black ink, appearing to read 'David Wippman'. The signature is fluid and cursive.

David Wippman
Dean and William S. Pattee Professor of Law

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by Cathy Madison Illustration by Stephen Webster



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> At the Law



University President Eric Kaler hosts lunch with faculty members Feb. 24, 2012, at University Campus Club. **Left to right:** Assistant Professor Benjamin Ibarra-Sevilla, CDes Architecture; Associate Professor Allan Erbsen, Law School; President Eric W. Kaler; Assistant Professor Melissa Gardner, Genetics, Cell Biology, Dev TCBS; Assistant Professor Sashank Varma, Educational Psychology; Assistant Professor Robert Jones, Dentistry



Mrs. Julius (Babe) Davis is shown newly remodeled Davis Faculty Lounge by former Julius E. Davis Chair in Law holders Claire Hill, Dan Gifford, and Richard Frase. **Background:** Babe's grandson Tim Davis and Professors Allan Erbsen, Bert Kritzer, and Nancy Cook



Justice Goodwin Liu, California Supreme Court, presents "Martin Luther King and the Good Samaritan" in April 2012, hosted by local chapter of American Constitution Society and Professor Richard Painter

New Program to Create Leaders Judged a Success

> **Nearly 150 students cut short** their winter break for three days of intensive exposure to the fundamental skills and concepts of leadership in the Law School's first annual Leadership Foundations Program (LFP), held January 11-13, 2012.

"This program recognizes the growing role of lawyers as leaders in many professional fields," says John Matheson, Law Alumni Distinguished Professor and Director of the Law School's new Corporate Institute, which planned and sponsored the event. "Today, more than ever, lawyers are business professionals, administrative executives in nonprofits, and political leaders. Our students need and want training in what it means to be an effective leader."

Offered at no cost to students, the LFP grew out of discussions that Dean David Wippman and Matheson had with the business community while forming the Corporate Institute.

"We heard clearly from our business allies that we should be *creating* leaders," says Dean Wippman. "We took seriously their recommendation that the Law School needed to do more on this front."

The numerous leadership, communication, and development topics covered at the first LFP ranged from relationship building to operating law firms as businesses. "Our goal was to provide a holistic program," says Matheson. "We wanted students to gain significant insight into leadership issues as well as their own aptitudes."

Drawing a bead on how to lead

The first speaker at the LFP was Kathleen Marron ('82), president of The Marron Alliance, an attorney, a leadership consultant, and a certified executive coach. She kicked off day 1 with a presentation on how emotional intelligence enhances leadership.

"Studies show that the skills that lawyers say make them successful are rarely related to what we get graded on in law school," said Marron. "Emotional intelligence competencies have been shown to account for the difference between star and average performers, particularly in leadership, yet we rarely teach these skills in law school. I was thrilled to have the opportunity to introduce this topic to students."

Amy Rotenberg ('92), president of Rotenberg Associates, followed with a focus on the importance of effective communications for leaders who must earn and maintain the support of key stakeholders. She emphasized how leaders must understand the needs of and learn to work with the media, especially in crisis communications.

Barbara Crosby, associate professor at the Hubert H. Humphrey School of Public Affairs, discussed the importance of inclusion in leadership, and Corporate Institute Program Director

School



Dean David Wippman, Laura Benton, Kristine S. Erickson ('72), Susanna Blumenthal, and Barbara Welke at Erickson Legal History Lecture delivered by Prof. Benton



Minnesota Supreme Court justices hearing oral argument in *Anderson v. Christopherson*, presented as part of 1L Lecture Series March 7 at the Law School. **Front row:** Associate Justices David Stras and Helen Meyer. **Back row:** Chief Justice Lorie Gildea, Associate Justices G. Barry Anderson ('79), Alan Page ('78), Christopher Dietzen, and Paul Anderson ('68)

and clinical faculty member Mary Alton challenged students to identify and understand their negotiating style. Alton gave students an opportunity to practice and improve their skills in a negotiation simulation.

On Day 2 Tom Matson, Senior Director of Leadership Development and Programming for the Gallup Education Practice, helped students identify their top five talents using the StrengthsFinder tool of Gallup's StrengthsQuest program. In follow-up evaluations, one student called the session "highly engaging, personal and useful." Another, a 3L, said the strength-finder tool "helped me understand who I am and how to play to my strengths in my career." Matheson agreed that the session was effective: "Knowing your strengths and how to use them are vital leadership skills that law students don't often learn."

The day also included presentations from Carlson School of Management's Phil Miller and Mark Kizilos. Miller discussed how cutting to the heart of an issue and rallying a diverse group around it are keys to leadership.

Students took their own case studies and employed Miller's "what problem am I trying to solve?" and "how do I get people onboard?" approach. Kizilos' talk focused on accelerating career success by identifying development opportunities, learning from experiences, especially failures, and avoiding common career traps. Roshini Raikumar ('97), president of Roshini Performance Group, provided a keynote speech on the importance of powerful personal presentation.

Day 3 began with a talk on reputation from James Hale ('65), chair of the Governance Committee at Tennant Company and former executive vice president and general counsel of Target Corporation. Hale inspired students with his remarks about becoming an ethical lawyer and taking pride in the profession.

Phil Garon ('72), former chair of the Management Committee of Faegre & Benson, discussed successful law firm leadership in a rapidly changing environment. The LFP ended with a practical discussion from Dorsey & Whitney partner Bryn Vaaler ('79) and

Chief Financial Officer Tom Bradley on the business of running a law firm in a fiercely competitive industry.

Reflections and observations

Students praised the presentation of keynote speaker Lee Mitau ('72), executive vice president and general counsel of U.S. Bancorp, on the leadership skills he has learned in the trenches, including the top things to *not* do as a leader.

"Leadership is a complex topic and many would argue is not easily taught through a set of seminar-style presentations, yet this Law School program did a fantastic job of piecing together topics focusing on key skills of accomplished leaders," says Mitau. "The Law School has been turning out impressive young graduates for many years, and I have personally been pleased to watch them develop into the leaders of this community—and beyond." A member of the cabinet for the Law School's GENERATIONS fundraising campaign, Mitau says he is serving in that capacity to help "ensure the Law School's role in nurturing and



James Hale ('65)



John Matheson



Kathleen Marron ('82)



Phil Garon ('72)

training our future leaders. I hope this program becomes an ongoing part of that training.”

Student evaluations of the LFP were resoundingly positive and cited the importance of hearing success stories, considering personal strengths, and receiving an overview of leadership concepts. “Some of it felt foreign at first,” says Sanjiv Laud ('12), Law Council president. “Many of us began with the questions ‘what does leadership mean and why should we care?’ in the back of our minds. But just plain old exposure to the research of dynamic thinkers on this topic was really valuable.”

Many LFP participants appreciated the prominence of topics not covered in the typical law school curriculum. “This is a great program that fills a gap

that is left open in our law education,” one 2L student wrote. Another said, more emphatically, “I would make this program mandatory for students without prior professional experience.” Laud agrees: “We don’t focus much, if at all, on leadership and communication skills. I think this would have the biggest impact for 1Ls who are beginning their job searches.”

Down the road

This inaugural LFP taught planners a great deal about how to make future programs even better, Matheson says. Specifically, next year’s program planners will consider additional small-group sessions where participants can have a choice of presentations in a more informal setting. In addition, Matheson says, with this successful

start, “We will consider how additional Law School programming might be created during the regular school term to better equip our students to succeed and to build on the Leadership Foundations Program.”

For Vaaler, who oversees his firm’s professional development, this first year marked an important beginning. “The Leadership Foundations Program is about getting law students started on a path toward leadership work. There are so many important leadership roles for lawyers in government, business, social reform, the justice system, and the profession. As an alumnus, I was delighted to be part of the program and proud of the Law School’s own leadership in putting it in place.”

By Kathy Graves, a Minneapolis-based writer

33rd Annual Summer Program of Continuing Legal Education Seminars

Featuring University of Minnesota Law School Faculty
\$225 per seminar • Save with a SuperPass: 7 courses for \$795

- May 25** Hot Topics in the Transition to Cleaner Energy: *Hari Osofsky*
- May 26** Communication and Acting Skills for Lawyers: *Nancy Cook and Sonja Parks*
- May 28** Understanding Trademarks, Copyright, and Related Areas of Intellectual Property: *Daniel Gifford*
- May 29** Hot Topics in Family Law: *Brian Bix*
- May 30** Corporate Governance After the Financial Crisis: *Claire Hill*
- May 31** Selected Topics in Unfair Business Competition and Torts: *Thomas Cotter*
- June 1** Recent Developments in Immigration Law and Policy: Detention, Removal and Asylum: *Stephen Meili*
- June 2** Ethics: Living the Rules (a.m.) and Bias: Dealing with Differences: Serving Immigrant Communities (p.m.): *Carl Warren and Laura Thomas*

- June 4** Accounting and Finance for Lawyers: *Edward Adams*
- June 5** International Criminal Law: *Fionnuala Ní Aoláin*
- June 6** Chevron and Beyond: Administrative Law Review and Update: *Kristin Hickman*
- June 7** An Update on Securities Litigation and Enforcement after the Financial Crisis, the Dodd-Frank Act of 2010, and the STOCK Act of 2012: *Richard Painter*
- June 8** The Constitution in a Conservative Court: *Dale Carpenter*

CLE credit: 6.5 standard credits for each seminar May 25-June 1, June 4-6, and June 8; 3 ethics credits (a.m.) and 2 elimination of bias credits (p.m.) for June 2; 2 ethics credits (a.m.) and 4.5 standard credits (p.m.) for June 7



FOR MORE INFORMATION, visit www.law.umn.edu/cle/2012_summer_cle.html.

LAW & INEQUALITY SYMPOSIUM ELEVATES DEATH PENALTY DISCOURSE

> On Nov. 11, 2011, the Law School journal *Law & Inequality* hosted its annual symposium, entitled “Perspectives on the Death Penalty: Comparative Solutions from the Classroom to the Courtroom.” From the controversial execution of Troy Davis in Georgia to the abolition of the death penalty in Illinois, capital punishment continues to capture the attention of academics, practitioners, and courts across the nation. Maintaining a national dialogue is important to finding creative and constructive solutions to the problems posed by this polarizing issue. Law and undergraduate students, faculty, and local practitioners attended the symposium to learn more about how the American criminal justice system treats its worst offenders—and suspected offenders.

Opening remarks were offered by Robin M. Maher ('91), Director of the ABA Death Penalty Representation Project, which co-sponsored the symposium along with the Graduate and Professional Student Assembly. Professor Jordan M. Steiker of the University of Texas School of Law, who has written extensively on constitutional law, federal habeas corpus, and the death penalty, delivered the keynote address on death penalty reform through a historical perspective.

Two panels examined the various legal and sociological issues facing



judges, lawyers, victims, and prisoners. Moderated by Law School Adjunct Professor Peter Thompson and Maher, the panels provided a unique forum for discussing progressive perspectives on jury instructions, civil rights, and other due process concerns, as well as the work of pro bono defense lawyers. Panelists were Professors Judith L. Ritter of Widener Law School and Andrea D. Lyon of DePaul University College of Law; practitioners Charles J. Lloyd ('86) of Livgard & Lloyd, Steve J. Wells of Dorsey & Whitney, and Steve Z. Kaplan of Fredrikson & Byron; and U.S. Magistrate Judge for the U.S. District Court for the District of Minnesota Jeffrey J. Keyes.

In addition, Jin Hee Lee, assistant counsel of the Criminal Justice Program, NAACP Legal Defense & Educational Fund, gave a presentation on institutional racial and ethnic bias, and psychology professor Nancy K. Steblay of Augsburg College spoke about eyewitness identification evi-



Clockwise, from above: Sallie Dietrich ('13) and Amanda Ruiz ('13); Robin M. Maher ('91), Director of the ABA Death Penalty Representation Project; Adjunct Professor Peter Thompson moderates discussion on progressive perspectives

dence. Professor Robert Warden, executive director of the Center on Wrongful Convictions at Northwestern University Law School and an award-winning journalist, gave the closing commentary on death penalty reform in Illinois.

To view a video of the symposium, go to www.law.umn.edu/lawineq/symposiummain/november-2011.html.

By Feras Sleiman ('12), symposium editor

McGee Moot Court Competition Argues Michigan's Proposal 2



First-place winners, Chicago-Kent College of Law Team 1 (left to right): Coach Richard Madison; team members Rachel Brady (also Best Oral Advocate Overall), Matthew Cogan, Alexandra Grace; and Coach Meganne Britton

> The mission of the William E. McGee National Civil Rights Moot Court Competition, sponsored by the Law School, is to promote interest in civil rights law and provide law students with opportunities to develop the oral advocacy and writing skills essential to successful appellate practitioners. This year the 27th annual competition was held from Feb. 23–25, 2012, with 36 teams from 24 law schools across the country taking part. The competition case, *Coalition to Defend Affirmative Action v. Regents of the Univ. of Mich.*, 652 F.3d 607 (6th Cir. 2011), considered the constitutionality of the amendment to the Michigan

Constitution known as Proposal 2, which prohibits the state of Michigan and its public colleges and universities from “discriminate[ing] against, or grant[ing] preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin....”

Top honors went to Chicago-Kent College of Law Team 1, and team member Rachel Brady was named the Best Oral Advocate Overall. William Mitchell College of Law Team 2 finished second, and team member Ed Bremberger won Best Oral Advocate of the Preliminary Rounds. Pepperdine University School

of Law Team 1 finished third and won Best Brief honors.

Other teams that advanced to the quarter-finals were Michigan State University College of Law, Pepperdine University School of Law Team 2, South Texas College of Law Team 2, and Washington University in St. Louis School of Law Team 1.

Teams advancing to the Round of Sixteen were Brooklyn Law School, Cleveland-Marshall College of Law Teams 1 and 2, University of St. Thomas School of Law Team 1, University of Wisconsin Law School Teams 1 and 2, and Washburn University School of Law.

More than 175 attorneys and judges volunteered to judge the briefs and oral arguments. To express its appreciation for their service, the Law School offered the volunteers the continuing legal and judicial education program, “Prohibiting Affirmative Action: A Steppingstone or Stumbling Block in the Road to Equal Opportunity?”

This year marked Professor Carl M. Warren’s (’75) 20th year as advisor and overall supervisor of the McGee competition.

UPCOMING CONFERENCE

May 18-19, 2012

“Gendering Conflict and Post-Conflict Terrains: New Challenges and Opportunities”

Organized by the Law School with the Transitional Justice Institute (Belfast) Co-sponsored by the American Society of Internal Law and funded by the Robina Foundation

The conference will examine contemporary challenges that emerge for women in conflict and post-conflict settings. To date, 28 experts from the United States, Australia, Canada, Germany, Ireland, Italy, and Switzerland have confirmed their participation. Among the topics to be discussed:

- The relevance of methodologies to assess women’s experiences of harm
- Legal accountability for gendered harms in armed conflict
- Enforcing international legal norms
- Challenges to legal accountability posed by norm fragmentation
- Intersection of next-generation arms (e.g., drones) with gendered experiences
- Roles of women in combat and communal violence
- Relationship between women’s social and economic security and their experiences of harm in conflict

New Name, Same LSAT Prep

> The program that the Law School Office of Admissions has sponsored since 2008 to help students prepare for the law school admissions process has a new name: the Minnesota Pre-Law Scholars (MPLS) Program. It will run from May 24 to Aug. 23, 2012.

The MPLS Program is the same comprehensive preparatory program offered under its former name (the LSAT and Admissions Prep Program). Classes will meet weekly, and instruction will cover all sections of the LSAT and the law school application process. This year, more practice exams than ever will be available to participants.

Mentoring; discussions of law school topics; guest speakers; assistance with applications, essays, and questions; and post-program follow-up will be provided.

Prof. Ezekiel Emanuel Presents Deinard Law & Medicine Lecture

> **Prof. Ezekiel Emanuel, M.D., Ph.D.**, presented the annual Deinard Memorial Lecture on Law & Medicine, co-sponsored by the University of Minnesota's Joint Degree Program in Law, Health & the Life Sciences and the Center for Bioethics, to a packed house on Jan. 25, 2012. The University of Pennsylvania professor, oncologist, and well-known bioethicist was instrumental in drafting the Affordable Care Act (ACA).

Emanuel decried U.S. health care costs, explaining that we spend \$2.6 trillion on health care each year—up to 50% more per person than the next highest-spending countries, Norway and Switzerland. And expenditures grow by 2% of the gross domestic product every year. “We obviously can’t keep going in this direction, but we’ve been saying that about health care costs for the past 40 years,” Emanuel commented. Even with all the spending, “We’re just not doing that good a job” when it comes to quality health care, he continued.

The ACA aims to change that through, among other things, more coordinated care, improved and more efficient care for those with chronic diseases, and oversight of services to ensure evidence-based care, which leads

to better outcomes. Emanuel pointed out that due to chronic illnesses, 10% of patients are responsible for 63% of health care costs. When disease progression is controlled, hospitalizations decline, and if hospitalizations could be reduced “even a little bit,” he said, “we could save tens of billions of dollars.”

The ACA mandates that all U.S. citizens and residents have health insurance, with no refusal of coverage for a preexisting condition or loss of coverage with illness. Universal coverage has great advantages, including reductions in emergency room visits for routine ailments, Emanuel argued. Despite all the careful effort put into crafting the ACA, some of the methods proposed for improving health care, lowering costs, and insuring citizens will work better than others, he said, but “they don’t all have to work well for the ACA to be successful.”

He believes that U.S. health care will be vastly improved by 2020, without stifling innovation as some people fear. People need to see innovation as more than a new device or a new pill, he challenged, but rather as a potential retooling of every aspect of care delivery, from catheters to hospital furniture, to find the most cost-effective ways



Photo: Tony Nelson

Ezekiel Emanuel

to provide high-quality care.

Emanuel expressed confidence in the constitutionality of the ACA. Citing historical references to prove his point, he said, “Legally, this is an open-and-shut case. It’s a no-brainer.”

To read more, see Emanuel’s New York Times blog at <http://opinionator.blogs.nytimes.com/author/ezekiel-j-emanuel>.

By Martha Coventry, communications manager, Consortium on Law and Values in Health, Environment & the Life Sciences

Law Review and MJLST Among Top Ten in Their Categories

> **When Washington and Lee** University School of Law’s 2011 law journal rankings came out recently, both the *Minnesota Law Review* and the *Minnesota Journal of Law, Science & Technology (MJLST)* were ranked among the ten most-cited law journals in their fields.

The *Minnesota Law Review* was No. 10 in the total ranking of more than 1,600 journals. Rankings are determined by the number of journal citations over the preceding eight years, to prevent bias favoring longstanding journals. Citations are drawn from documents included in Westlaw’s JLR database (e.g., periodicals, CLE courses) and Westlaw’s ALLCASES database (e.g., decisions from courts at all levels). Newsletters,

most bar journals, and foreign-language journals are excluded.

“This success speaks to the accomplishments of current and former students, as well as the broader and exceptional support the University provides to the *Law Review* and the other journals,” says Matthew J.M. Pelikan (’12), editor-in-chief of volume 96. “Publishing the *Law Review* is a rigorous process, and a significant achievement like this shows that the effort has merit.”

MJLST also did well in all of its relevant categories, which contained from 42 to 57 specialty law journals. It ranked No. 5 in health, medicine, psychology, and psychiatry; No. 7 in science, technology, and computing; No. 7 in environ-

ment, natural resources, and land use; and No. 10 in intellectual property.

“I am proud of the work of the editorial staff,” says Prof. Ralph Hall. “This accomplishment would not be possible without the dedication and hard work of faculty advisor Prof. Susan Wolf, the student editorial staff, and those who preceded us.”

The rankings (at <http://lawlib.wlu.edu/LJ/index2011.aspx>) began in their current form in 2003, the creation of a now-retired Washington and Lee law librarian to help authors find journal information. The project is still maintained at Washington and Lee, by its electronic services librarian, and has grown into a prominent measure of distinction.

GIFTS TO GENERATIONS

THE CAMPAIGN FOR THE UNIVERSITY OF MINNESOTA LAW SCHOOL



Bronze Vice President Walter Mondale and gold President Jimmy Carter medallions donated by Mondale to Law School

Jeanne ('79), David ('78), and Brianna ('10) Mooty

WALTER MONDALE: NEW SCHOLARSHIP

A portrait of **Walter Mondale** ('56) hangs in the Dorsey & Whitney Foyer. The building is named in his honor. To date, he has achieved the highest-ranking government position, vice president, of all his fellow alumni. To say he has a presence at the Law School is an understatement. His presence is not just figurative; it is often physical as well. Walter Mondale is a committed member of the Law School community. He gives freely of his time, serving on the Cabinet for the Generations Campaign, sharing his thoughts in a forum on his newly published memoir, and participating in many additional events. He has been generous to the Law School in other ways, too.

Recently, he made two very meaningful donations to the Riesenfeld Rare Books Research Center: a gold President Jimmy Carter official inaugural medal and a bronze vice presidential medal. "The medallions are the centerpiece of a permanent exhibit in the Riesenfeld Rare Books Research Center devoted to the life and career of Vice President Mondale," says Katherine Hedin, Rare Books and Special

Collections Curator. "They—along with letters, photographs, and documents—tell the story of Vice President Mondale's steadfast loyalty to fairness, justice, and openness in government. For students and visitors to the Law School, the medallions are a visible symbol of his commitment to the 'take care' clause of the Constitution, a phrase that has been a touchstone throughout his career."

He also has donated generously to our *Partners in Excellence* Annual Fund and has established an endowed scholarship. True to his spirit, requirements of the scholarship are broad to allow a wide variety of Law School students to benefit from his gift.

The Law School is proud to count Walter Mondale among its alumni and prouder still that he stands behind the educational experience it provided. Dean David Wippman reflects: "Walter Mondale's life and career epitomize the Law School's commitment to public service. His gift of the two presidential medals and his support for student scholarships exemplify his past service and his continuing desire to help today's students prepare for extraordinary careers of their own."

MOOTY FAMILY: UNRESTRICTED GIVING

David Mooty ('78) and **Jeanne Hirshey Mooty** ('79) met as students at the Law School. Their chance encounter seemed destined to be, and 34 years and 4 children later, they're still sharing interests and experiences.

After graduation, Jeanne started her own firm, Gustafson & Mooty. David practiced at Gray Plant Mooty and later taught legal courses at both William Mitchell College of Law and Hamline University School of Law. Eventually Jeanne went on to work at her brother's company, and David and his dad, John Mooty ('44), jointly purchased what today is Prestwick Golf Club in Woodbury, Minn. Jeanne and David own and operate it and the clubhouse restaurant, David's Chophouse.

The Mooty family tradition of attending the Law School continued with David and Jeanne's daughter, Brianna ('10), an associate with Gray Plant Mooty currently adding to her education at New York University School of Law. Recently the three of them made the decision to include the Law School in their estate

plan. “The Law School has meant a great deal to my family,” says David, “so when my brother [Bruce Mooty, ’80] asked if we would be willing to make a gift, I knew it was something we’d like to do.” They make their gift because the Law School is important, to all the Mootys, David says, but also “in part because of the fine work Dean Wippman is doing.”

Their careers have led them to various places, and they are grateful for the legal education that helped them navigate whatever waters they’ve faced. “My law degree has been a positive factor in my life,” Jeanne says, and David adds, “There’s clearly a legal approach to any problem that is very logical and rational and helps you work your way through the process.”

RACHEL BRASS: SCHOLARSHIP SUPPORT



Rachel Brass ('01) and James Rosenbaum ('69)

After graduating from the Law School in 2001, **Rachel Brass** ('01) clerked for then-Chief Judge **James Rosenbaum** ('69) (District of Minnesota), a period in her life that shaped her both personally and professionally. Reflecting on her clerking experience she says, “I don’t know that there can be any more formative phase in a young lawyer’s career than clerking for a judge.” She came away with two important lessons: a passion for the written word and a commitment to maintain balance between personal life and work.

Judge Rosenbaum is well known for his accurate and memorable legal writing. Brass remembers going “back and forth almost 100 times with an opinion” just to ensure its perfection—not an unusual experience with Judge Rosenbaum. Today she admires Judge Rosenbaum when she

considers the thousands of pages that cross a judge’s desk each week, and she appreciates the importance of having a judge “want to read all 20 of yours.”

The other takeaway from Judge Rosenbaum was his passion for his life outside the chambers. She witnessed in him a strong role model, who worked hard to focus on both career and life outside work, and to make both high priorities.

This year, Brass made a generous gift for student scholarship support in honor of Judge Rosenbaum. Although he has a named scholarship, she saw in the Robina Foundation’s dollar-for-dollar match to Robina Scholarship fund donations the opportunity to double the impact of her gift to the Law School. Perhaps one of the more notable aspects of Brass’ gift is the fact that she is, to date, the youngest graduate to take advantage of the Robina Scholarship initiative. She comments that while it’s “wonderful to have the opportunity to give at any time, to have any donation at this level doubled makes donating now a no-brainer.”

As the beneficiary of generous alumni scholarship support when she was a Law School student, Brass remembers thinking that she should give back once she was in a position to do so. Now a partner at Gibson Dunn in San Francisco, she recognizes that her scholarship gave her the freedom of flexibility in choosing a career path, and she wants to give current students the same ability to explore the right career fit for them. Debt relief, she firmly believes, is the linchpin to that freedom.

By Kelsey Dilts McGregor, Donor Relations and Communications Manager, Office of Advancement

CLASS OF 2012: UNRESTRICTED GIVING

Continuing a tradition that began last year, the Class of 2012 is making individual five-year pledges to the *Partners in Excellence* Annual Fund their class gift to the Law School. Led by **Anne Fuchs** and **Jenna Cieslak**, the class already has achieved an impressive 40% participation rate—more than double the general alumni participation rate of 18%.



*The Class of 2012's
pledge of additional support
for years to come demonstrates
the value they place on their
Law School education.*

Their hard work and generosity set the bar high for the entire alumni community.

The Class of 2011 introduced the five-year pledge initiative last year in response to the loss of state funding and the Law School’s need to transition to a self-sustaining funding model. About one-fourth of the class participated.

In recognition of the Class of 2012’s incredible achievement, the Law School will give a one-time \$5,000 public interest fellowship to a member of the class in the fall of 2012, and it will refurbish the Lucille K. Dondore lounge in the sub-plaza. Input from many members of the class indicates that a fellowship and remodeling of a favorite student hangout are appropriate ways to honor the Class of 2012.

The members of the Class of 2012 have made a great investment of time and money in their legal education; many graduate with a six-figure debt. Their pledge of additional support for years to come demonstrates the value they place on their Law School education. In turn, the Law School pledges to support and encourage graduates through the duration of their professional and personal lives by investing in programs and initiatives that keep them connected to classmates, to alumni of different generations, to current students, to staff and faculty, and ultimately, to their law school.

By Evan Johnson, Alumni Relations and Annual Giving Manager, Office of Advancement

Staff News



Martha Coventry joined the Consortium on Law and Values in Health, Environment & the Life Sciences

on Jan. 3, 2012, as communications manager. She directs the Consortium's Web sites; handles public relations and marketing activities; and writes, edits, and produces internal and external communications. Martha holds an M.A. in French and has been a communicator for the University since 2000.



Steven Kranz joined the Consortium on Law and Values in Health, Environment & the Life Sciences on

Jan. 23, 2012, as managing editor of the *Minnesota Journal of Law, Science & Technology*. He worked previously at Thomson Reuters as an attorney editor. Steven received his J.D. from Hamline University School of Law where he served as editor-in-chief of the *Hamline Law Review*.



Mary Moreno Lien joined the Consortium on Law and Values in Health, Environment &

the Life Sciences on Feb. 6, 2012, as a program assistant. Her primary duties are events management and executive support for Prof. Susan Wolf. Mary came to the Law School from the University's Department of Art and the Katherine E. Nash Gallery. She is a jewelry artist and current president of the Upper Midwest Bead Society.



Career Counselor **Vic Massaglia** is on the slate of Board of Director candidates named for the 2012-13

election by the Nominating Committee of the National Association for Law Placement (NALP). The voting membership includes virtually every ABA-approved law school in the nation, as well as hundreds of legal employers from both the public and private sectors. NALP is a nonprofit educational association dedicated to improving career counseling, recruitment, retention, and professional development. Directors on the Board serve a two-year term.



Claudia Melo, who joined the Law School staff in the summer of 2010 as a career counselor, was promoted to

assistant director of the Career Center in January 2012. She began her new duties in March after maternity leave to care for her new baby boy. Melo earned a J.D. from Northeastern University School of Law and practiced with the Youth Advocacy Center of Covenant House in New Jersey and Mintz, Levin, Cohn, Ferris, Glosky and Popeo in Boston before serving as a career coach at Benjamin N. Cardozo Law School and, most recently, the Carlson School of Management.

Sarah Rohne joined the Career Center as a career counselor, bringing a background in legal practice, legal recruiting, and attorney professional development. After completing her J.D. at Hamline University School of Law, she was an associate with Meagher & Geer in Minneapolis, practicing in



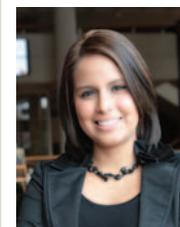
construction and product liability litigation. Most recently she was a senior recruiter at Beacon Hill Legal Staffing. Sarah is

on the Board of Directors of the Hennepin County Bar Association, co-chair of its Membership Committee, and former chair of its New Lawyers Section. She is also very active in the Minnesota State Bar Association, Minnesota Women Lawyers, and other community volunteer organizations.



Erin Sikkink joined the Joint Degree Program in Law, Health & the Life Sciences on Feb. 7, 2012,

as a student support assistant. Her work focuses on student programming and recruitment and alumni relations. Previously, she worked as a project manager for Cappella University. She holds a B.S. in public health with a minor in sociology from Winona State University.



Simona Suen joined the Career Center in January 2010 as a Human Resource Development intern and

was hired that summer as the Center's administrative assistant. In March 2011 she became program coordinator and manages legal recruiting programs, including coordination of fall on- and off-campus interviews, work study, and fellowship programs. She has a B.S. in human resource development and management from the University and several years of work experience with Target Corp.

Prof. Lauren Benton Delivers Erickson Legal History Lecture

> On March 7, 2012, Lauren Benton, professor of history and dean for the humanities at New York University School of Law, delivered the Ronald A. and Kristine S. Erickson Legal History Lecture, “The Trial of Arthur Hodge: Petty Despots and the Making of an Imperial Legal World.” Prof. Benton holds a Ph.D. in history and anthropology from Johns Hopkins University and taught at several universities before joining NYU in 2003. Her research centers on comparative colonial history and the European empire legal history. Her most recent book, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge U. Press, 2010), considers how territorial fragmentation in European empires helped shape ideas about sovereignty and international law.

Prof. Benton’s lecture recounted the trial, conviction, and 1811 hanging of wealthy Tortola plantation farmer Arthur Hodge for having one of his slaves whipped to death—the first British West Indian slave owner executed for the

offense. Although a relatively minor incidence in the history of abolition and colonial criminal law, the case demonstrates significant legal trends at the turn of the 19th century, Prof. Benton explained. Officials of the British empire were receiving complaints about lawlessness and corruption in the colonies, arbitrary use of power by local authorities, and continuation of the slave trade, abolished in 1807. The actions of British courts in cases like that of Hodge “represented a thread of consistency across the empire,” she said, and “the power of the Crown” was seen as the best legal solution in outlying jurisdictions. A vision of imperial constitutional policies as an effective framework for international order was beginning to form. “Arthur Hodge was a participant in local conflicts over the profits of the empire, and he was seen as a petty despot, a criminal magistrate whose excessive grasp of power over subordinates threatened the emerging order of the imperial legal world.”



Lauren Benton

The Ronald A. and Kristine S. Erickson Legal History Series is named in recognition of the leadership and generosity of Ronald A. ('60) and Kristine S. ('72) Erickson, long-standing supporters of the Law School and the University of Minnesota. Their philanthropic investment in the Law School's Legal History Program supports this lecture series and other aspects of the Legal History Program.

Federalist Society Hosts Sixth Circuit Judge Jeffrey Sutton

> On Feb. 8, 2012, Judge Jeffrey Sutton of the Sixth Circuit Court of Appeals spoke to a full house of Law School students, faculty, and visitors on the topic of state constitutional law. A former clerk for Supreme Court Justices Antonin Scalia and Lewis Powell, Judge Sutton was described by *The Nation* magazine as “the leading advocate before the Supreme Court on states’ rights” before his elevation to the Sixth Circuit on in April 2003.

In his speech, Judge Sutton outlined his vision for more robust use of state constitutional claims in the courts. He began by analogizing current practices to a close basketball game in which the victor would be determined by two free throws. Though it would be senseless for the team to shoot only one of the free throws, “that’s what most lawyers do”

when they argue federal claims but not state constitutional claims, Judge Sutton said. He explained that at times state constitutions have been interpreted more broadly than the federal constitution, even when the same language is used in both documents, which can make the state claims the “better shot” as well.

Judge Sutton speculated that lawyers’ bias toward setting national policies, perceptions of federal courts as the place for federal claims, and perhaps even lack of space in page-limited briefs could explain the lack of state constitutional claims in practice.

The Law School’s Federalist Society hosted the event with co-sponsors the Federal Bar Association and the Law School Democrats. The Federalist Society is a group of libertarians and conservatives interested in



Jeffrey Sutton

the current state of the legal order. It is founded on the defense of limited government, individual liberty, and the rule of law and works toward an atmosphere of strong academic discussion and debate on legal and policy issues.

By James Kiner ('13)



Lobbying **FOR** Lobbyists

Alumni Advocates Rouse Interest in Causes,
Rally Support with Information

BY CATHY MADISON



As long ago as 1640, citizens were bending lawmakers' ears in one of the lobbies of Britain's House of Commons, thus naming the activity that, these days, so many love to hate. A century later, that right to petition the government to redress grievances was protected by this country's First Amendment. But so firm a footing has not protected this profession from today's populist imagination. Lobbyists, many believe, are Jack Abramoff-style swindlers, or "martini-swilling glad-handers dispensing bags of campaign cash," as *Washington Post* columnist Ruth Marcus puts it.

Photo Illustration: Stephen Webster



Mark Raabe ('55)

The recent flap over the Obama administration's hiring of former lobbyist Steve Ricchetti as a senior adviser—despite oft-touted campaign promises and executive orders banning lobbyist gifts and revolving doors—is a case in point.

"Should he be looked at as some kind of shady dealer? Of course not," says **Mark Raabe** ('55), government relations counsel/consultant for Merck & Co. "Lobbying is an honorable profession. People on Capitol Hill need information. They seek it. Before they enact laws, they need to know the impact, good and bad."

Barring good lobbyists from other government jobs may not only cast aspersions unnecessarily but also waste the talent of brainy individuals clearly committed to public service, Raabe cautions. Indeed, lobbyists are essential cogs in the political machine, the very people who know how to get things done—the hard things, Marcus assures us—in government. They traffic in information and relationships. They understand people and systems. Their jobs have gotten more difficult and less fun, thanks to the current environment and modern technology, yet they still make a good living, have a (mostly) good time, and deliver substantial benefits for the common good.

The making of a lobbyist

"I don't know if anybody starts out aspiring to become a lobbyist," confesses **Sarah Lewerenz** ('81), who took up the cause of American Federation of State, County & Municipal Employees Local 65 at the Minnesota legislature four years ago. "Many of us had some sort of political involvement or represented clients in some way. You figure that if you can fix this law, it'll be good for your client. So you contact your legislator, work on that a little bit, find the legislature interesting, and it grows from there."

Lewerenz started out with an interest in government, taking a lobbying class in law school and working briefly for the state council for the handicapped. But then she wound up practicing labor law for 24 years, which left her wondering how much had changed. "I asked myself, 'Can I still do it?' but I fit right back in. I prefer to be working to improve the lives of working people. That's why I do this," she says. "I don't think people thought highly of lobbying or the political sphere in the late '70s or early '80s either, and I don't think that's changed. That's unfortunate, because I don't think it's an accurate perception."

Raabe says he became a lobbyist "by accident," late in an accomplished career that included stints as an FBI agent, a Federal Trade Commission staff attorney, and counsel to U.S. House committees. At one point he'd even planned to return home to a small-town practice and bought Minnesota Vikings season tickets in anticipation. But Washington never lost its allure, and he signed on with Merck in 1987. His misgivings about joining the much-maligned pharmaceutical industry dissipated quickly.

"Within my first few months there, three things happened. Merck brought to market the first cholesterol drug, Mevacor, which gave a large segment of the population



"People on Capitol Hill need information. They seek it."

—MARK RAABE ('55)

new, and longer, life. That same month, they announced they would give away Mectizan, a drug that prevents the debilitating effects of river blindness affecting 30 million people, to whomever needs it for as long as they need it," he says. Third, he convinced Merck to build The Children's Inn, a "home away from home" for those receiving treatment at the National Institutes of Health. Merck has now donated more than \$15 million for the endeavor, which



Sarah Lewerenz ('81)

has served more than 10,000 children and their families since opening in 1990. Raabe still serves on its board.

He maintains a fascination for the industry and an appreciation for a profession he deems “educational and wonderful in many ways.” But he acknowledges that lobbying has become more unpleasant. “You are cast into a certain category just by virtue of your identity,” he says. “All you have to do is listen to the primary candidates. Everybody wants to come to Washington and clean up.”

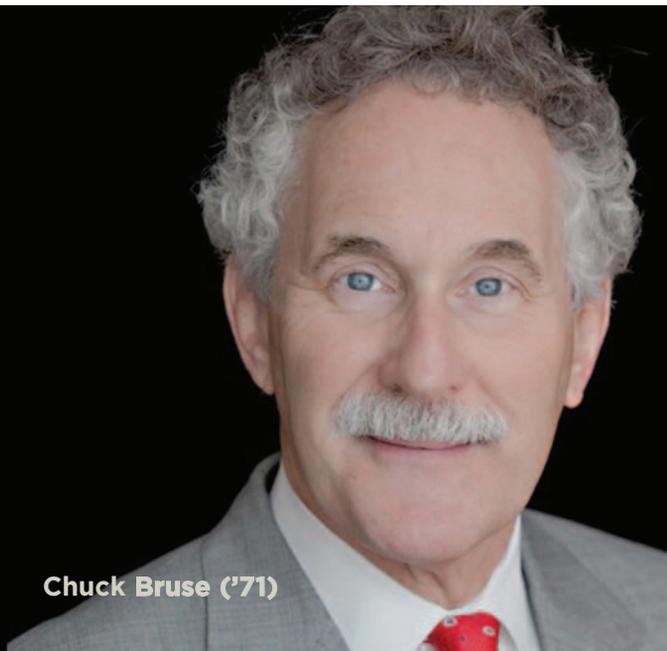
In law school, **Michael Berman** ('64) didn't see his legal career going in any particular direction, so he probably didn't envision his current post as president of the Duberstein Group Inc., a Washington, D.C., government relations and lobbying firm. Yet his early endeavors included lobbying for a downtown stadium on behalf of the Minneapolis Chamber of Commerce in the '70s. He was a special assistant attorney general for Minnesota, served as Vice President Walter Mondale's counsel and deputy chief of staff, and assisted with every Democratic presidential campaign since 1964.

“I don't think lobbying gets quite as much attention on the local level, but out here there's a fair amount of angst,

in part driven by the administration,” he says. “The public has not had a particularly good view of it for some time. What people don't appreciate is the fact that the 25 to 30 companies we represent, ranging from General Motors to Time Warner to Honeywell International, employ hundreds of thousands of people. People don't recall that we may well be representing the same companies for which they work, increasing the viability of their jobs.”

Chuck Bruse ('71), who embraced the Hill as a staffer for Nebraska senator Roman Hruska until 1975, spent 34 years lobbying for Allstate Insurance Company before retiring about three years ago as V.P. of government relations. He says the kind of information members of Congress and their staff get from good lobbyists “is like gold to them.” Lobbyists spend about 80% of their time debating, writing legislation, and making important decisions with Congressional staffers, as opposed to the members themselves, he points out.

Although the job is fairly grueling, taxing to one's health, and filled with stress (mostly self-induced), “I thoroughly enjoyed it,” Bruse says. “It's a wonderful way to make a living.” His favorite part? The interaction, “working



Chuck Bruse ('71)

with incredibly intelligent, eager, and aggressive people on issues of national importance.” He cites fighting the auto manufacturers to make airbags standard equipment on cars. “We aligned ourselves with Ralph Nader and the Consumers Union to form one of the first coalitions of a wide, diverse group of people with a single focus,” he says. “It’s fairly common now, but back then, not so. We were highly successful and had a heck of a lot of fun making it possible for Americans to have safer cars.”

Advocating and then some

Some liken good lobbyists to good courtroom lawyers, skilled at providing varied points of view and arguing persuasively for one of them. It’s always helpful to go back to what you learned in law school, says Raabe, but there’s much more to it than that. And not all lobbyists excel in the same areas. He prefers passionately representing one client to juggling the needs of several. Berman handles several clients but would rather gather information and offer advice than wait for meetings on the Hill. Others excel at making a case face-to-face.

“Powers of advocacy are very important. You’re a salesperson, but instead of selling widgets and toothbrushes, you’re selling a concept, an idea. You have to know your product, get to know the people, and be convincing in your argument,” says Bruse. “You also have to be as accu-

rate as you can. Just like in the courtroom, it doesn’t pay not to tell the truth. A lobbyist is only as good as his word.”

Lewerenz believes political ability is important. “Either you have some or you don’t. If you have some, learning the ropes and the system is something you can do. If you don’t, I’m not sure any amount of time would teach you,” she says. “You also need the ability to count.” Counting, she explains, is more than math, more than knowing that of 13 people on a committee, 7 need to vote yes. It requires understanding the legislature, the process, and the parties and districts legislators come from. It means having a sixth sense about how political winds blow. “It’s an art.”

Most corporations don’t understand how lobbying works or how good their lobbyists are, Bruse contends. So while companies eye their bottom lines, lobbyists weather administration changes and follow the power. “It’s all perceptual. You pick a side because that’s the way the game is played, but you have to have friends on both sides.” A good lobbyist probably has a 60/40, or maybe 70/30, party split.

“Most of our friends are Democrats but there are Republicans who understand that working with us is important to the middle class,” says Lewerenz. “There was much more of that 24 years ago. It’s really true that the Republican party is much further right on economic issues than they used to be.”

Then isn’t now

When Bruse started lobbying in the ’70s, lists of registered lobbyists were kept, but little penalty existed for not registering. “I could tell them who I lobbied for or not, how much I spent or not. It was very loose,” he says. “Over the course of my career there’s been a sea change in what had to be reported by whom, in what forms had to be filled out, and in limitations as well. In the beginning I could take a member of Congress out, spend \$500 on dinner and not report it. By the end, I couldn’t buy them a cup of coffee.”

Such restrictions have had a chilling effect on the ability to build necessary relationships, he adds. “It used to be a much more personal and personable system. Most members don’t even live here now. They may be here Tuesday through Thursday and even sleep in their office, while their families stay home. They don’t have as much desire to get to know each other. When we talk about broken government, it’s in part due to the fact that the relationships which used to bind people together no longer exist,” Bruse says.

“It was a lot more fun then, not as partisan and gridlocked as it is now,” Raabe agrees. “You had big fights, but you could talk. There was a middle core that used to come



“Powers of advocacy are very important. You’re a salesperson... you’re selling a concept, an idea.” –CHUCK BRUSE ('71)

together. It still comes together, but it’s harder now.” Technology makes relationships more difficult, too, he adds. Instant news cycles prompt negative attacks, and televised sound bites can be misleading.

“I don’t think the work has changed that much, but communication has changed,” says Berman. Email and texting have replaced messengers and phone calls, facilitating the flow of information, ideas, and arguments but also accelerating the speed of demand. Clients expect fast responses, not slow meetings.

Berman also suggests that tighter regulations drive more lobbying that doesn’t meet the registration test. He estimates that 175,000 to 200,000 people engage in the

persuasion business through law firms, public relations firms, and advertising, doing much the same work as lobbyists but in a more ancillary fashion. Meanwhile, the number of registered lobbyists at the federal level has shrunk to perhaps 15,000 to 16,000. But that doesn’t mean that interest is waning.

Twice a year, Berman teaches a course at American University for young people interested in learning about government and lobbying. For 13 days, 36 students per session study full time and set their sites on a government job. Unlike their predecessors grouching about the good old days, they’ll go in knowing the rules and ready to move forward. “Like any other profession, you have to start at the bottom,” says Berman.

“If you’re political, then you’ll understand how to be in politics and earn a living,” Lewerenz concludes. “I love politics, and I wish more people were interested in it. It’s how we run our country.”

By Cathy Madison, a freelance writer/editor based in the Twin Cities

WHY STUDENTS AND FACULTY *STILL* USE LAW LIBRARIES

Today it is possible to use libraries without stepping through their doors. Electronic information and communication facilitate remote access, so students and faculty can efficiently use library resources and services from almost anyplace that is connected to the Internet. Many law students study and conduct research at home or in the coffee shop down the street.

Yet the University of Minnesota Law Library continues to be a busy place filled with students, faculty, and alumni utilizing its resources and services. The library tables are occupied daily by hundreds of law students. There is frequently a waiting list for carrels, and conference rooms are in heavy demand for collaborative work and group study.

The library is not only a convenient location to study between classes, it also serves as a community space for socializing with friends or relaxing, perhaps with a novel or movie from the Law and Literature collection. With its 24-hour access, the Law Library seems, for some students, to be a home away from home.

Powerful real-time resource: librarians

One reason many students come to the Law Library is to seek help with legal research. Law students of today are usually “digital natives,” who have used online resources since they were young, so they naturally start their legal research online using LexisNexis, Westlaw, HeinOnline, and scores of other databases provided by the Law Library.

However, students often need advice on how to create effective online searches, and most realize they cannot find everything online. They turn to the reference librarians, who are on duty seven days a week to provide immediate assistance and guidance in navigating the complex array of research tools available.

Many students who are working on a journal, involved in a moot court, or enrolled in advanced seminars and intensive “capstone” courses come to the library to take advantage of the in-depth research support provided by the librarian liaison assigned to their group.

Faculty are the heaviest users of the Law Library’s resources and services, even though they typically visit only occasionally. With today’s technology, the library comes to them. Each month, faculty send more than 300 calls and emails to the library’s ASAP retrieval service, and the



Copy and retrieval service librarian David Zopfi-Jordan, Lauren Bergstrom ('13), and Nick Thelemaque ('13), who works with NexisLexis

requested materials quickly appear in their offices or, when possible, on their computers. Daily, faculty requests for in-depth research assistance are sent electronically to individual librarians or the LIBRA research service. Similarly, faculty can ask for training or assistance with classroom technology, online courseware, and recording of classes and programs by remotely contacting the library’s Educational Technology Department.

Changing collections match changing needs

Whether law students and faculty come to the Law Library or access its resources and services from somewhere else, they need to find information that is relevant to developments in legal education and scholarship. In response to changing needs, modern law libraries provide, in addition to traditional primary and secondary legal materials, resources that support growing specialization,

interdisciplinary study and research, and emphasis on integrating skills and doctrinal instruction.

Many students pursue one of the concentrations offered at the Law School: business law, criminal justice, environmental and energy law, health law and bioethics, human rights, international law, and labor and employment law. The Law School is a center of research excellence in business and finance; criminal justice; international and comparative law; and law, science, and technology. It is also home to several institutes directed by faculty who conduct research in specialized areas affected by the law. The Law Library continues to develop in-depth collections covering these and other areas of specialization to support advanced study and research.

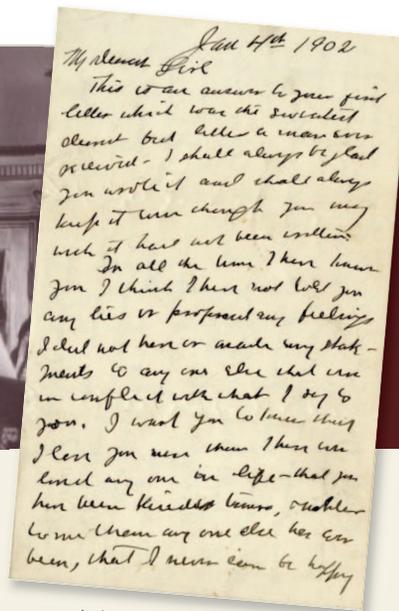
It is clear that law students and faculty today need more than purely legal information. The Law School increasingly offers interdisciplinary courses that cover law and other fields, such as philosophy, economics, criminology, and literature. In addition, many faculty members have joint appointments in other campus departments and are conducting research with scholars across disciplines that employ non-legal tools and methodologies. Law librarians are developing cross-disciplinary research expertise to ensure that students and faculty are able to access relevant non-legal information.

A major trend in legal education today is a greater emphasis on skills training. The Law School offers concentrated capstone courses that integrate theory with professionalism training. Students also can participate in business law and judicial externships and get hands-on experience in the clinical program. To help prepare students to work effectively with clients and master litigation and transactional practice, the Law Library collects a variety of materials that can be used to teach practice skills, including exercises for drafting contracts and other instruments, simulations of mediations, and videos of depositions and trials.

Commitment to service

For more than 125 years, the Law Library has been the crown jewel of the Law School, and it continues to be so. Making use of technological advances to deliver timely information and services in exciting new ways, the library remains a popular destination, a bustling center of support for students and faculty in their curricular endeavors.

By Suzanne Thorpe ('89), professor of legal research instruction



Clarence Darrow Letters to Wife Available Digitally

In October 2011 the Law Library increased the number of Clarence Darrow letters that have been made available digitally (darrow.law.umn.edu) with more than 170 letters acquired in 2008. The core of this unique collection is a set of letters Darrow wrote to his wife, Ruby, from 1902-36. The letters fill a gap of knowledge about their relationship that biographers previously gleaned from secondhand accounts, and the time period includes many of Darrow's most important trials and the development of his reputation as one of America's most famous lawyers.

The newly digitized letters also included defense copies of expert statements from the Scopes evolution trial in 1925.

Did a Law School alum save Darrow's career?

None of Darrow's many important legal battles in and out of the courtroom were more important than his own trials against accusations of jury bribery. In 1911 he was hired to defend brothers James and John McNamara, who were charged with bombing the *Los Angeles Times* building, killing 20 employees. In the aftermath, which ended with guilty pleas, Darrow was charged with two counts of jury bribery.

Los Angeles Superior Court Judge George H. Hutton presided over Darrow's first trial, in 1912. Hutton was clearly sympathetic to Darrow, barred much of the evidence against him, and ruled numerous times in the defense's favor. His jury instructions favored the defense and emphasized that Darrow could not be convicted solely on the basis of uncorroborated testimony of the prosecution's main witness, an accomplice.

Darrow was acquitted in the first trial, and the second, in 1913, ended in a hung jury. A conviction in either trial would have derailed Darrow's legal career many years before several of the important cases that helped establish his legend.

Hutton, cited by various sources as born in 1870 or 1875, in St. Paul or Canada, grew up a ward of his uncle, George H. Bridgman, the president of Hamline University. Hutton graduated from Hamline and attended the University of Minnesota College of Law from 1894-95. After working as an attorney for the Minneapolis & St. Paul Railroad, he moved to California and was elected to the Superior Court of Los Angeles County in 1906. He was a recognized expert on water law in the Western states.

By Michael J. Hannon ('98), Associate Director for Library and Educational Technology



> This year marks the 10th anniversary of an anticipated spring event across the Twin Cities: the Race for Justice. The race was conceived in 2002 to benefit the Loan Repayment Assistance Program of Minnesota (LRAP), which subsidizes education debts of graduates who go into public interest law, a valued source of legal aid for low-income Minnesotans.

The first race was called the “Race to the Courthouse” and took the route that the name implies. Runners were timed with a clock sitting atop a car. Early races attracted about 300 participants and raised about \$7,000 for LRAP.

In recent years, participation has exceeded 750, including more than 40 teams from law firms, bar associations, and student groups. Funds raised for LRAP have surpassed \$20,000. Professional chip timing services have replaced the clock, and numerous volunteers are needed to keep the event on track.

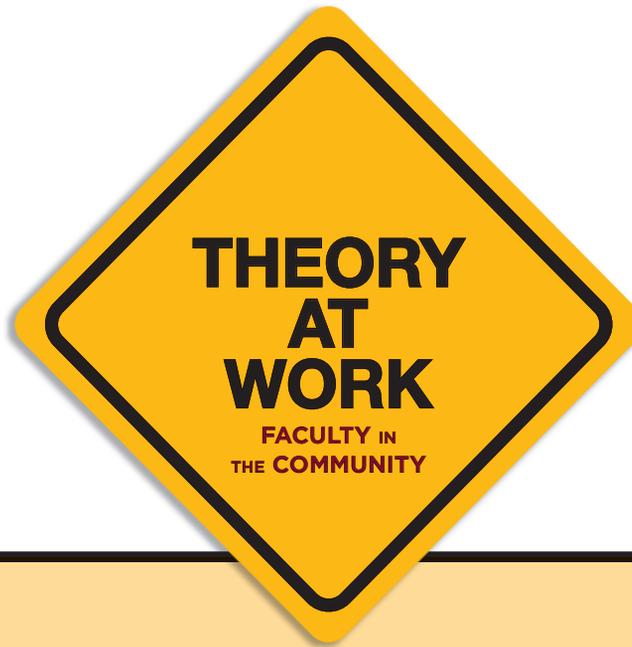
Runners of all abilities, friends of the Law School, family members (some in strollers), and others from across the community enjoy today’s scenic route around Nicollet Island, the Stone Arch Bridge, and historic St. Anthony Main. As it has been since the very first race, student and alumni engagement is strong.

The 10th Race for Justice on April 15, 2012, was a success, as it is year after year thanks to the help and generosity of the Law School’s many friends. We gratefully acknowledge our race sponsors, whose support offsets expenses allowing the full registration fee of all participants in the race to go directly to LRAP.

Sponsors of the 2012 race were “Advocates” Fredrikson & Byron, Gray

Plant Mooty, Larson King, Leonard Street and Deinard, Meagher & Geer, Minnesota Lavender Bar Association, Minnesota Lawyers Mutual Insurance Company, and Nilan Johnson Lewis; and “Patrons” GrandMarc Seven Corners, LexisNexis, and Westlaw.

1. Lost Legal Minds (LL.M.) team, **clockwise from left:** Willem Thiessen, Pierre Achard, Mert Aktan, Carlos Gomez, Michael Jahn, Chih-Ying Tang, Yubing Gao, Sukma Dwi Andrina (in center, partially hidden), and University undergraduate Marjorie Cenni
2. Professor David Weissbrodt and William Dikel, M.D.
3. First-place winner, 3L Willy Madeira
4. Amber Peifer, director of the race for the past 10 years, takes a moment to greet a young friend of the Law School
5. Laurel Elm and Allison Holiday
6. First-place winner for women, 3L Michelle Mercer
7. An enthusiastic starting line, with 464 making it back over the finish line



THE STEREOTYPE IS COMMON: university professors ensconced in the ivory tower teach theory and write erudite tomes. Reality is different. University of Minnesota Law School professors spend countless free-time hours working behind the scenes and at the forefront of contemporary society's thorniest real-world issues.

This is the first article of a series highlighting professors' community work at state, national, and international levels. For all the differences in the issues they tackle, these citizens have much in common. They trace the roots of their current service to early educational and professional experiences. They thrive on putting expertise and passion to work on causes they believe in. They bring fresh perspectives back to Law School students in hopes of inspiring them to put their own scholarship into practice.

CONSTITUTIONAL LAW IN THE FRONT LINES

> **Working in Germany led Fred Morrison, the Law School's Popham, Haik, Schnobrich/Lindquist & Venum Professor, to the Sudan.** It may seem an unlikely route, but Morrison has been crossing borders ever since he spent two years in England as a Rhodes Scholar.

While serving as a Fulbright Professor at the University of Bonn in 1975-76, Morrison befriended Rüdiger Wolfram, who later became director of the Max Planck Institute for International Law in Heidelberg, Germany. In 2002, when the Institute was organizing a meeting of representatives of different Sudanese factions long embroiled in civil war, Wolfram invited Morrison to participate as an expert in American constitutional law. Morrison accepted readily and notes, "It's almost your human rights obligation if there was a way this could be alleviated."

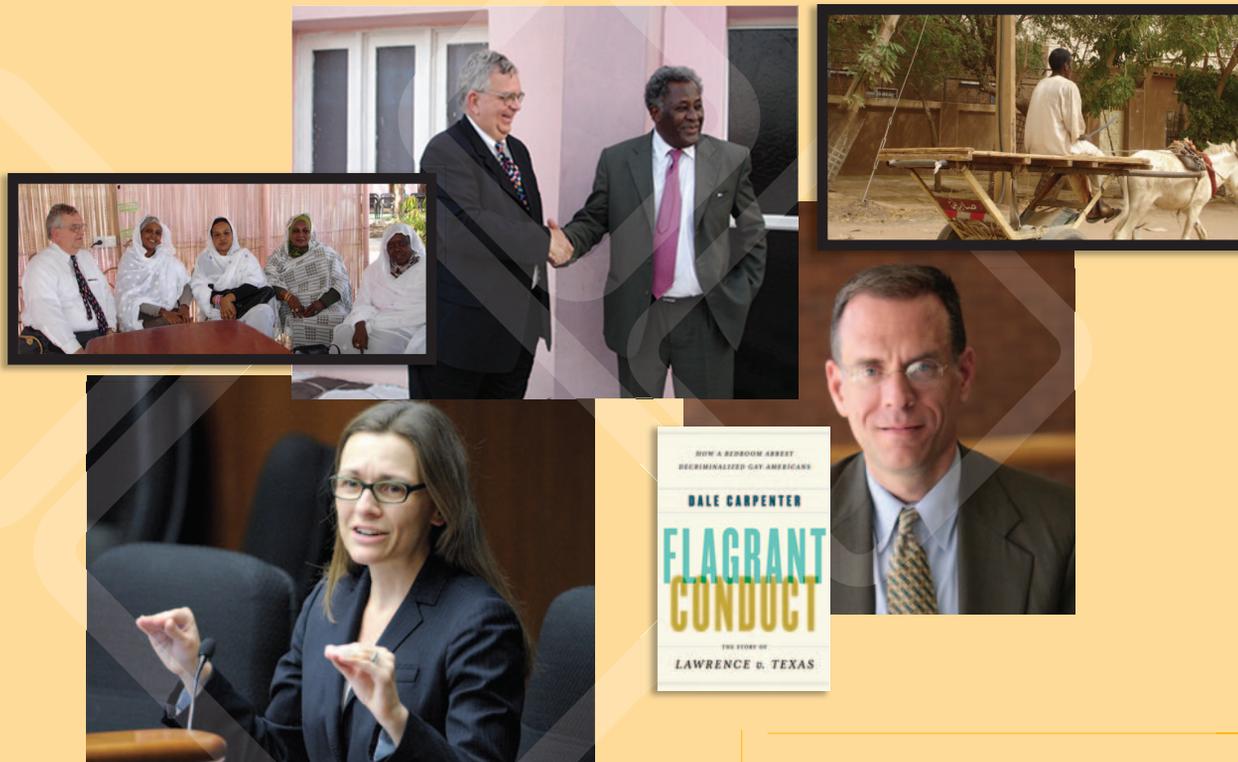
Spending four weeks meeting with delegates from southern and northern Sudan, Morrison and other experts from India, Jordan, Ghana, and Germany proposed consti-

tutional models that might govern Sudan, should peace be achieved. Many provisions of the documents that the group drafted became part of the Interim Constitutional Framework in effect in Sudan from 2006-11.

During that interim period, the judges of the Constitutional Court of Sudan and of the Supreme Court of Southern Sudan asked Morrison and others to conduct a weeklong seminar in Wad Medini, about 200 miles south of Khartoum, on the provisions of the Interim Constitutional Framework. Additional conferences were held in Heidelberg.

Following the referendum in February 2011 and South Sudan's subsequent independence, the new nation is writing a constitution. Morrison plans to travel later this year to South Sudan, where he and representatives from Germany, India, Nigeria, and South Africa will discuss federalism models that could balance and organize the country's ten states and central government.

The conferees won't get to just show up and opine. Morrison has prepared a 40-page paper covering multiple federalism topics from a U.S. perspective, including finances, local and tribal governments, courts, state and federal agencies, administration, and division of powers. He'll deliver the paper in five segments, then discuss with the



Top row (left to right): In Sudan, 2006, Professor Morrison with women lawyers from Sudanese Advocate-General's Office at constitutional law seminar in Wad Madeni, Morrison with chief justice of Constitutional Court of Sudan, and local delivery cart on street of Wad Madeni.
Bottom row (left to right): Professor Amy Monahan, Professor Dale Carpenter and his recently released book

international panel the suitability of various federalism models for South Sudan.

Morrison teaches constitutional law, international law, local government, and comparative public law. He has been a consultant and counsel throughout Europe and China and for the U.S. Department of State. He has worked on criminal code matters for Kosovo and lectured in Ukraine on various aspects of constitutional law.

But it is a decade of work with the Sudanese that has captured Morrison's enduring commitment to "people who are struggling to create a responsible, democratic, human rights-oriented system of government and haven't had the opportunity to do it." Morrison says, "It's a long ways to go, and it's not something that makes you a public figure in the United States, but you just have the impression that you're helping people."

Comparing constitutional law from the front lines of a new nation and with representatives of established democracies has given Morrison a look at things from many different perspectives—prompting him to challenge students with questions such as "Are we doing it the most efficient and effective way?"

WORKING OUT HEALTH CARE AND PENSION LAWS



> Associate Professor and Opperman Research

Fellow Amy B. Monahan pursued a law degree because the practical aspects of law appealed to her. She perceived law as allowing for a teaching career and having more real-world impact than going the "purely academic route" of getting a Ph.D. It was an apt decision.

In practice at Sidley Austin in Chicago from 1999 to 2004, Monahan represented employers in health plans, retirement plans, and executive compensation. Having helped clients navigate then-brand-new HSAs and determine what the plans should include, Monahan sees the same essential issues now playing out nationally, including how health insurance can be ensured and how it should be regulated.

At the Law School since 2009, Monahan writes and teaches federal taxation and employee-benefits law. She previously taught at Notre Dame Law School and the University of Missouri School of Law.

She recently spent nine months wrestling with a core requirement of the Affordable Care Act of 2010, namely that beginning in 2014 nearly every individual and small-group policy issued must cover a central set of benefits. In 2010, Health and Human Services commissioned a committee of the National Academy of Sciences' Institute of Medicine to recommend policy, criteria, and methods for defining and updating the package of essential health benefits.

Monahan was the only "legal academic" appointed to the 18-member IOM committee, composed of an actuary,

patient advocates, insurance industry executives, a health economist, medical school professors, and other stakeholders. As she plowed through enormous briefing binders before meetings in Washington, D.C., she thought, “There’s no way we’ll reach consensus.”

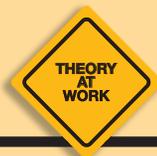
To her surprise, the diverse group had constructive dialogue and reached consensus on the balance between health care benefits and their costs and between market competition and non-discrimination. Monahan comments, “That’s an experience you don’t often get with regard to health care in this country.”

In October 2011, the committee publicly released its 300-page report, *Essential Health Benefits: Balancing Coverage and Cost*. While committee members await the final verdict on which, if any, of their recommendations HHS will implement, Monahan is weighing in on another looming issue. During the past year, she’s been speaking to academic audiences and state legislative groups as they try to figure out what to do about public employee pension plans. She says, “When you’re actually trying to work out real-world details, you get a different perspective than simply writing a law review article on what the right answer should be.”

Putting theory into practice is nothing new to Monahan: She routinely incorporates in her classes the practical issues attorneys will encounter. But she now has fodder for even richer discussions with students about the reality of developing and implementing laws and regulations.

Playing a role in fundamental change through the IOM experience was a thrill to scholar and teacher Monahan and was also deeply satisfying to citizen Monahan. “What we were doing will hopefully affect whether people have both adequate and affordable health insurance coverage,” she concludes. “It’s another example of the law’s real impact on the public at large.”

WRITING WITH INSIGHT



> **Dale Carpenter, Earl R. Larson Professor of Civil Rights and Civil Liberties Law**, gratefully recalls teachers who made a high school history class and a college civil rights course thrilling and relevant. While they inspired Carpenter to be for others what they had been for him, he was never destined to be solely an academician. Already politically involved by high school, Carpenter chose law as the most intellectually engaging profession that could help him pursue interests and causes he believes in. And pursue them he has—in print, on air, and at the grassroots.

Carpenter, who teaches and writes in the areas of constitutional law, the First Amendment, and sexual orientation and the law, is a regular commentator on constitutional law and gay rights issues. He has always been interested in the battle of ideas, and not just in print but as part of the public debate. “When policy is made, it is informed indirectly by scholarship, but directly by public discussion,” he says.

His scholarship in the area of same-sex marriage brought Carpenter into discussions with people organizing against Minnesota’s proposed same-sex marriage amendment and ultimately to his election in October 2011 to the board of Minnesotans United for All Families. As treasurer, he contributes legal and financial skills to the grassroots campaign, working with what he describes as “a coalition of people—from conservative Republicans to Birkenstock-wearing liberals—who agree on nothing else except defeating this amendment.”

Carpenter’s book, *Flagrant Conduct: The Story of Lawrence v. Texas*, published in March 2012, has thrust him further onto the national stage with appearances in March at the Cato Institute and on the Diana Rehm show on WAMU 88.5 and in April at San Francisco’s Commonwealth Club of California and at Harvard University, to name a few. Calling the case “constitutional law meets real life,” he describes *Flagrant Conduct* as a synthesis of the factual background of the case and the legal theories that led to the 2003 Supreme Court ruling overturning America’s sodomy laws.

Viewing gay history as part of America’s civil rights story is a relatively new area in both historic and legal scholarship. Working for nine years in fits and starts around his full-time academic schedule, Carpenter tracked down and traveled to interview people on all sides of the case in which John Lawrence and Tyron Garner were arrested in 1998 for allegedly having sex. As he wrote about the perspectives of each arresting officer and defendant, as well as the interests of the prosecuting and defense attorneys, Carpenter was impressed by how individuals bring their own perspectives and prejudices to the law.

Having experienced a kind of Rashomon effect firsthand, Carpenter now emphasizes in his classes not only the narrow legal holdings in cases but also the range of background explanations and motives. “I see significance and nuance in those things now that I probably did not appreciate as much before,” he says. “I pay a bit more attention to what would have been regarded by a lot of people as the messy details.”

Such insights may be just what make Carpenter’s courses thrilling and relevant for his students.

By Karen K. Hansen, a Twin Cities-based freelance writer and clarinetist

> Faculty Pers



Professors Richard Painter and Kristin Hickman with Sixth Circuit Court of Appeals Judge Jeffrey Sutton at his talk to the Federalist Society



Meeting of Robina Institute of Criminal Law and Criminal Justice on direction of the Model Penal Code. Left to right: Assistant Hennepin County Administrator for Criminal Justice Fred LaFleur; Washington County, Minn., Director of Community Corrections Tom Adkins; Prof. Kevin Reitz; Prof. Richard Frase; Minnesota Sentencing Guidelines Commission Executive Director Kelly Mitchell



Bob Rosenbaum, Kim Severson, Dean David Wippman, Professor Fionnuola Ni Aolain, Andrew Brehm ('08), and Jay Swanson ('79) at Dorsey & Whitney Chair reappointment lecture

Faculty Awards, Grants, and News



Professor Dale Carpenter's nine years of research, analysis, and interviewing came to a culmination this spring when his new book, *Flagrant Conduct: The Story of Lawrence v. Texas*, was released (W.W. Norton, March 2012). Before the book was even available to the public, it had been declared "as gripping as any detective novel" by a *Booklist* reviewer. The book is the first in-depth account of the landmark Supreme Court case that invalidated America's sodomy laws. But it's more than that. Carpenter places the case, now considered part of American Civil Rights history, within the larger legal, historical, and social perspectives. Pulitzer Prize winning historian David Oshinsky says in the March 18, 2012, *New York Times Book Review* that *Flagrant Conduct* "turns conventional

wisdom about *Lawrence* on its head." Much of the progress toward gay rights, including states' push for same-sex marriage, Oshinsky says, "can be traced to *Lawrence v. Texas*, with its message of tolerance and inclusion in American life." Carpenter has been interviewed on C-SPAN and made appearances at New York University, Loyola Law School, Harvard Law School, the Cato Institute, and many other venues. Reviews continue to appear in print and online journals.



Clinical Professor Nancy Cook was named a Residential Fellow at the University's Institute for Advanced Study for fall 2012. Through her "Witness Project," she intends to implement strategies for the collection,

narrative development, and dissemination of stories about, by, and for populations underserved by the justice system. The project is aimed at fostering a range of writing projects and promoting diverse educational practices.



Professor Thomas Cotter, Briggs and Morgan Chair in Law, who specializes in intellectual property and antitrust law, is heading the Law School's educational co-sponsorship of a new blog, intellectualIP.com, being launched by Briggs and Morgan. It will focus on U.S. and international intellectual property law, and Cotter plans to be a frequent contributor.

Clinical Professor Prentiss Cox was promoted to associate professor with

pective



Recipient of the Davis Chair Professor Heidi Kitrosser, Mrs. Davis, and Dean Wippman at Davis Chair reception



Professor Laura Cooper having a break with students prior to Supreme Court case at the Law School



Senator Al Franken with Professor Bill McGeveran after his testimony before Senate subcommittee on privacy and technology, chaired by Franken



Prof. Dale Carpenter discusses his new book, *Flagrant Conduct: The Story of Lawrence v. Texas*, at Magers & Quinn, Minneapolis, in April



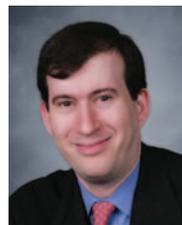
tenure, effective July 1, 2012, pending Regent approval. In February 2012, “State Attorney General’s Use

of Concurrent Public Enforcement Authority in Federal Consumer Protection Laws” (*Cardozo Law Review*, October 2011), which he co-authored with Professor Amy Widman, was discussed in testimony before the U.S. House of Representatives Judiciary Committee. The first of its kind, the study found that state enforcement authority is used modestly, responsibly, and in cooperation with federal agencies.

Professor Stephen J. Cribari is the reporter for the Criminal Pattern Jury Instruction Committee of the U.S. Court of Appeals for the Tenth Circuit, on the faculty of ATF’s National Firearms Examiner Academy, and a member of the National Institute of Justice’s Technical Working Group on Digital Evidence in the Courtroom. He taught criminal procedure and cul-



tural property law in the University of Notre Dame Law School’s London Law Program in 2011 and is teaching criminal procedure in fall 2012 as a distinguished visiting professor. He recently was named co-director of the London program. In March he taught a week-long course, Law and Cultural Heritage, at the University of Arkansas that examined value, protection, restoration, and other issues surrounding cultural property. Barbara Wold (’10) joined him to teach the segment on the Native American Graves Protection and Repatriation Act.



Professor Allan Erbsen’s article “From ‘Predominance’ to ‘Resolvability’: A New Approach to Regulating Class Actions” (*Vanderbilt Law Review*, 2005) was quoted several times by the Pennsylvania Supreme

Court in *Samuel-Bassett v. Kia Motors America, Inc.*, 2011 WL 6059098.



Professor Barry Feld was reappointed to the Centennial Professorship in Law.



Professor Michele Goodwin presented two endowed lectures at research universities this spring. In February at the West

Virginia University College of Law, she gave the John W. Fisher II Lecture in Law and Medicine, entitled “Who Owns Your Body? A Conversation About Medical Research and the Body Bazaar.” The law and medicine lecture is part of the Clark Family Lecture series established to support discourse in ten fields of study. In March at the Law, Health Policy and Disability Center of

the University of Iowa College of Law, she was featured at the Alan Ross Hawley Distinguished Visitorship and Lecture, presenting “Creating 21st Century Families: The Problem with Reproduction as a Community Ethic.” The annual Hawley lecture supports distinguished leaders in educating the next generation of professionals who will influence public policy through their work.



Professor Oren Gross was a guest on Israel’s Channel 10, discussing the legality of targeted killings, in particular that of Anwar Al Awlaki in Yemen, under U.S. constitutional law and international law. In January 2012, Justice Hanan Meltzer of the Israeli Supreme Court cited the work of Gross and **Professor Fionnuala Ní Aoláin**, which deals with cognitive biases that may affect decision-making processes in times of crisis. The high court handed down a split decision in *HCJ 466/07 Galon et al v. The Attorney-General et al*, rejecting claims that the “Citizenship Law” was unconstitutional.



Professor Ralph Hall testified at a hearing on reauthorization of the Medical Device User Fee and

Modernization Act before the U.S. House Committee on Energy and Commerce’s Subcommittee on Health in February 2012. He has worked closely with members of the U.S. Senate Committee on Health Education, Labor & Pensions on the FDA’s regulation of medical devices and legislation proposed to improve the system, and last fall he testified before the Committee at the hearing “Medical Devices: Protecting Patients and Promoting Innovation.”



Professor Claire Hill was a featured guest on Russian Today TV in a program discussing prospects for the

Euro and the Eurozone.



Professor Joan Howland was reappointed to the Roger F Noreen Chair in Law.



Affiliated Professor Jane Kirtley, Silha Professor of Media Ethics and Law in the School of

Journalism and Mass Communication, was selected by the National Scholastic Press Association to receive its Pioneer Award for substantial contributions to journalism programs outside the recipient’s primary employment. She will teach freedom of the press in the University of Notre Dame Law School’s Summer London Law Program in summer 2012.



Professor William McGeeveran was named a Residential Fellow at the University’s Institute for Advanced Study

for fall 2012. He is investigating measures to regulate the use of pseudonyms and other identifiers on the Internet through his project, “Self and Selves: Public and Private Regulation of Online Identification.” Conscious of the importance of how any rules established to guard intellectual property and other rights are designed, McGeeveran hopes to determine a system that respects individual autonomy and privacy. In January 2012 he testified at the third hearing of the U.S. Senate Judiciary Committee’s

Privacy, Technology, and the Law Subcommittee on changes to the Video Privacy Protection Act of 1988. He argued that a House bill to change the law would weaken privacy protections.



Professor Amy B. Monahan was promoted to full professor with tenure, effective July 1, 2012,

pending Regent approval. In February 2012, she presented an update on Essential Health Benefits (EHB) to the Minnesota House of Representatives’ Health and Human Services Reform Committee. A member of the Institute of Medicine’s committee commissioned by the U.S. Department of Health and Human Services to develop policy and criteria for EHB, Monahan summarized key issues, conclusions, and recommendations reached by the committee after nine months of analysis and public input. She also spoke on reconciling HHS objectives and IOM recommendations from a state perspective.



Professor Fred Morrison was reappointed to the Popham, Haik, Schnobrich/Lindquist & Venum

Professorship in Law. He co-chaired the search committee for a new Special Assistant to the President for Government Relations last fall.



Professor Fionnuala Ní Aoláin was reappointed to the Dorsey & Whitney Professorship in

Law. She has been nominated for the 2013 University of Louisville Grawemeyer Award for Ideas Improving World Order for her latest book, *On the Frontlines: Gender, War, and*

the Post-Conflict Process, co-authored with Dina Francesca Haynes and Naomi Cahn (Oxford, 2011). The distinguished award honoring powerful ideas that could lead to a more just world order was first given in 1988. *On the Frontlines* explores whether recent attention paid in the peace-making process to issues of sexual violence and discrimination has improved the lives of women in post-conflict states who have suffered the consequences of violence and gender oppression. Ní Aoláin also has been a consultant and is featured offering background and other observations in a six-part documentary entitled “Mná an IRA—Dearcadh ar Leith” now airing on Irish television. Each episode portrays a woman who has been actively involved in the IRA, her perspectives, and the conflict’s effects on her life.



Professor Myron Orfield was appointed by Education Commissioner Dr. Brenda Cassellius

to the Minnesota Department of

Education’s Integration Revenue Replacement Task Force, charged with evaluating the use of state integration aid for K-12 schools and developing recommendations for closing the academic achievement gap. The Task Force delivered its final report to the legislature on Feb. 15, 2012, recommending creation of a program that connects revenue uses to student achievement and evaluation processes to ensure accountability and oversight of school districts. In February Orfield released an update of the Institute on Race and Poverty’s 2008 study of charter schools in the Twin Cities that includes data collected in 2010-11. Most charter schools still underperform traditional public schools academically, continue to be highly segregated by race and income, and suffer from financial and other management problems, the study found.



Associate Professor Hari M. Osofsky took office as president of the Association for Law, Property and Society in March 2012. Also, at the

Association of American Law Schools annual meeting in January, she was voted chair-elect of the Section on Property Law by its members.



Professor Richard Painter, a former chief White House ethics lawyer, is an advisor to the Principles of

Government Ethics project of the American Law Institute. He has been actively promoting reform of the Senate confirmation process for federal judges, including abolition of judicial filibusters, and his work has been cited by several U.S. senators. He is also chair-elect of the Association of American Law Schools’ Section on Securities Regulation and has advised the U.S. Senate Committee on Banking, Housing, & Urban Affairs with respect to the Stop Trading on Congressional Knowledge Act.

Professor Daniel Schwarcz was promoted to associate professor with tenure, effective July 1, 2012, pending Regent approval. Last fall he testified

PUBLIC LAW WORKSHOPS Spring 2012 >

Workshops are held from 4:05-6:00 p.m. in Room 471 unless noted otherwise and are open to Minnesota faculty and students enrolled in the affiliated seminar.

January

- 30 Professor Stuart Benjamin**
Duke University School of Law
Standing the Test of Time: The Breadth of Majority Coalitions and the Fate of U.S. Supreme Court Precedents

February

- 2 Professor Herbert Kritzer**
University of Minnesota Law School
Change in State Supreme Court Elections: Is Voting Becoming More Partisan?
- 16 Professor Lawrence B. Solum**
Georgetown University Law Center
Communicative Content and Legal Content
- 23 Professor Roderick M. Hills Jr.**
New York University School of Law
The Case for Educational Federalism: Protecting Educational Policy From the National Government’s Diseconomies of Scale

March

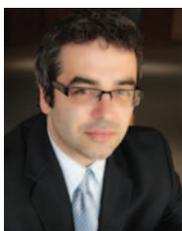
- 22 Professor Oren Gross**
University of Minnesota Law School
Security vs. Liberty: On Emotions and Cognition

26 Professor Heidi Kitrosser

University of Minnesota Law School
Reclaiming Accountability: Transparency, Executive Power, and the U.S. Constitution

April

- 5 Professor Mark Tushnet**
Harvard Law School
Holmes Devise History for the Hughes Court
- 9 Professor Kristin Hickman**
University of Minnesota Law School
Unpacking the Force of Law
- 19 Professor Neil S. Siegel**
Duke University School of Law
Not the Power to Destroy: A Theory of the Tax Power for a Court That Limits the Commerce Power



before the House Subcommittee on Insurance, Housing and Community Opportunity on the proposed amendments to the Dodd-Frank Wall Street Reform and Consumer Protection Act. He received the 2010–11 Liberty Mutual Prize, recognizing scholarship in property and casualty insurance law and sponsored by Boston College Law School, for “Reevaluating Standardized Insurance Policies” (*U. of Chicago Law Review*, Vol. 78, 2011).



Professor Gregory Shaffer is now an affiliated professor with the Department of Political Science.

He was appointed to the Advisory Board of a new journal, *Transnational Environmental Law* (Cambridge U.

Press), directed by editors-in-chief in Amsterdam and London, and he received a grant-in-aid for research on the World Trade Organization to be conducted in Geneva. In March 2012 Shaffer was interviewed by the Latin American School of Social Sciences chair on Buenos Aires television regarding multilateral and bilateral trade and investment agreements. He discussed revising the Agreement on Trade-Related Aspects of Intellectual Property Rights to avoid fragmentation of the international framework of intellectual property, which would be detrimental to developing countries.



Professor Suzanne Thorpe ('89), the Law Library's Associate Director for Faculty and Research

Services, was elected to the executive board of the American Association of

Law Libraries. Her three-year term begins in July 2012.



Professor Michael Tony's book *Punishing Race: A Continuing American Dilemma* (Oxford, 2011) was selected

as a finalist in the general nonfiction category for the 24th annual Minnesota Book Awards. The book examines the historical, political, and sociological roots of criminal justice policies that underlie racial injustice in American and offers proposals to reduce the disparities and ensure equal treatment.



Professor David Weissbrodt was reappointed to the Fredrikson & Byron Professorship in Law.

FACULTY WORKS IN PROGRESS

Spring 2012 >

Lectures on works in progress at the Law School and other institutions are held on Thursdays from 12:15-1:15 p.m. in Room 385. They are open to the public but require an RSVP to Stephanie McCauley at 612-625-9073 or mcca061@umn.edu.

January

26 Professor Ray Madoff
Boston College Law School
A Tale of Two Countries: Comparing the Law of Inheritance in Two Seemingly Opposite Systems

February

2 Professor Thomas Cotter
University of Minnesota Law School
A Research Agenda for the Comparative Law and Economics of Patent Remedies

- 9 Professor Hari Osofsky**
University of Minnesota Law School
Suburban Climate Change Efforts: Possibilities for Small and Nimble Cities Participating in Regional, State, National, and International Networks
- 16 Professor Michele Goodwin**
University of Minnesota Law School
Baby Cooperatives: Rethinking the Nature of the Family
- 23 Professor Roderick M. Hills Jr.**
New York University School of Law
Coalition-Building and Constitutional Law: The Case of 19th Century American Federalism

March

- 1 Helga Leitner, Ph.D.**
University of Minnesota
Institute for Global Studies
Resisting Federal-Local Immigration Enforcement Partnerships: Redefining "Secure Communities" and Public Safety
- 8 Professor Julie E. Cohen**
Georgetown University Law Center
Configuring the Networked Self

- 22 Professor Paul Vaaler**
University of Minnesota Carlson School of Management
Diaspora Concentration and the Venture Investment Impact of Remittances
- 29 Professor Oren Gross**
University of Minnesota Law School
Security vs. Liberty: On Emotions and Cognition

April

- 5 Professor Hendrik Hartog**
Princeton University Department of History
"Things Fall Apart" from Someday All This Will be Yours: A History of Inheritance and Old Age
- 12 Professor Nicola Lacey**
London School of Economics and Political Science
From the Consulting Room to the Court Room? Taking the Clinical Model into the Legal Realm
- 19 Professor Ross Levine**
Brown University Department of Economics
- 26 Professor Tracey L. Meares**
Yale Law School

May

- 3 Professor Ann E. Carlson**
UCLA School of Law

New and Visiting Faculty Members >

New Faculty



Neha Jain joins the Law School's tenure-track faculty from the Georgetown University Law Center, where she

was an adjunct professor and research fellow. She will teach criminal law.

Previously she was a research fellow at the Max Planck Institute for Foreign and International Criminal Law and worked on the Comparative Criminal Law project, studying various legal systems to identify meta-level structures as a basis for a theory of comparative criminal law. She continues as a consultant on the project. Her current research draws on criminal responsibility and participation theories in civil and common law traditions to develop a new concept of perpetration for international crimes.

After completing an LL.B. with honors at the National Law School of India University, Jain studied at Oxford University on a Rhodes Scholarship. There she earned B.C.L. and M.Phil. degrees, was editor-in-chief of the *Oxford University Commonwealth Law Journal*, and tutored students in constitutional law. She has defended her thesis toward a D.Phil. in law.

She clerked for the former chief justice of the Supreme Court of India; was a research assistant on the U.N. Development Programme on Law Reform for Economic Development in Bangalore, India; and interned with the Office of the Prosecutor at the Extraordinary Chambers in the Courts of Cambodia.



Mark Kappelhoff returns to the state from his position as chief of the Criminal Section, Civil Rights Division, U.S.

Department of Justice, which he has held since 2006. He supervised more

than 100 lawyers and staff in investigation and prosecution of criminal civil rights violations. Previously he was a deputy chief and trial attorney in the Section and assisted in prosecutions of official misconduct, hate crime, and the largest human trafficking case ever prosecuted by the DOJ. Earlier, he was a trial attorney in the DOJ's Environment & Natural Resources Division, legislation counsel for the American Civil Liberties Union, assistant public defender for Montgomery County, Maryland, and manager of the pro bono program at Akin Gump Strauss Hauer & Feld in Washington, D.C.

Kappelhoff began his education at St. John's University, Collegeville, Minn. He received his J.D. from the American University, Washington College of Law, where he worked on the *American University Law Review* and taught legal research and writing as a dean's teaching fellow.

He has taught law as an adjunct professor at the law schools of Georgetown University, the University of Maryland, and the American University, where he was also a visiting assistant professor in the criminal justice clinical program.



Francis X. Shen, a visiting assistant professor at Tulane University Law School, will join the Law School in late June as a tenure-track faculty member. He will teach criminal law as well as a new course in law and neuroscience.

Shen was previously a visiting scholar and associate director of the MacArthur Foundation Law and Neuroscience Project at Vanderbilt University Law School and a research fellow on the Project at the University of California, Santa Barbara. He has been a lecturer, assistant director of undergraduate studies, teaching fellow, and concentration advisor in Harvard University's Department of Government and also an independent statistical consultant in education policy evaluation and law at

several universities and organizations.

After graduating from the University of Chicago with highest honors, he completed his J.D. at Harvard Law School and his Ph.D. in government and social policy at Harvard University.

Shen's research interests include legal policy in crime, torts, and education. He is working on a revised legal definition of "bodily injury," a review of charter school statutes, and the micro-foundations of sex offender legislation.

Visiting Faculty



Thom Lambert, an associate professor at the University of Missouri School of Law, will be a visiting professor in the area

of business law for the spring semester. He is a former antitrust litigator and environmental policy analyst whose scholarship focuses on business law and regulatory theory. He was a Bradley Fellow and a comment editor on the law review at the University of Chicago and after graduation was the John M. Olin Fellow at Northwestern University Law School for a year before joining Sidley Austin.



Daniel Sokol, an associate professor at the University of Florida Levin College of Law, will be a visiting professor

for the full year. He has provided policy assistance to numerous antitrust agencies and utilities regulators and serves on the executive committee of the Association of American Law Schools' Section on Antitrust and Economic Regulation. He co-edits the Global Competition Law and Economics book series (Stanford U. Press) and is editor of the new Antitrust and Competition Policy blog. He will teach in the area of business law.

Prof. Ní Aoláin Presents Dorsey & Whitney Chair Reappointment Lecture



Fionnuala Ní Aoláin

Prof. Fionnuala Ní Aoláin is known internationally for her expertise on transitional justice, international law, and sex-based violence in times of war. She concurrently holds a law professorship at the University of Ulster's Transitional Justice Institute in Belfast. Twice the Irish government has nominated her to a judicial position at the European Court of Human Rights, and she is repeatedly asked to serve in various U.N. capacities.

Her most recent book, *On the Frontlines: Gender, War and the Post-Conflict Process* (Oxford U. Press, 2011), explores the experiences of women in multiple and varied post-conflict societies. In fall 2011 she was a research

fellow at the Institute of Advanced Studies at the Hebrew University of Jerusalem, part of a group conducting "Migration of Criminal Law Principles from National to International Law." On March 27, 2012, in the Dorsey & Whitney Chair in Law Reappointment Lecture "Rethinking Harm: An International Law Perspective," she described continuation of her work on the intersection of gender with new directions in international criminal law and the law of occupation.

During her time in Israel and the Occupied Territories, Ní Aoláin said she spent much time interviewing women, trying to capture and define for the purposes of law the multiple unseen harms they experienced in addition to sexual violence. "In many societies, there isn't a word for rape," she said, "and even when it is prohibited, as in the Geneva Conventions, it is not defined as a sexual or violent crime but understood as a crime against honor—of the man to whom the woman is attached."

Increasingly, however, international criminal courts are recognizing sexual violence as a method of control, a logical part of war, not a byproduct. Courts' acknowledgment of sexual harms has

"sharpened the boundaries of international humanitarian law and cast light on the very murky shadows of sexual violence during warfare," she said. As she learned in research within and outside the setting of conflict and occupation, harm can include loss of the home, fear for children, and a pervasive set of humiliating practices experienced in multiple contexts. Courts are beginning "to think about the way in which certain status and social acts are forced upon women," she said. Much research remains to be done, but there is a growing body of jurisprudence on gendered harms. She and other scholars "still think of law, in particular international criminal law, as a means to make substantive gains for women."

Celebrating its centennial this year, Minneapolis-based Dorsey & Whitney has grown into one of the 100 largest U.S. law firms, with more than 600 attorneys across the world practicing in more than 60 legal areas. It is dedicated to meeting the needs of its diverse client base—public and private companies, nonprofit and governmental organizations, and individuals—in the broadest sense.

Former Dean Tom Sullivan to Head University of Vermont



> On July 15, 2012, **E. Thomas Sullivan** will take office as the 26th president of the University of Vermont, Burlington. "I am very excited both personally and professionally about this tremendous opportunity," Sullivan says. Holder

of the Law School's Julius E. Davis Chair in Law since 2005, he is currently among the visiting faculty at New York University Law School.

Sullivan joined the Law School as its eighth dean and second William S. Pattee Professor of Law in 1995. He

wrote in that fall's alumni magazine that he planned to focus on "educating the ethical lawyer of tomorrow, the community leader and the public servant." During his seven years as dean he oversaw growth of the clinical and additional programs, implementation of wireless computer access throughout the Law School, and "Campaign Minnesota," which raised \$50 million for the Law School and its future.

In 2002 Sullivan was named the Irving Younger Professor of Law, and he was a full-time faculty member until July 2004, when he was appointed Senior Vice President for Academic Affairs and Provost of the University of Minnesota. He served in that capacity through January 2012.

Prior to joining the Law School, Sullivan was dean at the University of Arizona College of Law and a professor and associate dean at Washington University in St. Louis. He began his teaching career at the University of Missouri in 1979, after working as an antitrust litigator in Washington, D.C. He completed his J.D., magna cum laude, in 1973 at Indiana University, then worked for a federal district judge and in the Attorney General's Honors Program in the U.S. Department of Justice.

The University of Vermont has a graduate and undergraduate student body of about 12,000 and counts among its alumna Sullivan's wife, Leslie. They plan to move to Burlington in July.

> Faculty Profile

William McGeveran

Associate Professor

William McGeveran joined the Law School in 2006 and is also an affiliated professor at the School of Journalism and Mass Communications. He blogs at Info/Law (blogs.law.harvard.edu/infolaw) and tweets at [@BillMcGev](https://twitter.com/BillMcGev).

One of the country's leading experts on online intellectual property (IP), Internet privacy, and data privacy law, Professor William McGeveran has a busy schedule of teaching and research. Still, he makes time to share his expertise beyond Law School walls, providing analysis for the media and testifying before Congress.

He has commented on diverse issues, from Facebook's ownership of personal data to NFL players' claim against online sports fantasy gaming for the IP rights to their game statistics. When the controversial Stop Online Piracy Act and Protect IP Act were set for congressional action earlier this year, media ranging from Minnesota Public Radio to *The Guardian* called on him for his perspective.

In January, he testified before the U.S. Senate's Judiciary Subcommittee on Privacy, Technology, and the Law, chaired by Minnesota Senator Al Franken, on proposed changes to the Video Privacy Protection Act (VPPA). Netflix contends that the VPPA prevents voluntary sharing of information on customer viewing habits via social networks. McGeveran argued that while there are benefits to getting information from friends through sources like Facebook, there are also potentially serious problems. A House bill to change the law would weaken privacy protection, he testified.

"The key to getting that balance right is securing genuine consent," McGeveran told the Subcommittee. "That means an individual is sent a social message intentionally, not by mistake. If we have too many accidental disclosures, we undermine the privacy of personal matters and the

accuracy of the recommendations. The VPPA is designed to secure genuine consent."

A long-term interest

Technology and IP interested McGeveran long before he joined the Law School faculty. "I gravitated toward IP as a student," he says. "Patent, trademark, technology—I found them fascinating." His enthusiasm continues. "I love social media," he says. "I'm a heavy Facebook and Twitter user. The potential upside for these types of social media is enormous. It's a totally different mode of communicating that allows the recommendation culture to flourish. But that brings up all kinds of issues."

The New York City native earned his B.A., magna cum laude, in political science at Carleton College, then joined the staffs of U.S. Representatives Louise Slaughter and Chuck Schumer in Washington, D.C. After seven years he returned to school and earned his J.D., magna cum laude, at the New York University School of Law.

His next move was to Boston, where he clerked for Judge Sandra Lynch on the U.S. Court of Appeals for the First Circuit, then joined Foley Hoag as an IP litigator. Although he enjoyed practicing law, McGeveran says he knew he wanted to be a professor. "I liked the combination of research, writing, and teaching that I had as a teaching assistant at NYU." After a stint as a resident fellow at the Berkman Center for Internet and Society at Harvard Law School, he joined the Law School.

In addition to upper-level courses on privacy and trademark law, McGeveran says he loves his 1L classes, including the new simulation-based



Practice and Professionalism, now mandatory in the first year. "There is great value in learning by doing," he says. "This class signals early on how doctrine comes to life in practice." His Civil Procedure students also follow a mock case from pleading to appeal.

McGeveran's engaging and supportive teaching style—and high expectations—are widely recognized. He was selected the 2009 Tenure-Track Teacher of the Year, and in December 2010, right on track, he was promoted to tenured professor.

Researching for the future

McGeveran has been helping prepare the Law School's new IP concentration for launch this fall so interested students can immerse themselves in patents, copyrights, trademarks, and unfair competition. But he won't be in the classroom until spring semester.

One of 11 professors across the University named a Residential Fellow at the interdisciplinary Institute for Advanced Study, McGeveran will devote fall semester to investigating measures to regulate the use of pseudonyms and other identifiers on the Internet while still respecting individual autonomy and privacy.

"We haven't made the rules yet for digital technology," he says. "That's what's exciting."

By Kathy Graves, a Minneapolis-based writer

> Student Per



Hennepin County Attorney Michael Freeman ('74) and David Hottinger ('13) at Law & Religion Week discussion



Cast and crew of 2012 TORT production, "Alawddin: A Tale of 1001 All-Nighters"



Competitors in inaugural Minnesota Moot Court Competition held at University of St. Thomas Law School in March: Michael Kruckow ('13), Ashley Schmit ('13), Aalok Sharma ('13), and Annie Balghiti ('13). Kruckow-Balghiti team won the competition; Schmit-Sharma team took top brief honors

Student Profiles

ISABEL ARIAS LARSSON 2011-12 HUMPHREY FELLOW



> **As a child, Isabel Arias Larsson** of Quito, Ecuador, liked to watch military-themed American movies. She loved seeing jets soar in "Top Gun" and attorneys spar in "A Few Good Men." So when an uncle suggested she

join the Ecuadorian Air Force, Arias Larsson, then a recent college graduate with a law degree, jumped at the chance. Once she was hired, she went through a process of medical, physical, and psychological qualification testing, then nine months of training in military school, emerging as an Air Force lieutenant.

During her 10-year Air Force career, she's served as a public defender or legal advisor in three departments: Chief of the Legal Department, Ministry of Defense, and the General Inspector. That hard work has paid off. She was promoted to captain and is due to rise to the rank of major in 2013.

Hard work is a natural for Arias Larsson. During college, she juggled studies and long hours on the job. A typical day included classes in the morning, five hours of paid work in the afternoon, and homework at night. "I like to work and study," she says. "If I

do only one thing, I will not be happy."

Arias Larsson, a Humphrey Fellow at the Law School, will soon be happy again. During fall semester, she simply took classes. But this semester, she's hunkered down with course work and internships at the Ecuador Consulate and at the U.S. Marine Corps (USMC) University in Quantico, Va. At USMC University, she plans to draft a document outlining how the Ecuadorian military can address human rights and leadership concerns. "I've always wanted to do good things for my country and my people," she says.

During her stay in the Twin Cities, Arias Larsson has discovered the joys of the Minnesota State Fair and the St. Paul Winter Carnival; she marvels at the butter and ice sculptures. Although she longs to see her 6-year-old son more often (he remained in Quito with her parents), she enjoys Minnesota, finding it reminiscent of part of her

spectiVe



Saraswati Singh ('12) introduces California Supreme Court Justice Goodwin Liu at American Constitution Society presentation



1L Asylum Law Project students Eric Peffley, Caroline Marsili, Terran Chambers, Jake Vandelist, Dave Pascoe, Seth Nadler, and Eleanor Frisch listen to border guard during 2011-12 winter break trip to El Paso to volunteer at immigration clinic, helping clients, attending court hearings, and writing briefs



1L Asylum Law Project students visiting International Institute, Redwood City, Calif., which often works in tandem with Central Legal Services of East Palo Alto, Calif., where they volunteered during 2011-12 winter break. Left to right: Savir Punia, Sarah Hewitt, Institute staff member, Jack McFarland, and Meredith Leake

heritage. Her mother hails from Stockholm and met her father while working in Ecuador. Says Arias Larsson, "I feel like I'm in Sweden here."

ILYA KIRYAN

LL.M. CLASS OF 2012

> Although his parents and older sister are architects, Ilya Kiryan, a 27-year-old Moscow native, is more intrigued with the nuances of import/export regulations than swooping arches and flying buttresses.

As a young boy, he studied French and English, and a classroom visitor from outside Russia's borders was always a treat. "If it was foreign, it was good," he says. His infatuation with the outside world led him to enroll in the Russian Foreign Trade Academy of the Ministry for Economic Development of the Russian Federation, one of the top-ranked universities in the nation.

After graduating with a law degree, Kiryan worked at firms importing sporting goods and pharmaceuticals,



which led to a position as a senior lawyer at the Russian Agency for Small and Medium Business Support, helping foreign firms navigate the country's civil and administrative rules. He also learned about the importance of controlling currency fluctuations, tariffs, and customs regulations.

His experience has helped him navigate Russia's economic system, but

other factors sometimes get in the way. "Russia is number one in corruption," Kiryan says. "Everybody knows it." The CIA's *World Factbook* agrees, citing a "high level of corruption" in the country. Kiryan wants that to end, believing Russia will experience stronger, longer-term economic growth as a result.

In the meantime, he's chosen to pursue an LL.M. degree in America. "The U.S. is country number one in the legal profession," he says. Among his favorite courses at the Law School are Corporations and Advanced Corporate Law. In between classwork, Kiryan is spending time with U.S. District Judge John Tunheim ('80), who briefs him on cases before and after court appearances. The experience has given Kiryan an inside look at the American justice system. He's come away impressed.

This summer, Kiryan plans to take the New York Bar Examination, pass it, and land a job with a corporation or law firm in Moscow. His future spe-

cialty: mergers and acquisitions. “I like M & A the most,” he says. “This is the future for world business.”

NATHAN DAVIS
CLASS OF 2012



> **Nathan Davis’ fascination with the law** began in junior high school when his mother enrolled in the University of Nebraska College of Law in Lincoln. Many afternoons, mother and son would head to a local bookstore. She’d dive into legal books; he’d peruse *Car and Driver* magazine. On the way home, she’d discuss cases with him. “It piqued my interest,” he says.

A decade or so later, Davis is on the cusp of graduating from the Law School and, soon thereafter, traveling to Chicago to begin work in the corporate group at Sidley Austin, a worldwide firm with 18 offices in North America, Europe, and Asia.

But a legal career wasn’t always a sure thing for Davis. Multiple jobs in high school—waiting tables, mowing lawns, cleaning offices, and helping customers at a call center—led to a desire to study business. Davis did just that, earning a bachelor’s degree in business administration at Azusa Pacific University in California. He met his future wife in a business class there. (He specialized in marketing, she focused on finance.) After college, he took a job as a business representative at Union Pacific Railroad, based in his hometown of Omaha.

After a couple years, Davis knew it was time to switch gears and attend graduate school. The timing, to put it

in purely economic terms, was perfect. “The opportunity cost was much lower” than waiting, he says. Although he’s open to pursuing a master’s degree in business in the future, he wanted to tackle his J.D. first for one simple reason: It’s more difficult.

However, Davis has made it look easy (thanks to the support of his wife, he says). Like his mother, who finished in the top 10 in her class and served as editor-in-chief of the *Nebraska Law Review*, Davis is finishing in the top quartile of his class, while mentoring new students as a member of the Black Law Student Association. He excelled in courses comprising the Business Law Concentration and reflects that it has “set me up to succeed in the law arena and the business arena.”

CHRIS SCHMITTER
CLASS OF 2013



> **While other teenagers zapped** aliens in video games, Chris Schmitter licked envelopes for political candidates. The 2L from Rochester, Minn., was 13 when his mother drove by a Democratic campaign office. He asked her to stop the car, saying, “This looks like fun.”

In that first election, in 1996, Schmitter marched in parades. But two years later he was much busier, placing phone calls, knocking on doors and, yes, licking envelopes.

Before graduating from high school, he’d met Sen. John Kerry of Massachusetts and revived a Democratic youth group in his hometown. Naturally, he picked wonky

Georgetown University in Washington, D.C., for his undergraduate studies.

Schmitter thrived at Georgetown. He dug listening to lecturers like former Secretary of State Madeleine Albright and earned a fellowship at the Center for the Study of the Presidency. Still, he missed Minnesota. “I was always homesick,” he says.

He returned home during breaks to work on Democratic campaigns and in 2004 met high school teacher Tim Walz while they were volunteering for Kerry’s failed presidential bid. Two years later, Walz tapped Schmitter—a newly minted Georgetown grad—to serve as field director for his insurgent congressional campaign. Walz won a surprise victory and Schmitter was soon shuttling between staff jobs in Walz’s congressional office in D.C. and campaign gigs.

Since starting law school, Schmitter has had to ease up on his political commitments. Studying eats up a lot of his time. So does working on the *Minnesota Law Review*, and beginning with Vol. 97, he will serve as editor-in-chief. He’s also engaged in thought-provoking internships at a Minneapolis law firm and at the Civil Rights Division of the U.S. Department of Justice.

Schmitter isn’t sure whether he’ll work for a private firm or in the public sector when he graduates. One thing is certain, though. He won’t ignore election campaigns, especially if a candidate he believes in is on the ballot. “It’s hard for me to sit it out completely,” he says.

ERICA MADORE
CLASS OF 2014

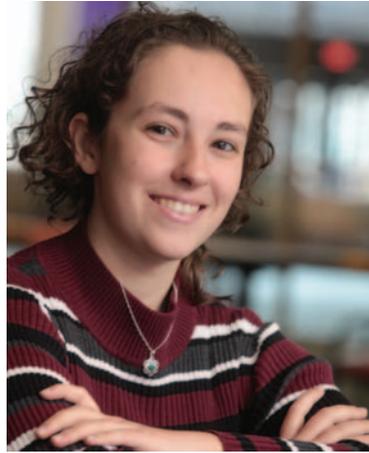
> **When Erica Madore uncovers a** passion, she pursues it at full throttle. As a teen, she fell in love with Sherlock Holmes mysteries and read four novels and 56 short stories featuring the detective in a single year.

Some of those tales, and many of the Shakespearean tragedies she was also reading, featured sword-fighting scenes, so why not take up fencing? Madore tangled with other would-be Mercutios during her undergraduate years at the University of Minnesota.

“I was there to have fun, hit people with swords, and be a pirate for a few hours,” she says with a laugh.

Now the 1L student’s passions include the legal system. The Apple Valley, Minn., native was born with spina bifida, a condition usually diagnosed at birth but not spotted in Madore until age 9. In the 12 years since that discovery, she’s endured 14 surgeries and developed a zeal for justice.

As an undergrad, she served as a courtroom monitor for WATCH, a domestic violence watchdog nonprofit that tracks attorney and judicial behavior. It’s safe to say Madore spent more hours in Hennepin County courtrooms—riding public buses to court after morning classes—than some students spend in libraries. The relief on victims’ faces during the sentencing of offenders strengthened



Madore’s belief in the legal system. “It gave me confidence to see the law is not paralyzed,” she says. “People can get justice. It was very, very powerful.” This summer, Madore hopes

to obtain an internship with the Hennepin County Attorney’s Office. “That would be amazing,” she says. She has already interned at Pathways Counseling Center, researching the legal effects of epilepsy and seizure disorders. Her research will serve as the centerpiece of a CLE course later this year.

After graduation, Madore hopes for a career as a prosecutor or disability rights attorney. In the meantime, she’ll study, write, intern, and sing. She was in the chorus of the recent Theatre of the Relatively Talentless production, although she says, “I’m not a very good singer. I’m a better actor.” Next year, who knows? There might be a role for a sword wielder.

By Todd Melby, a freelance writer and radio producer based in the Twin Cities

LAW & RELIGION WEEK



Jason Adkins ('06), Tom Emmer, Michael Freeman ('74), and Farheen Hakeem

> **Feb. 27, 2012, saw the advent of Law & Religion Week at the Law School.** Four student organizations—the Muslim Law Student Organization, Christian Legal Society, Jewish Law Student Organization, and St. Thomas More Society—teamed up to host the week-long series of lunchtime speaker events, each one highlighting a particular convergence of law and religion.

Among the diverse topics and viewpoints offered: Prof. Richard Painter provided insight into the culture of Wall Street i-banking and its disconnect from potential sources of moral influence, such as a church or faith community.

A pair of trial lawyers from the Equal Employment Opportunity Commission and the Council on American-Islamic Relations gave an informative overview of civil rights litigation regarding the accommodation of Muslims in the workplace. A panel discussed the secular merits of traditional Christian sexual morality’s place in American law. And the week ended with a panel discussion on religion in the public square by Hennepin County Attorney Michael Freeman ('74), Minnesota Faith & Freedom Coalition Chair Tom Emmer, Minnesota Catholic Conference Executive Director Jason Adkins ('06), and U.S. Green Party Co-Chair Farheen Hakeem.

As planning chair and a member of the St. Thomas More Society, I was pleased with how the week went, especially attendance-wise, although you can never tell if that’s just for the free lunch. The students were engaged and the presenters had some interesting things to say. This topic is never exhausted, so I hope we come together for another Law & Religion week in 2013.

By David Hottinger ('13)

New Student Editors

All 2012-13 editors are in the class of 2013 except Keli Holzapfel ('12).

ABA Journal of Labor & Employment Law (Vol. 28)

- Jonathan Reiner, editor-in-chief
- Mikel Sporer, lead managing editor

Law and Inequality: A Journal of Theory and Practice (Vol. 31)

- Richard Weinmeyer, editor-in-chief
- Erin Osborne, executive editor

Minnesota Journal of International Law (Vol. 21)

- Gordon Knobloch, editor-in-chief
- Emily Hutchinson, executive editor

Minnesota Journal of Law, Science & Technology (Vol. 13)

- Keli Holzapfel, editor-in-chief
- Chris Evans, executive editor

Minnesota Law Review (Vol. 97)

- Chris Schmitter, editor-in-chief
- Lisa Beane, lead managing editor

Student News and Events >

Student News

Thomas Braun ('12) Writes Federal Lawyer Cover Story



"Cleaning Up the Comprehensive Environmental Response, Compensation, and Liability Act: The Ambiguous Definition of 'Disposal' and the Need for Supreme Court Action" by **Thomas**

J. Braun ('12) was featured as the cover story of the October 2011 issue of *The Federal Lawyer*. Braun discusses development of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) since it was enacted in 1980 to ensure cleanup of hazardous waste sites, as well as the "polluter pays" liability scheme and the extensive litigation surrounding definition of the term "disposal." Interpretation of CERCLA terminology has widespread effects, he says, and it's time for the U.S. Supreme Court to establish clarity. The paper was originally written for the environmental law capstone taught by Prof. Alex Klass and adjunct faculty member Sara Peterson ('00).

MABL Foundation Awards Scholarships to Law School Students



Each year the Minnesota Association of Black Lawyers (MABL) Foundation gives scholarships to Minnesota law students who demonstrate academic excellence and commitment to their communities and the principles of MABL. In November 2011 **Tennille McCray** ('12) received an MABL scholarship, **Rashya Cunningham** ('13) received

the William McGee scholarship, and **Elisha Rapp** ('13) received the Pamela Alexander scholarship at the MABL Foundation's Annual Scholarship Gala at the Minneapolis Hilton. This year the benefit event to support scholarships was entitled "Looking Ahead While Reaching Back" and celebrated the strides toward legal justice and equal opportunity of Minnesota law students and lawyers.

Edward Toussaint Jr., a professor at William Mitchell College of Law and former chief judge of the Minnesota Court of Appeals, also was honored by the MABL Board with the annual Profile in Courage Award, given to a member of the Black community for commitment to justice and the ideals of MABL.

Bobby Mir ('12) and Ben Tozer ('12) Win ABA National Negotiation Competition



Bobby Mir ('12), faculty coach Mary Alton, and Ben Tozer ('12)

In February 2012, 228 teams representing 116 law schools gathered in New Orleans for the ABA National Negotiation Competition. When the dust settled, **Bobby Mir** ('12) and **Ben Tozer** ('12) were the 2011-12 ABA Negotiation champions.

Both of the Law School negotiation teams made a great showing at the ABA Region 5 Negotiation Competition last November in Kansas City, with the team of **Jade Holman** ('13) and **David Morine** ('12) ranked first going into the final round. Holman and Morine accompanied Mir and Tozer to New Orleans as the alternate team and sparring partners in preparation for the strenuous national competition.

The ABA Negotiation competition is based on problem-solving, and at the national competition, Mir and Tozer rep-

resented a fictional Christian college and its dean in various situations requiring dispute resolution and other skills. Their national win sends Mir and Tozer to the 2012 International Negotiation Competition at Queen's University in Belfast, Northern Ireland, in July.

Teams have participated in the ABA Negotiation Competition, a program component of the Law School's Corporate Institute, since 2005. Four teams have advanced to the final regional round and two teams have gone on to nationals. Professor Mary Alton is the faculty coach.

Ben Krause ('13) is Powerful Advocate at DisabledVeterans.org



Ben Krause ('13) and Maine Congressman Michael H. Michaud

When **Ben Krause** ('13) created DisabledVeterans.org in 2009, he hoped to help others avoid the roadblocks he had encountered for years in dealing with the Department of Veterans Affairs (VA). A year later, "CBS Evening News" asked him to help look into accusations of fraud and discrimination against the VA's Vocational Rehabilitation and Employment program, some of them suggested by complaints on Krause's Facebook page, Disabled Veterans—Chapter 31 Voc Rehab.

Today his site averages 15,000 visits a month and is in the registration process for becoming a charitable organization. Krause has become a go-to guy on disabled veterans issues. When Medill, the Northwestern University journalism school, did a report in March on respiratory problems of veterans returning from Iraq and Afghanistan, he was among those interviewed (<http://news.medill.northwestern.edu/chicago/news.aspx?id=202996>).

Krause's work includes serving as assistant director of policy advocacy with grassroots nonprofit Veterans for Common Sense, which has been garnering support for an executive order making the VA take action on existing law. In January he and others from the group were invited to speak to the House Committee on Veterans Affairs. During the two-day visit to Capitol Hill, they attended a House Committee hearing and more than 20 meetings, including a discussion of disability issues with Congressmen Michael H. Michaud of Maine and Phil Roe, M.D., of Tennessee, and Senator Mark Begich of Alaska.

"We're getting ramped up for this election cycle," Krause says, "and will distribute a veterans pledge to politicians (incumbents and challengers on a national level) to help hold them accountable for their promises on veterans' benefits-related issues."

Matt Norris ('14) a Finalist in White House Campus Challenge

"All Across America, college and university students are helping our country out-innovate, out-educate, and out-build the rest of the world," President Obama said last fall as the White House

launched the Campus Champions of Change Challenge to spotlight the efforts of involved students. In February, finalists in the nationwide competition were selected, and **Matt Norris** ('14) was among those who got a call from the White House.

Matt's entry was the nonprofit teen organization, A-List, that he co-founded with **Asha Sharma**. The two were University students in 2008 when they entered an Ernst & Young competition with a business plan for a snack and apparel shop run by and for teens. Their win provided a \$10,000 seed grant. Soon foundations, businesses, and individual supporters stepped up, and the City of Brooklyn Park, Minn., provided funding toward a facility. A-List opened its doors in April 2011.

In addition to selling snacks and T-shirts, A-List provides a place for teens to socialize and learn. Volunteers offer afterschool tutoring, mentoring, skill-building, and other professional and personal development activities. Norris and Sharma dream of establishing a network of A-List shops to serve youth nationwide.

Although A-List was not among the top five e-vote getters, who were



Matt Norris ('14) and Asha Sharma (currently with Microsoft in Seattle but still an active board member and president of A-List)

offered an opportunity to host an episode of mtvU's "The Dean's List," Norris and Sharma were invited to the White House for a March 15 event. The President shared an inspiring message at the event, and Norris and Sharma had a chance to meet him.

"It was also exciting to meet with the other finalists and learn about the work they're doing in their communities," Norris said. "We're hopeful this entire process will help bring more awareness and support for the A-List. It certainly is an honor that recognizes the work of everyone who has played a role in making the A-List what it is today."

Student Events

Diversity Week

New this year was the student-conceived Diversity Week held March 5-9, 2012, to convey appreciation of diversity in the Law School community and to promote open discussion and learning. It was sponsored by the Law School, ABA, and University of Minnesota Student Activities.

The week's events led off with a student panel discussion on facing stereotypes and other issues involved in ethnicity, gender, religion, and sexual orientation at the Law School and in the community. Additional panels addressed the importance of diversity in the legal profession and international and domestic adoption laws. In another session, speakers examined three current



Autumn Nelson, Lola Velasquez Aguilera, Alan Haynes, and Cassandra Fortin discuss diversity in the legal profession

LGBT legal issues—bullying, transgender concerns, and employment discrimination. The week ended with a celebration of diversity in Auerbach Commons.

Led by Tennille McCray ('12), organizers of Diversity Week were Laura Cowan ('13), Julia Decker ('14), Susan Hallquist ('13), Lariss Jude ('12), Faiza Majeed ('13), David Solis ('13), Meg Stinchcomb ('13), Jenni Wong ('14), and Shanna Yonkee ('12).

Malpractice Ball

The Malpractice Ball was held March 24, 2012, at the Profile Event Center on University Avenue this year. Students and their guests enjoyed dancing, karaoke, a chocolate fountain, hors d'oeuvres and late-night snacks, and an Xbox game room. The formal event bringing together law and medical students is sponsored by the Law Council and the Medical School Student Council.

Prof. Laura Thomas Takes Civil Practice Clinic Appeal to Minn. Supreme Court



Katherine Pasker ('12), Michael Gavigan ('11), Prof. Laura Thomas, Anupama Sreekanth ('12)

> **On April 2, 2012, Clinical** Professor Laura Thomas and co-counsel David Wilson and Michael Gavigan ('11), both of Wilson Law Group, appeared before the Minnesota Supreme Court on a direct appeal of

the lawsuit *Odunlade et al. v. City of Minneapolis* (Supreme Court File No. A111832). The core of the lawsuit alleged violations of federal and state equal protection rights and rights to uniform taxation under Article X, Section 1, of the Minnesota Constitution, and sought declaratory judgment and mandamus relief.

The appeal raised the central issue of whether the City of Minneapolis has the ability to change the definition of “forced sale” under Minnesota law. The lawsuit alleged that by characterizing any sale of residential real estate by a bank or other lender as a forced sale, the City uses a broader definition than allowed by law and ignores valid, arms-length transactions. Residential property tax assessment should be driven by “market value” as defined by

law and not depend on the identity of the seller, Thomas explains. The appeal contended that due to the City’s practice, residential property owners in the Near North, Camden, and Phillips communities shoulder a larger share of the property tax base than they should under the law.

Gavigan has worked on the case since 2010 when the lawsuit was served and filed in District Court by the Civil Practice Clinic under the supervision of Thomas. Gavigan, former Clinic student director John Braun ('11), and current Clinic students Katherine Pasker ('12) and Anupama Sreekanth ('12) briefed the appeal. Clinic students did a sales ratio study comparing tax assessment across all Minneapolis communities to prepare the lawsuit.

Human Rights Clinic Follows its Brief to Supreme Court



Front Row: Sharifa Tharpe ('13) and Sara Mendoza ('13). Back Row: Student Director Britt Johnson ('12), Kelsey Kelley ('12), Student Director Feras Sleiman ('12), Sam Manning ('13), and Dev Gowda ('13). Not pictured: Michelle Lobo ('13)

> **Last December the Human** Rights Litigation and International Legal Advocacy Clinic submitted an *amici curiae* brief in support of the plaintiffs in the controversial case of *Kiobel v. Royal Dutch Petroleum*. On Feb. 28, 2012, Clinic student attorneys Michelle Lobo ('13), Sam Manning ('13), Sharifa Tharpe ('13), Kelsey Kelley ('13), and student directors Britt Johnson ('12) and myself had the opportunity to travel to Washington, D.C., to observe the case’s oral argument before the U.S. Supreme Court. Prof. Jennifer Green, who heads the Clinic, also made the trip to watch the oral argument and assist the plaintiffs’

lawyers in responding to media coverage of the case.

Kiobel v. Royal Dutch Petroleum involves claims by Nigerian plaintiffs that Royal Dutch Petroleum collaborated with the Nigerian government to detain, torture, and execute individuals lawfully protesting against oil exploration. The argument before the high court addressed whether corporations can be sued for violations of international law under the Alien Tort Statute.

The brief (available at www.losangelesemploymentlawyer.com/Brief-of-Nuremberg-Scholars.pdf), submitted by Johnson, Lobo, Manning, Sahadev Gowda ('13), Sara Mendoza ('13), and myself, discusses Nuremberg-era international trials in occupied Germany after World War II, highlights their importance to the development of international law norms, and interprets their jurisprudence as supporting the liability of corporations and other organizations for violations of international law. The brief was signed by 18 renowned scholars, including Law School Professor Fionnuala Ní Aoláin.

The subject of the Clinic’s brief arose in the oral argument when defendants’ counsel Kathleen Sullivan asserted that no corporations were

prosecuted at the Nuremberg trials and the main lesson was that individuals, and not abstract entities, could be held liable for human rights offenses. Justice Ruth Bader Ginsburg responded by noting that the German corporation I.G. Farben was dissolved and its assets seized, which was the argument made in the Clinic brief—that corporations were punished under international law through dissolution and seizure of assets.

A week after the argument, the Court ordered additional briefing on questions concerning the extraterritorial application of the Alien Tort Statute, which will be argued in the fall. “The Court’s latest ruling ordering additional briefing may indicate that the Supreme Court is not willing to rule that corporations cannot be sued for human rights abuses under the ATS,” Green and Gowda write in a March 22, 2012, forum in *Jurist*. “It also shows that the Supreme Court is not willing to rule on a question that had not been fully briefed and argued.” The commentary on the case and the oral argument is available at www.jurist.org/forum/2012/03/green-gowda-kiobel.php.

By Feras Sleiman ('12)



TORT DISCLOSES HIDDEN TALENT FOR TENTH YEAR



> **Back in 2002, the Law School** noticed that many of its students had dramatic, musical, comedic, and other creative skills and urges but no outlet for them. The Theatre of the Relatively Talentless (TORT) was created to fill those non-legal needs.

Students immediately set about writing, producing, and staging a full-scale satire of a Broadway musical set in a law-school context. For its first production, TORT chose to parody “The Wizard of Oz” with its creation, “The Wizard of Fritz.” It was presented in February 2003 in a small Washington Avenue theater, the Open Book, by a cast and crew of about 50 students.

Cajoling faculty and alumni to take part began with that first production. Professors Ann Burkhart and John Matheson, former Vice President Walter Mondale ('56), Justice Paul Anderson ('68), and Joan Ericksen ('81) were among those making cameo appearances. The show was deemed “a raging success” in the 2003 alumni magazine.

Since then word has spread—of the fun to be had and TORT’s policy of accepting law students without regard to quartile, political preferences, blue-booking skill, or talent. On-stage and back-stage participation, walk-on involvement, and audience attendance have grown steadily, and productions are now staged at the historic Pantages Theatre in downtown Minneapolis.

This year marked the 10th anniversary of the TORT hit parade. “Alawddin: The Tale of 1001 All-Nighters” was presented March 2-3, 2012, and included about 100 students in the cast, chorus, dance, orchestra, and technical crew. It told the story of Alawddin, a server at a local bar played by Sanjiv Laud ('12) who, one fateful happy hour, was smitten at first sight with the Dean’s daughter, Jasmine, played by Allison Boyle ('13). After breaking into the Law School’s attic, Alawddin was granted his wish (by a genie in a fish bowl) to become a law student and woo the beautiful Jasmine.

The audience followed Alawddin’s

journey through law school and the challenges presented by security guards and by Jafar, an evil 3L portrayed by David Szarzynski ('13). Threatened by Alawddin’s love for Jasmine and his top-student status, and thereby his claim to the Dean’s prestigious clerkship recommendation letter, Jafar turned Alawddin in for a fictitious honor code violation. But in the end, Prof. Brad Clary’s ('75) crooning of “Law-hemian Rhapsody” led Alawddin to victory, in the clerkship recommendation and, more important, in his true love’s heart.

The Law School gratefully acknowledges 2012 TORT sponsors Leonard Street and Deinard, Briggs and Morgan, Dorsey and Whitney, Fredrickson and Byron, Westlaw, Faegre Baker Daniels, Oppenheimer Wolff & Donnelly, and Robins Kaplan Miller & Ciresi. Special thanks for continued financial support go to the Law Council, Graduate and Professional Schools Assembly, Student Services Office, and Advancement Office.

> Alumni Pers



Vance Opperman ('69) introduces Prof. Dale Carpenter at April 2012 signing event for Carpenter's new book, *Flagrant Conduct: The Story of Lawrence v. Texas*, at Magers & Quinn, Minneapolis



Regional ambassador Maisa Jean Frank ('10) and classmate Megan O'Rourke ('10) enjoy catching up at the Law School's January 5 event in Washington, D.C.



Aalok Sharma ('13), Ethan Lauer ('98), Shaun Pettigrew ('07), and Alex Hontos ('07) at Washington, D.C., alumni reception

Alumni Profiles

WANDA YOUNG WILSON CLASS OF 1979



> Everyone assumes Wanda Young Wilson knows the winning number, but the Tennessee Lottery executive believes the real winners are recipients of scholarships to attend public colleges and universities across the state funded by lottery proceeds.

Wilson has a winning way with numbers. Beginning in 1979, first in Atlanta and then in Chicago, she handled loans and provided counsel on housing development, finance, and management matters for the U.S. Department of Housing and Urban Development. She went on to a vice president position, working in the bond departments at Northern Trust Bank and E.F. Hutton, then to the Chicago Housing Authority where, as associate general counsel, she managed a \$100 million portfolio.

While Wilson was comfortable in all of those positions, calls kept coming out of the blue, including one from the Atlanta Housing Authority, seeking a general counsel. In that role, she helped change the face of public housing as Atlanta prepared to host the Olympic Games. "I'm really proud of some of those developments and the way they look today versus when I first started there," she says.

The next call Wilson answered came in 1993 from Rebecca Paul, the new CEO of the Atlanta Lottery. As general counsel and senior vice president, Wilson helped Paul launch the lottery ahead of schedule. In 2003, the winning duo accomplished the same feat with the Tennessee Lottery, which Wilson serves as executive vice president, general counsel, and corporate secretary.

Wilson derives greatest satisfaction from the use of lottery proceeds for college scholarships for Tennessee students, as well as pre-kindergarten, after-school, and energy-efficient school programs. "You hear stories from people, 'If it wasn't for this scholarship, I wouldn't have been able to go to college,'" she relates. "It's unbelievable to be part of that."

Business Tennessee named Wilson one of the state's 50 most powerful African Americans, and 100 Black Men of Atlanta gave her their Atlantans

pective



Bryan K. Phillips ('99) speaking at Corporate Institute's "Taking Care of Business" series in March 2012



Associate attorneys Nina Liao (left, '10), litigation group, and Sally Qin (right, '11), government policy group, Baker Hostetler, Washington, D.C., with California Congresswoman Judy Chu, chair of Congressional Asian Pacific American Caucus, at Washington activity celebrating Lunar New Year last winter



Beatriz Menanteau ('03) at Annual Scholarship Dinner

on the Move award. Wilson is on the move even when she's not working, playing tennis, traveling, and gardening. She has no plans to move on from general counsel work, but another call might come out of the blue.

GREGORY JACKSON

CLASS OF 1985

> **During 22 years with the Taylor Corporation**, Greg Jackson has rubbed shoulders with power and wealth—on the Senate floor, the basketball court, even St. Andrew's golf course. But his greatest satisfaction comes from helping people and solving problems.

As staff attorney for the Minnesota State Senate, beginning in 1985, Jackson worked on the Commerce and the Labor and Employment Committees with then-Senator Glen Taylor. The two small-town guys have been a team ever since.

When Taylor elected to return to Mankato in 1989 rather than run for governor, he asked Jackson to be the first in-house general counsel for what Jackson thought of as Taylor's small



printing company. At first, Jackson did primarily labor and employment law. Then the company began buying, big time, and in a dozen years he completed some 100 acquisitions, from tiny companies to professional sports teams.

"I'm a huge basketball fan, so when we first did the deal with the Timberwolves, I was ecstatic," Jackson recalls. He enjoyed helping the team score as a business. "Any time you contribute to an organization and help them get the desired results, that feels pretty good."

Five years ago, Jackson officially became chief administrative officer in charge of centralized human resources, sourcing, legal, and corporate services. In January 2012, he was named executive vice president in charge of five business units. More satisfying than his own promotion is seeing his staff step into his former roles.

An inveterate puzzle solver, Jackson says, "In this new job I get a whole new set of problems to solve." Chief among them is growing his business units while fulfilling the company's mission of providing opportunities for employees, at a time when just a few operators with high-tech machines produce the work previously done by hundreds. Jackson doesn't consider it an option to "just discard people."

He takes a people-oriented approach to community work as well. His three children got him involved in Kids Against Hunger, and he serves on the Bethany College President's Advisory Council. He comments, "People in town know I'm going to help them with whatever their specific need is, and then I'll get out of the way."

JAMES SANKOVITZ

CLASS OF 1999



> **James Sankovitz believes everything happens for a reason.** And he believes two of the reasons he's now a successful oil company executive are his choice of securities law as his first practice and his choice of law school over business school, based on his father's advice that "a law degree can open many doors."

From 1999–2003, Sankovitz prac-

ticed corporate finance law at Briggs and Morgan in Minneapolis. He left to work as an institutional trader in a new merger/risk-arbitrage group at EBF and Associates, a hedge fund management company in Minnetonka, Minn.

Sankovitz merged his firsthand knowledge of how traders assess companies with his legal experience in co-founding a boutique law firm in 2004 and a broker/dealer company in 2005, both initially focused on early-stage companies. One of Sankovitz's law clients was Northern Oil & Gas, based in Wayzata, Minn.

After going public in 2007, Northern Oil brought Sankovitz on as its first general counsel and fourth employee in 2008. Since then, Northern Oil has grown to 20 employees and from \$700 million to \$1.6 billion in market capitalization. From learning each morning whether oil has been discovered on the land in which Northern Oil has a stake to reviewing all public communiques, Sankovitz thrives on using legal and

business skills to influence the success of the fast-paced enterprise.

"There's no better MBA than the baptism by fire you receive making decisions in an early-stage company," says Sankovitz, whose involvement in all legal, hiring, and strategic decisions earned him the title of chief operating officer in 2010.

To keep up the pace, Sankovitz's fuel of choice is a morning run rather than caffeine. Physical activity—boating, golfing, and all kinds of skiing—is also a hallmark of Sankovitz's home life with wife Kristin Olson Sankovitz ('99) and their 5- and 2-year-old sons.

As a youngster in Waseca, Minn., Sankovitz noticed the direct effect his family's community bank had in helping people start businesses. Now he serves on the board of his family's bank holding company of banks, and he chairs the finance council of his church in Eden Prairie. "I've always wanted to make a positive impact on whatever organization I've been involved with," he concludes.

Alumni News and Awards >

Tom Pugh ('76) Appointed First District Judge



Thomas W. Pugh ('76), of counsel with Rogosheske, Sieben, Atkins & Pugh in South St. Paul, was appointed to

Minnesota's First Judicial District Court by Gov. Mark Dayton in November 2011, replacing retiring Senior Judge Thomas B. Poch ('67).

Pugh had served on the Minnesota Public Utilities Commission and the National Association of Regulatory Utility Commissioners Committee on Telecommunications since 2004. From 1989–2004 he was a member of the Minnesota House of Representatives,

elected eight times, serving as minority leader from 1999–2003. Among his committee memberships were House Ethics, Rules and Legislative Administration, Judiciary, and various subcommittees.

Edward Cleary ('77) Named to Court of Appeals



Edward J. Cleary ('77), a member of the Minnesota Sentencing Guidelines Commission since 2006, was

appointed to the Minnesota Court of Appeals representing the Fourth Congressional District by Gov. Mark Dayton last November, replacing the retiring Judge Harriet M. Lansing ('70).

Cleary practiced civil and criminal defense litigation for 20 years and served as an assistant public defender in the Ramsey County Public Defender's Office from 1980–95. He was appointed director of the Minnesota Office of Lawyers Professional Responsibility and Client Security Board by the Minnesota Supreme Court in 1997 and served until 2002. In 2003 he was a co-recipient of the President's Award from the Minnesota State Bar Association for work on the Task Force on the ABA Model Rules of Professional Conduct. He has been an adjunct professor at the Law School since 2000.

Scott DeLisi ('80) Nominated Ambassador to Uganda

In January 2012 **Scott DeLisi** ('80) was nominated U.S. Ambassador to Uganda by President Obama. Senate approval is

MICHELLE HOROVITZ
CLASS OF 2005



> **Michelle Horovitz has a recipe** for ridding the world of injustice: mix public defender experience with culinary training and stir until done.

During four years working as an assistant public defender in Florida's Dade County, Horovitz sought to redress injustices she perceived being perpetrated on juvenile and adult clients charged in cases ranging from

DWI to violent crimes. Her long-term plan was for a second career as a chef. In 2008 she interned with Michelle Bernstein, a James Beard Award winner, at Michy's Restaurant in Miami.

When Horovitz, husband Adam Klarfeld ('06), and their infant son moved to Minneapolis in 2010, she sought a creative way to combine her passions for food and public service while also giving back to the North Minneapolis neighborhood her immigrant grandparents called home for more than 40 years. She soon cooked up Urban Baby, now a 501(c)(3) organization named Appetite For Change that Horovitz oversees as executive director.

The mission of Appetite For Change is, beginning with pre-Kindergarten children and their families, to build individual, family, and community capacity to use gardens, food, and cooking as vehicles for impacting health disparities and redressing racial, social, gender, and economic inequities. It's a tall order,

and Horovitz has been tweaking the *mise en place*.

At first, she conducted free workshops and cooking demonstrations at farmers' markets and community events. Now she leads hands-on cooking workshops complemented by discussions facilitated by trained dialogue leaders from the community. Topics range from food justice to the practicalities of making healthy eating affordable and easy for families who have limited time and money.

Horovitz's motivation was born out of her public defender experience in Miami, and her legal skills are in full use. "Seeing so many disparities and inequities based on race and class drove me to do this work," she explains.

She doesn't slow down during down time. A certified swimming instructor, she bikes and hikes and takes yoga, spinning, and aerobics classes. Fortunately for her family and friends, she still loves cooking for fun.

By Karen K. Hansen, a Twin Cities-based freelance writer and clarinetist



pending. DeLisi, a 30-year officer in the foreign service, has served as U.S. Ambassador to Nepal since March 2010; Director of

Career Development and Assignments for the State Department (2007-10); U.S. Ambassador to the Republic of Eritrea (2004-07); Director of the Office of Southern African Affairs, Bureau of African Affairs (2001-04); Deputy Chief of Mission at the American Embassy in Botswana (1997-2001); Chief of the Political Section at the American Embassy in Sri Lanka (1993-97); and Political Officer at the American Embassy in Pakistan (1990-97). Earlier State Department assignments included liaison with the Bureau of Intelligence and Research; desk officer with the

Office of India, Nepal and Sri Lanka; economic officer with the American Embassy in Madagascar; and consular officer with the American Consulate General in India.

Arne Sorenson ('83) Named New Marriott CEO



On March 31, 2012, **Arne Sorenson** ('83) took over the CEO position at Marriott International Inc.,

the first non-family member to head the company and only the third CEO since its founding in 1927 by J. Willard Sr. and Alice Marriott. Personally recruited by J.W. (Bill) Marriott Jr., Sorenson joined Marriott in 1996 as senior vice president

of business development. He was appointed CFO and executive V.P. in 1998 and president of Continental European Lodging was added to his title in 2003. Since 2009 he was Marriott's president and COO, and he retains the presidency. In 2011 he was elected to Marriott International's board of directors, and he co-chairs the Green Council, which works to integrate environmental sustainability throughout Marriott's business strategy. Sorenson has shared his professional experiences with Law School students through Dean's Leadership Breakfast and "Taking Care of Business" presentations.

Thomas Renn ('84) Appointed U.S. Bankruptcy Judge in Oregon

On October 28, 2011, **Thomas Renn** ('84) was sworn in as a judge on the U.S. Bankruptcy Court for the District of

Alumni News and Awards >

Oregon, filling a vacancy created by a sudden death. He was appointed by Chief Judge Alex Kozinski of the U.S. Court of Appeals for the Ninth Circuit. Renn was a Chapter 7 panel trustee in the Portland division of the Oregon Bankruptcy Court since 2002 and also the disbursing agent in Chapter 11 cases. From 1995-2002 he represented Chapter 7 trustees; worked for debtors in Chapters 7, 11, and 13 cases; wrote three *Wiley Bankruptcy Law Update* annuals; and taught business law at Pacific University. He was also an adjunct professor teaching advanced bankruptcy at Northwestern School of Law (1989-94).

Terry Vajgrt ('89) Named Fifth Judicial District Judge



Gov. Mark Dayton appointed **Terry Vajgrt** ('89) to Minnesota's Fifth Judicial District Court, which serves 15 coun-

ties in southwestern Minnesota. Vajgrt was serving the state as an assistant public defender and working in a private practice focused on criminal defense in Luverne, Minn. Previously, he was a partner at Klosterbuer and Vajgrt, an assistant Rock County, Minn., attorney, an assistant city attorney in Luverne, and an adjunct professor teaching criminal law at Colorado Technical University. He chairs the Nobles-Rock Community Corrections Advisory Board.

Leo Disburg ('90) Appointed South Dakota Magistrate Judge

Leo Disburg ('90) was appointed a magistrate judge in South Dakota's Sixth Judicial Circuit, which covers 14 counties in the central and south central areas of the state, in November 2011. After law school graduation, Disburg worked in private practice in Brookings, S.D., and continued his practice after moving to Pierre, S.D., in 1995. He has been the chief hearing examiner in the South Dakota Bureau of Administration's Office of Hearing Examiners since 1998 and is

the 2011-12 chair of the Administrative Law Committee of the State Bar of South Dakota.

Luis Bartolomei ('94) Named to Fourth Judicial District Bench



In December 2011, Gov. Mark Dayton appointed **Luis A. Bartolomei** ('94) to Minnesota's Fourth Judicial

District Court, replacing retiring Judge Charles A. Porter Jr. ('70). Bartolomei had been a staff attorney with the University of Minnesota Student Legal Service since 2001, providing students with legal counsel and representation. He has been an adjunct professor at Hamline University School of Law since 2006 and formerly at William Mitchell College of Law. Previously, he was an associate with James C. Selmer & Associates, an assistant public defender in Minnesota's Third and Tenth Judicial Districts, and interim executive director and a board member of the Chicano Latino Affairs Council.

Peter Carlton ('96) Named Chief Counsel to New NLRB Member



Peter J. Carlton ('96), an attorney at the National Labor Relations Board (NLRB) since 2001, was selected as chief counsel by Terence Flynn, one of three new NLRB members given recess appointments by President Obama in January. Carlton has previously served eight board members as senior counsel, chief counsel, or assistant chief counsel since joining the NLRB from his position with Jones Day in Washington, D.C. The new appointments bringing the NLRB to full strength for the first time since August 2010.

Mee Moua ('97) Heads Asian American Justice Center



The Board of Directors of the Asian American Justice Center (AAJC) named **Mee Moua** ('97) its new president

and executive director, effective March 19, 2012. Most recently, Moua was Vice President of Strategic Impact Initiatives for the Asian & Pacific Islander American Health Forum. Previously she was a Minnesota state senator representing Ramsey County's District 67 (2002-11), the nation's first elected Hmong state senator. She also worked at Leonard, Street and Deinard as a small-business attorney and a lobbyist at the capitol. While a Law School student, she helped found the Hmong Bar Association and volunteered with the Legal Assistance to Minnesota Prisoners project. At the AAJC she will work to further and protect Asian Americans' rights through policy development, community education, and other processes.

Carl Thunem ('07) Named Assistant Stevens County Attorney

In January Carl Thunem ('07) was selected as assistant county attorney by the Board of Commissioners of Stevens County in west central Minnesota. He will begin work when his deployment with the Army National Guard Brigade Special Troops Battalion, 1st Brigade Combat Team, at Camp Arifjan, Kuwait, ends in spring 2012. A captain and a contracting officer representative, Thunem provides support and training to the soldiers at Camp Arifjan. Before his deployment he was working as a judicial clerk in southern Minnesota's Jackson County.

Legal Writing Instructors Share Their Thoughts

The fall 2011 issue of *With Equal Right*, the official journal of Minnesota Women Lawyers, features the Law School's Legal Writing Program through essays by

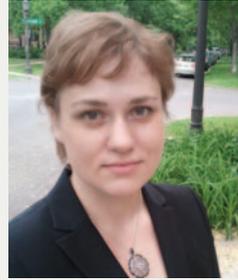
three of its instructors.

Pamela Siegel Chandler ('95), also senior director of law school publishing at Thomson Reuters, said she joined the Program six years ago to see whether she would enjoy teaching and it "has turned into one of the more professionally satisfying things I do." She said her role changes during the year from instructing to helping students refine their skills for the future.

Nadia Wood ('10), who has her own appellate and trial motion legal writing practice, noted being regularly surprised by students, such as those who are reserved in class but shine during oral arguments. "My students remind me that persistence and hard work often beat genius and raw talent."



Pamela Siegel Chandler ('95)



Nadia Wood ('10)



Nadia Aboussir ('12)

Student **Nadia Aboussir** ('12) said she learned to work on a team, became a more conscientious reader, and improved her analytical, writing, editing, and speaking skills, all of which will make her a better lawyer. "I truly believe that legal writing is the most important class

offered in the first year of law school."

The Legal Writing Program is directed by Prof. Brad Clary ('75) with support from Program Assistant Susan Miller. The article is available at <http://mwlawyers.org/associations/11636/WithEqualRight/?nbr=112>.

Thank you, *Partners at Work* >

This is the fifth year of the Law School's Partners at Work challenge, a friendly competition to increase alumni giving participation at local, national, and international organizations employing five or more Law School alumni. The challenge currently includes nearly 40 law firms and corporations and more than 950 alumni. We hope to beat last year's record-setting 61% participation rate in this year's challenge, ending on June 30, 2012.

Thank you, participants, for your generosity and commitment to the Law School.

To learn more about the Partners at Work challenge, please contact Evan Johnson at 612-625-6584 or evanj@umn.edu.

Employer Partners

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Class Notes

News About Your Classmates and Colleagues

1947



Judge Myron H. Bright of Fargo, N.D., continues to hear cases on the Eighth Circuit Court of Appeals at age 92.

David R. Brink was honored with a service award at the 2011 annual celebration of the Minnesota Lawyers Concerned for Lawyers.

1967

Thomas R. Thibodeau of the Duluth firm Thibodeau, Johnson & Feriancek was named a 2011 Attorney of the Year by *Minnesota Lawyer* for his work as part of the Driscoll case trial team.

1969

Hubert H. Humphrey III was chosen in October 2011 to head the federal Consumer Financial Protection Bureau's new Office of Older Americans, formed to help seniors improve their financial decision-making and avoid becoming targets of deceptive and abusive practices.

1970

George A. Beck, a retired administrative law judge who now works as an arbitrator, was appointed to the Minnesota Campaign Finance and Public Disclosure Board by Gov. Mark Dayton. The Board regulates the disclosure of campaign and lobbying expenditures and economic interests of public officials.

Neil Hamilton, professor of law at St. Thomas University, received an Outstanding Service to the Profession award from *Minnesota Lawyer* in recognition of a lifetime of dedication and commitment to the Minnesota legal community.

1972

Paul R. Jennings has retired after serving for 29 years in the Hennepin County Attorney's Office.

1973

Robert Bannerman is the principle commercial officer at the U.S. Consulate General in Dubai, United Arab Emirates, and as a member of the U.S. & Foreign Commercial Service assists American firms seeking to export their products and services to the U.A.E. He has previously served as commercial attaché in Beijing (1995-98); Manila, Philippines (1998-2001); Ho Chi Minh City, Vietnam (2002-06); and Rome (2007-11).



Michael J. Bradley, chair of Moss & Barnett's regulated entities practice area, was named 2012 Energy Law Lawyer of the Year by *Minneapolis Best*

Lawyers. He has worked full time in utility and telephone regulation since 1983.

James A. Morrison, formerly with the Morrison law firm, was named a Marinette County, Wisconsin, Circuit Court judge by Gov. Scott Walker.

1976

Thomas B. Heffelfinger of Best & Flanagan, Minneapolis, was named a 2011 Attorney of the Year by *Minnesota Lawyer* and was recognized by the 2012 *Best Lawyers in America* in the area of Native American law.

Fred Pritzker of PritzkerOlsen, Minneapolis, was named a 2011 Attorney of the Year by *Minnesota Lawyer*.

Thomas W. Pugh, of counsel with Rogosheske, Sieben, Atkins & Pugh in South St. Paul, was

appointed to the bench of Minnesota's First Judicial District by Gov. Mark Dayton in November 2011. He was formerly with the Minnesota Public Utilities Commission (2004-11) and was a member of the Minnesota House of Representatives (1989-2004), as minority leader from 1999-2003.

1977

Edward J. Cleary was appointed to the Minnesota Court of Appeals representing the Fourth Congressional district by Gov. Mark Dayton in November 2011, replacing Judge **Harriet M. Lansing** ('70), who retired in 2011. Previously, he was assistant chief judge for the Second Judicial District of Minnesota.

George T. Skibine joined the Washington, D.C., office of SNR Denton and serves as counsel in the public policy and regulation and Indian law and tribal representation practice groups. He previously served in various capacities with the U.S. Department of the Interior.

1979

E. Joseph LaFave of Best & Flanagan, Minneapolis, was recognized by the 2012 *Best Lawyers in America* in the area of trusts and estates.

Timothy A. Sullivan, Best & Flanagan, Minneapolis, was recognized by the 2012 *Best Lawyers in America* in the areas of commercial litigation, construction litigation, and real estate litigation.

1980

Scott DeLisi was nominated U.S. Ambassador to Uganda by President Obama on January 24, 2012. The appointment is awaiting Senate approval. The President also appointed DeLisi to his current post, U.S. Ambassador to Nepal, which he has held since March 2010.

SEND US YOUR NEWS >

Your classmates, and the Law School, would love to know what important things are going on in your life, and we welcome your submissions for the Class Notes section of *Perspectives*. To be included in the next issue, your items must reach us by October 1, 2012. Submit your news via our Web site at <http://www.law.umn.edu/alumni/updates.html>, via email at lawalum@umn.edu, or via mail to the Office of Advancement, Suite 321, University of Minnesota Law School, 229 19th Ave. S., Minneapolis, MN 55455. We look forward to hearing from you, and thanks for keeping in touch!

Margaret Martin Barry was appointed Acting Associate Dean of Clinical and Experiential Programs and is also a visiting professor for the 2011-12 academic year at the Vermont Law School. She was previously a professor at the Catholic University of America's Columbus School of Law.



Bruce Mooty was appointed chair of Gray Plant Mooty's board of directors. He previously served as the firm's managing officer and board chair

from 2000-07.

Charles N. Nauen, a partner at Lockridge Grindal Nauen, Minneapolis, was named a 2011 Attorney of the Year by *Minnesota Lawyer*.

1981



Michael Unger, a personal injury lawyer with Unger Law Office, Minneapolis, received the Outstanding Service to the Profession award from

Minnesota Lawyer at its annual Attorneys of the Year ceremony in February. He was honored for his work to help create the non-profit organization Call For Justice, which will work with United Way to improve legal referrals and information for the public in the Twin Cities area.

1982

Gary Hall was appointed to the bench of Minnesota's Workers' Compensation Court of Appeals. Previously, he was Assistant Commissioner for Safety and Workers' Compensation at the Department of Labor and Industry.

Jonathan J. Oviatt, chief legal officer and secretary of Mayo Clinic, is chair of the Washington, D.C.-based Association of Corporate Counsel.

1983

William M. Hart, a partner in the Minneapolis office of Meagher & Geer, was named a 2011 Attorney of the Year by *Minnesota Lawyer*.

Arne Sorenson was elected CEO of Marriott International Inc. by its board of directors, effective March 31, 2012, and also continues as Marriott's president. He is the first non-family member to head the company and only the third CEO, following founder J. Willard Marriott Sr. and his son, J.W. (Bill) Marriott.

1984

Kathleen Blatz, former chief justice of the Minnesota Supreme Court, received an Outstanding Service to the Profession award from *Minnesota Lawyer* in recognition of a lifetime of dedication and commitment to the Minnesota legal community.

Thomas M. Renn was appointed a U.S. Bankruptcy Court judge by Chief Judge Alex Kozinski of the Ninth Circuit Court of Appeals and sworn in October 2011 in Eugene, Ore. Renn was previously a solo practitioner in Portland, Ore.

1985

Jeffrey R. Ansel of Winthrop & Weinstine was named a 2012 best litigator by *Minneapolis Best Lawyers* and 2012 Real Estate Lawyer of the Year by *Best Lawyers in America*.



Michael R. Cohen joined Gray Plant Mooty's Minneapolis office as a principal attorney in November 2011. Previously he was corporate counsel for

Lawson Software and has represented businesses for more than 25 years.

1986

Thomas Klosowski joined Fafinski Mark & Johnson as a shareholder in its Eden Prairie, Minn., office. He previously was a partner at Gaskins Bennett Birrell Schupp, Minneapolis.

Tim Pawlenty was appointed to the board of directors of Atlanta-based RedPrairie Corp., an international supply chain and retail technology provider with offices in Eden Prairie, Minn. He also traveled to Tunisia as part of an International Republican Institute group to monitor the country's elections.

1988



Karen Clauson was promoted to senior vice president and general counsel at Portland, Ore.-based Integra Telecom Inc. and directs its legal and regulatory

activities.

1989

Paul H. McDowall is of counsel at Patterson Thuente IP, Minneapolis. He previously worked in house at St. Jude Medical.

Terry Vajgrt was appointed to Minnesota's Fifth Judicial District Court bench by Gov. Mark Dayton in January 2012, replacing Judge Timothy K. Connell, who retired last October. Vajgrt has chambers in 2 (Pipestone and Rock) of the 15 counties in southwestern Minnesota encompassed by the Fifth Judicial District.

1990

Leo Disburg replaced retiring Judge Mark Smith in November 2011 as a magistrate judge in South Dakota's Sixth Judicial Circuit, which covers 14 counties in the central and south central areas of the state.



Douglas Holod, a business lawyer with Maslon Edelman Borman & Brand, Minneapolis, was elected chair of the firm's Governance Committee.



shareholder in February 2012.

Greg Perleberg, a member of the corporate and entertainment, intellectual property, and sports groups at Lommen Abdo, Minneapolis, became a

1991

Peter W. Carter of Dorsey & Whitney, Minneapolis, has been invited to be a fellow of the American College of Trial Lawyers, offered to only 1% of any state or province's total lawyer population.

1992

Patricia Beety of the League of Minnesota Cities was named a 2011 Attorney of the Year by *Minnesota Lawyer*.

1993

Sharna Wahlgren has joined the Minneapolis office of Leonard, Street, & Deinard as a shareholder in the intellectual property and business and commercial litigation practices.

1994

Luis A. Bartolomei was appointed to the bench of Minnesota's Fourth Judicial District by Gov. Mark Dayton in December 2011 from his position as staff attorney with the University of Minnesota Student Legal Service.

Bridgid Dowdal has joined the Minnesota Department of Human Services as chief counsel in the Office of the Inspector General. Most recently, she was an assistant dean in the Office of Career and Professional Development at William Mitchell College of Law. Previously, she was a trial attorney for the U.S. Department of Justice Civil Division and a criminal federal prosecutor for the U.S. Attorney's Office for the District of Minnesota.

1995

Deborah A. Ellingboe, who practices in the Minneapolis office of Faegre Baker Daniels, was named a 2011 Attorney of the Year by *Minnesota Lawyer*. A commercial trial lawyer, she splits her time between representing business clients in complex disputes and representing individuals and institutions in white-collar criminal matters and internal investigations.

Eric Hageman, of PritzkerOlsen, Minneapolis, was named a 2011 Attorney of the Year by *Minnesota Lawyer*.

Mike Mitchell, assistant general counsel at Polaris Industries, was named a 2011 Attorney of the Year by *Minnesota Lawyer*.

1996

Peter Carlton was named chief counsel to Terence Flynn, a new member of the National Labor Relations Board given a recess appointment by President Obama in January.



Michael P. Sullivan Jr. has been elected president of the 300-member Minnesota chapter of the Association for Corporate Growth, a global association with 48 chapters for professionals involved in corporate growth and development and mergers and acquisitions for mid-sized to large companies.

1997

Elizabeth K. Hwang has formed the Hwang Law Group, a real estate and business law firm located in San Francisco. Previously, she was a named partner at a woman-owned real estate law firm and practiced at a California boutique firm recognized for real estate law.

Mee Moua joined the Asian American Justice Center as president and executive director on March 19, 2012, from her position as Vice President of Strategic Impact Initiatives for the Asian & Pacific Islander American Health Forum in Washington, D.C., where she was also project manager for the Racial Equity Initiative, a program of the W.K. Kellogg Foundation's American Healing Initiative.

Matthew R. Thibodeau of Thibodeau, Johnson & Feriancek, Duluth, Minn., was named a 2011 Attorney of the Year by *Minnesota Lawyer* for his work as part of the Driscoll case trial team.

1998

Dr. Saud A. Al-Muriedhd is Senior Counsel of Domestic Law and Compliance at Saudi Basic Industries Corporation, a Kingdom of Saudi Arabia company and a leading manufacturer of chemicals, fertilizers, plastics, and metals.

Ingrid Culp of Fredrikson & Byron, Minneapolis, has been named a Board Certified Labor and Employment Law Specialist. The certification program is administered by the Minnesota State Bar Association and approved by the State Board of Legal Certification.



M. Gayle Packer was appointed executive vice president and chief administrative officer for Terracon, a firm of consulting engineers and scientists based in Olathe, Kansas. She has been an attorney with the firm since 2004 and was promoted to co-general counsel in 2005 and to director of corporate services in 2008.

Derek Patrin of Meaney & Patrin, Minneapolis, was named a 2011 Attorney of the Year by *Minnesota Lawyer* for his role in the Intoxilyzer Source Code defense litigation team.

Russell J. Platzek was named Deputy Director of Labor Relations for the New York City Department of Education.

Yolanda L. Ricks, an attorney advisor in the Office of Attorney Advisor for the Centers for Medicare & Medicaid Services (CMS), received the CMS Administrator's Award in September 2011 for work on a Freedom of Information Task Force to reduce the backlog of Freedom of Information Act appeals. The award is CMS' highest honor for individuals and teams demonstrating sustained superior performance. She joined the office's in March of 2010, after nine years as an assistant attorney general with the Office of the Illinois Attorney General.

1999

John Ellsworth, general counsel to Greenville, S.C.-based ScanSource Inc., was profiled in the *National Law Journal* on October 17, 2011.



Stacy Lynn Bettison recently launched Bettison Consulting LLC, a media and communications consultancy in Minneapolis. In March she was appointed to the Conservation Commission for the city of Eden Prairie, Minn. The Commission advises the City Council on sustainable development and conservation policies and practices.



Carl Johnson was appointed chief of the Council Coordination Division, Office of Subsistence Management, of the U.S. Fish & Wildlife Service regional office in Anchorage, Alaska. He supervises staff supporting the ten regional councils created under the Alaska National Interest Lands Conservation Act and also assists in managing federal lands, wildlife, and fish in Alaska for rural subsistence users.

Todd D. Lee is the new managing director of the first full-service Twin Cities branch of Fargo, N.D.-based State Bank & Trust. He previously was a partner with Briggs & Morgan, Minneapolis.

Nicole Liffrig Molife was elected as new counsel at the Washington, D.C., office of Arnold & Porter. She is a member of the FDA and healthcare group.

Jessica Maher is a shareholder with Walling, Berg & Debele, Minneapolis, focusing on the field of family law.

Krista M. Schwarting played Diane Dobler in the Drew Barrymore movie "Big Miracle," released by Universal Pictures in February 2012, and can be seen in the trailer for the film. She plans to keep her day job as of counsel to Griffin & Smith in Anchorage, Alaska.

Joseph K. Thiogs, formerly associate director of advancement at the Law School, joined Minnesota Public Radio/American Public Radio in St. Paul as senior planned giving officer.

2000

Peter Wahl of Jackson Walker's Dallas office has been named a 2012 Rising Star by Thomson Reuters, a distinction limited to the top 2.5% of a state's up-and-coming lawyers.

Ralf D. Wiedemann of Montgomery McCracken, Philadelphia, has been selected to serve as the Federal Republic of Germany's honorary consul. He provides consular services regarding verification of legal documents required for use in Germany and is responsible for promoting German-American relations and assisting German citizens throughout southeastern Pennsylvania and southern New Jersey.

2001

Katie Aune left her job as associate director of development at DePaul University College of Law in August 2011 to spend a year traveling through the 15 countries of the former Soviet Union and volunteering in Russia, Armenia, and parts of Central Asia. She is writing about her experiences at www.katiegoingglobal.com.

Kate Stendahl Meier has joined Mendelsohn Legal Inc. in Chicago as a legal recruiter, connecting firms and corporations with top legal talent. Previously, she practiced law in Chicago and London and worked in law firm marketing and business development in Hong Kong. She married Christoph R. Meier on Dec. 30, 2011, in Rosemount, Minn.

Katherine Moerke has joined Leonard, Street & Deinard, Minneapolis, as of counsel to the intellectual property and business and commercial litigation practices.

Joseph T. Ortiz is of counsel in Best Best & Krieger's labor and employment practice group in Riverside, Calif.

2002

Chris Dahlberg, president of Dahlberg Law Office in Duluth, Minn., and a member of the St. Louis County Board since 2009, was appointed to the seven-member Board of Commissioners of the Duluth Seaway Port Authority. His six-year term began Jan. 3, 2012.



Julie M. Engbloom was elected a shareholder at Lane Powell. Her litigation practice focuses on complex civil and corporate matters, regulatory compliance and securities, and banking-related litigation. She is affiliated with the Portland, Ore., office of Lane Powell.

2003



Nicole Druckrey was appointed to the City of Oak Creek's Community Development Authority, which functions as the city's economic development organization, coordinating marketing efforts

and monitoring existing businesses and industries. She also was elected to partnership by the executive board of Quarles & Brady's, Milwaukee, where she practices in unfair trade practices.

Rachel Clark Hughey and her husband, Michael, proudly announce the birth of their son, Eamon. Rachel was recently named a partner at Merchant & Gould, Minneapolis, where she practices in the area of patent litigation.

Paul Onderick has been named partner at Patterson Thuente IP, Minneapolis, where he assists companies with securing protection and developing and managing patent portfolios. Previously, he was a clinical optometrist.

2004

Timothy E. Grimsrud was named a partner at Faegre Baker Daniels, Minneapolis, where he focuses on intellectual property and patent litigation.



Michael Hawkins was named a principal at Fish & Richardson, Minneapolis. He practices in the intellectual property firm's patent litigation group.

Allison Woodbury Leppert was elected shareholder at Leonard, Street and Deinard, Minneapolis, where she focuses her practice on tax law.

Taiesha McBroom was named partner at Dorsey & Whitney, Minneapolis, where she practices in the corporate group.

Dawn Holicky Pruitt was named partner at Faegre Baker Daniels, Minneapolis, where she focuses on public and private offerings of securities and other financial instruments.

Aleava Sayre was elected shareholder at Leonard, Street and Deinard, Minneapolis where she focuses her practice on the areas of environmental law, mining law, real estate litigation, and landlord-tenant law.



Aaron Scott was elected partner at Oppenheimer Wolff & Donnelly, Minneapolis, where he practices in the business litigation practice group.

ALUMNI EVENTS >

Washington, D.C., Alumni Gather as Part of AALS Annual Conference

During the annual meeting of the Association of American Law Schools in Washington, D.C., the Law School hosted a Jan. 5, 2012, evening reception at the Marriott Wardman Park Hotel for nearly 70 alumni and friends. Associate Dean Joan Howland and Professor Brett McDonnell shared Law School news and updates on strategic planning sessions they recently chaired, and regional alumni ambassadors Charles Bruse ('71), Maisa Jean Frank ('10), and Katherine L. McKnight ('08) described their plans for building a stronger and more engaged network of alumni in the Washington, D.C., area. The regional-ambassador program is a new Law School initiative also being implemented with more than 200 alumni in Chicago, Los Angeles, New York, and San Francisco.



Prospective student Thayer Case, Amba Datta ('09), and Caroline Crenshaw ('09)

Eva Weiler was elected partner at the Orange County office of Shook Hardy & Bacon. She is the office's representative to the firm's pro bono committee, a member of the Defense Research Institute, and a member of the Orange County Bar Association.

2005

Margaux (Coady) Soeffker and her husband, Reed Soeffker, welcomed their second child, Evelyn Rose, on Sept. 14, 2011. Margaux is a senior associate attorney at Tressler Law, a family law-focused firm in Minneapolis.



Michael TerBeek recently joined Wheeler Upham, Grand Rapids, Mich., as a senior associate. He was previously with the law firm David & Wierenga.

2006

Ilse Akbar joined Fredrikson & Byron as an associate in the tax planning & business organization group and counsels clients on a wide range of corporate matters and tax issues arising in all stages of business planning.



Lance Smemoe was named partner at Knobbe Martens Olson & Bear, Orange County, Calif. He focuses his practice on all aspects of patent prosecution, licensing, due diligence, counseling, and enforcement.

Nena Street, a part-time senior associate at Fredrikson & Byron, Minneapolis, has launched a new company, Robotics Innovation (www.roboticsinnovation.com), which will be leading efforts to build a research park for the robotics industry in Minnesota.

2007

Carl Thunem has accepted the position of assistant county attorney for Stevens County, Minn., and will begin work this spring when he returns from his deployment at Camp Arifjan, Kuwait. He is a captain with the Minnesota-based Army National Guard Brigade Special Troops Battalion, 1st Brigade Combat Team, and was working as a judicial clerk in southern Minnesota's Jackson County before his deployment.

2008

Jodi Collova joined the Golden Gate School of Law Library staff in the fall of 2011. Previously she taught legal research and writing in the San Francisco area and practiced plaintiff's-side employment law in San Francisco and Minneapolis.



Jesse Mondry has joined the litigation group of Maslon Edelman Borman & Brand, Minneapolis. Previously, she was a law clerk for the Hon. Myron H. Bright of the Eighth Circuit Court of Appeals and the Hon. Thomas J. Kalitowski of the Minnesota Court of Appeals.

2009

Jennifer Bisenius has joined Butler Ruben Saltarelli & Boyd, Chicago, as an associate. Previously, she was a restructuring associate at Kirkland & Ellis.

Naomi Legatt joined Davis, Graham, & Stubbs, Denver, where she works in the corporate, finance and acquisitions practice group.

Violet Odala heads the law program at the African Child Policy Forum in Addis Ababa, Ethiopia, and is also researching child justice law in Malawi as part of her doctoral studies in law at the University of Pretoria in South Africa.

2010



Timothy R. Franzen joined the litigation practice group at Moss & Barnett, Minneapolis, and assists clients with a variety of business issues.

Nadia Wood was among instructors in the Law School's Legal Writing Program to describe her experiences in an essay in the fall 2011 issue of *With Equal Right*.

2011

Trevor Woodage joined Fish & Richardson, Minneapolis, as an associate in the intellectual property litigation group. Previously he completed a Ph.D. in human molecular genetics at the University of Sydney and practiced internal medicine in Australia.

**Summer CLE
Week XXXIII****May 25-
June 8, 2012**

Earn up to 83 CLE credits (including 3 ethics and 2 bias) in courses providing practical information or analysis of societal issues. Some topics: clean energy transition, understanding IP, immigration law developments, acting skills for lawyers, international criminal law, and securities litigation. Seminars are taught by Law School faculty. For more information, visit www.law.umn.edu/cle/2012_summer_cle.html.

> **A cocktail reception in Dorsey Foyer led off** activities for the 7th annual Law School Spring Alumni Weekend on Friday, April 20. Dean David Wippman welcomed alumni, and retired District Court Judge James Rosenbaum ('69) offered his perspective as chair of the Law School's Board of Advisors.

Saturday brought a variety of activities open to all alumni, including a CLE program, "The Petters Business Collapse and Subsequent Fallout." That evening ten individual class reunion events were held at venues across the Twin Cities. Go to <http://community.law.umn.edu/SAW> to view the festivities.



UPCOMING EVENTS FOR ALUMNI

We look forward to seeing you soon at an upcoming alumni gathering in the Twin Cities or around the country. Details and registration information about the following upcoming events are available at <http://community.law.umn.edu/> on the "Alumni Events" page. Stay tuned for more events coming to an area near you this fall!

- | | |
|-----------------------|---|
| May 16, 2012 | Alumni career CLE workshop, "Leadership Skills for Lawyers" |
| June 6, 2012 | Eastside Twin Cities metro alumni reception hosted by 3M |
| June 11, 2012 | Alumni reception and CLE program, "Hot Topics in Social Media, Privacy, and Piracy Law," hosted by Faegre Baker Daniels LLP in Minneapolis |
| June 28, 2012 | MSBA "Day 9" Law School alumni reception, Crowne Plaza Riverfront, St. Paul |
| August 3, 2012 | Chicago alumni reception during the ABA annual meeting |
| October (tbd) | "A Night in Bilbao," a fabulous evening of live music, Spanish food, wine, and more for Law School alumni and friends at the Weisman Art Museum |

WE LOOK FORWARD TO SEEING YOU!

Annual Scholarship Dinner

March 21, 2012, McNamara Alumni Center

> **The Law School's 2012 Scholarship Recognition Dinner** gave scholarship donors and recipients opportunities to meet and to share with the audience their thoughts on the personal impact of giving. John Goetz ('76) and Anne Fuchs ('12) described their unique experiences and relationship as scholarship donor and recipient. And Beatriz Menanteau ('03) explained how the flexibility ensured by her scholarship continued to benefit her beyond graduation.

About two-thirds of Law School students receive scholarships, with the average award about \$18,000. Many promising scholars would be unable to obtain their law degree without the generous support of our friends and alumni.

1. Dean David Wippman, Beatriz Menanteau ('03), Anne Fuchs ('12), and John Goetz ('76)
2. Dustin Massie ('14), Jessica Abrantes ('14), Janet Luo ('14), Jaimeson Fedell ('14), and Brandon Wheeler ('14)
3. Ina Pfefer, Howard Pfefer, and Anthony Begon ('14)
4. Pari McGarraugh ('13), Mike Schubert ('12), and Sally Holthouse ('13)
5. Kristen Rau ('13), Alexis Reller ('12), and Kayla Fossen ('13)
6. Sandra Pierzchala ('14), Thomas Burman ('14), Michelle Oswald, ('14), Morgan Helme ('14), Dustin Massie ('14), Micaela Buesgens ('14), and Linhda Nguyen ('14)
7. Kayla Fossen ('13), Allan Williams ('12), and Abigail Loesch ('12)



1



2



3



4



5



6



7

Photos: Jayme Halbritter

> Alumni Tributes

ROBERT J. SHERAN

CLASS OF 1939

Robert J. Sheran, the only judge appointed to the Minnesota Supreme Court twice, passed away in Bloomington, Minn., on Jan. 25, 2012, at age 96. Sheran was appointed an associate justice in 1963 and resigned in 1970 to return to Lindquist & Vennum, where he was a partner and focused on mediation and arbitration. In 1973, he was appointed chief justice and served in that role for eight years.

In a Minnesota Supreme Court Historical Society publication, Loren Gross ('64) says Sheran was "a real legal scholar, a mentor, a philosopher, psychologist, and just a joy to be around" and clerking for Sheran in 1964-65 "was probably the greatest influence on my career in the law."

Sheran also was a Minnesota Supreme Court law clerk, for Chief Justice Henry Gallagher in 1938-39. During World War II he was a special agent for the FBI, and when the war ended, he joined the Farrish Johnson Law Office in Mankato. There he was reunited with Gallagher, a fellow Waseca, Minn., native. Sheran was a trial attorney with Farrish Johnson until 1963 and concurrently served in the Minnesota House of Representatives during the 1947 and 1949 sessions.

When he stepped down as chief justice in 1981, Sheran returned to Lindquist & Vennum until he retired from daily practice in 1991. From 1993-94 he served as dean of Hamline University School of Law.

Minnesota Law & Politics listed Sheran among Minnesota's 100 most influential lawyers in a 2007 article, noting that during his tenure the Supreme Court adopted the Minnesota Rules of Evidence and established a CLE requirement. J. Michael Dady ('75) adds that Sheran was "a spellbinding orator; a man of extreme graciousness and empathy."

Sheran was preceded in death by his wife, Jean Brown Sheran, and a son, Michael. He is survived by sons Thomas, John, and Daniel, and daughter Kathleen Sheran.

JOHN A. SPELLACY

CLASS OF 1949

John A. Spellacy, a district court judge for 20 years, passed away Feb. 4, 2012, in St. Cloud, Minn., at age 87.

He attended undergraduate school at Columbus University and received his commission as an ensign in the U.S. Navy in 1945. After training at St. Simons Island, Georgia, to become a fighter director officer, he was enroute to Hawaii when World War II ended. He was discharged in 1946 and entered the Law School, graduating in 1949 as a member of the Order of the Coif.

Spellacy had been a trial attorney in Marble and Grand Rapids, Minn., for 25 years when in 1974 Gov. Wendell Anderson appointed him to the Ninth District Court. He served on the bench, for four years as chief judge, until he retired in 1994. In retirement, he continued his judicial service to the community as an unpaid Itasca County judge, hearing cases until 2002 to ease the load on other judges. In 2004 he and Nancy, his wife of 55 years, moved from their home in Grand Rapids to St. Cloud to be closer to their children. Nancy passed away in 2005.

Spellacy was a member of the International Academy of Trial Judges, International Society of Barristers, American Board of Trial Advocates, and other legal organizations. He was also active in the American Legion, Knights of Columbus, and numerous outdoor and conservation and organizations.

He is survived by sons Kevin and Patrick; daughters Eileen Leir and Margaret Jensen; sister Catherine Anderson; and numerous grandchildren and great-grandchildren.

EDWARD J. PARKER

CLASS OF 1955

Edward James Parker, one of the original six judges appointed to the Minnesota Court of Appeals when it was established in 1983, passed away Feb. 5, 2012, at age 84.

The Detroit native left school in ninth grade to help support his family, then enlistment in the U.S. Marine Corps. After serving in World War II and the Korean war, he earned a high school equivalency, and his high test scores gained him admission to the University of Minnesota. The GI Bill help pay for his B.A. and law degrees.

Parker's legal career began in 1955 as an assistant attorney general in the office of Minnesota Attorney General Miles Lord ('48). In 1963, at age 36, he became the youngest judge ever appointed to the Minneapolis Municipal Court. Next he moved on to the Hennepin County District Court, but by 1974, with four children in college, he found a judge's salary inadequate for his family's needs. He went into private practice with Lindquist & Vennum and in nine years with the firm established a reputation as a distinguished trial lawyer.

The new Minnesota Court of Appeals judges were sworn in Nov. 2, 1983. Gov. Rudy Perpich had appointed all six, but politics never entered into their rulings, Parker told a Minnesota Public Radio interviewer in 2003. "It's hard enough just to get it straight without trying to put a political spin on it."

An innovative judge who played an important role in shaping Minnesota law, Parker stepped down when he reached the mandatory retirement age of 70 in 1997. He told a Star Tribune reporter that in looking back on his career, he was glad he went into law rather than economics as he had once considered. "I can't tell you how interesting it's been," Parker said. "And I'd probably have been a lousy economist."

Parker is survived by his wife, Dorothy,

who shared his passion for civil rights ever since their marriage in 1949; daughter Marian; and sons Jim, Daniel, Samuel, and Edward.

JANE E. LARSON

CLASS OF 1985

Jane E. Larson, the University of Wisconsin Law School's Voss-Bascom Professor at her retirement in October 2011, passed away at her home in Madison on Dec. 24, 2011, at age 53. The law school's online announcement called her "a brilliant scholar" and "an immensely popular teacher."

Larson joined Wisconsin's faculty in 1996 and taught feminist legal theory,

women's legal history, property law, and conflict of laws. Awarded the H.I. Romnes Faculty Fellowship for research in 1999, she worked in the university's Land Tenure Center and the law school's Institute for Legal Studies.

The Omaha native completed her B.A. at Macalester College, where she won the Katherine Rock Hauser Award in Women's History in 1980. As a Law School student, she was articles editor of *Law and Inequality* and graduated magna cum laude, Order of the Coif, in 1985. She clerked for Minnesota Supreme Court Justice Rosalie Wahl in 1985-86 and for Eighth Circuit U.S. Court of Appeals Judge Theodore McMillian in 1986-87.

From 1987-1990, Larson was an associate at Powell, Goldstein, Frazer & Murphy in Washington, D.C. She began her teaching career at Northwestern University School of Law in 1990 and won its Robert Childes Memorial Award for Teaching Excellence in 1994-95 and 1996-97. She was a visiting fellow at the European University Institute Faculty of Law in Fiesole, Italy, in 1998.

Larson chaired the Association of American Law Schools' Section on Remedies in 1998-99 and was a member of the Law & Society Association and other professional organizations.

She is survived by a son, Simon Rosenblum-Larson, and a sister, Jennifer Larson Knauth.

> In Memoriam

CLASS OF 1939

Robert J. Sheran

Jan. 25, 2012
Bloomington, Minn.

Robert L. Speeter

Feb. 9, 2012
Minneapolis, Minn.

CLASS OF 1941

James A. Clement

Jan. 25, 2012
Bismarck, N.D.

CLASS OF 1942

Fred Woodruff Fisher

Dec. 5, 2011
Oak Park Heights, Minn.

CLASS OF 1948

William T. Hedeem

Oct. 11, 2011
Worthington, Minn.

H. Clifton Kroon

Oct. 12, 2011
Minneapolis, Minn.

Charles V. Moren

Dec. 25, 2011
Orting, Wash.

CLASS OF 1949

John A. Spellacy

Feb. 4, 2012
Rice, Minn.

CLASS OF 1950

Harold M. Lichterman

Dec. 31, 2011
San Diego, Calif.

Clarence ("Mac") McConville

Feb. 8, 2012
Rio Verde, Ariz.

CLASS OF 1951

Dwain A. Hoops

Nov. 11, 2011
Augusta, Kan.

CLASS OF 1955

Edward J. Parker

Feb. 5, 2012
Minneapolis, Minn.

CLASS OF 1961

Patrick J. McPartland

March 11, 2012
Bloomington, Minn.

CLASS OF 1964

H. Blair Klein

Dec. 18, 2011
St. Croix Falls, Wisc.

CLASS OF 1969

Malcolm D. MacGregor

Jan. 17, 2012
St. Anthony Park, Minn.

CLASS OF 1970

Patrick V. Hart

Nov. 11, 2011
Mankato, Minn.

CLASS OF 1978

Paul N. Heckt

Dec. 18, 2011
Bloomington, Minn.

CLASS OF 1985

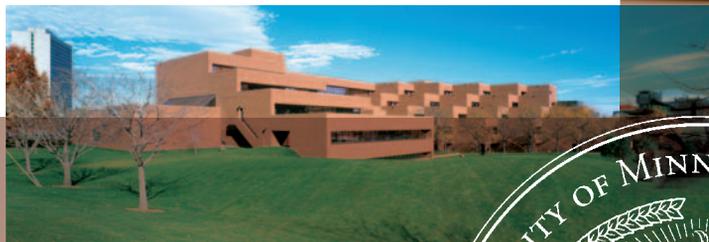
Jane E. Larson

Dec. 24, 2011
Madison, Wisc.

CLASS OF 1999

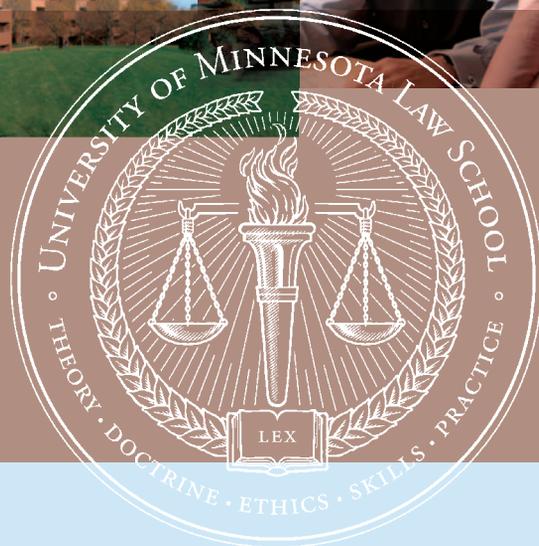
Estella J. Schoen

Nov. 20, 2011
Brooklyn, N.Y.



PARTNERS IN EXCELLENCE

> Annual Fund Update



Partners in Excellence National Chairs Chris Chaput (left) and Jean Chaput (right), with Jean's wife and Chris's mother, Pauline Chaput, in middle

Dear Friends and Fellow Alumni:

As National Chairs of the 2011-2012 *Partners in Excellence* Annual Fund, we are proud to support the University of Minnesota Law School each year and grateful to those of you who have joined us so far this year. Thank you for your generosity.

Although, as father and son, we attended the Law School 25 years apart and represent two very different generations, we share a deep gratitude for the world-class legal education we received, which positioned us well for interesting careers and meaningful lives.

The Law School has made a similar impact on its students since its founding in 1888. Today, as alumni, it is our turn to do what we can to preserve and enhance this legacy of excellence.

We ask that you join us, if you have not already done so, by making a gift before the end of the fiscal year, June 30, 2012. Your support helps honor the impact that the Law School has had on your life, as well as its promise for the future.

Gifts of all sizes make a difference and are greatly appreciated.

In tough times like this, it is more urgent than ever that we all do whatever we can to support the Law School. The days of relying on the State of Minnesota for financial support are in the past, and it is crucial that we as alumni step up to fill the void by making a gift each year.

Your gift, at any level, to the *Partners in Excellence* Annual Fund contributes to all aspects of the stellar legal education the Law School continues to provide its students—from exceptional faculty, journals, and clinical education, to student organizations and beyond. Keeping the Law School on firm financial footing also helps maintain its high national ranking, which in turn reflects favorably on all of us.

Regardless of size, your gift will make a difference and your participation matters. Please join us today.

Sincerely,

Christopher J. Chaput ('85)
Managing Director, RPK Capital Partners

Jean J. Chaput ('60)
Retired

P.S. To give, visit www.giving.umn.edu/law or contact the Office of Advancement by calling 612-626-8671. Thanks for your support!

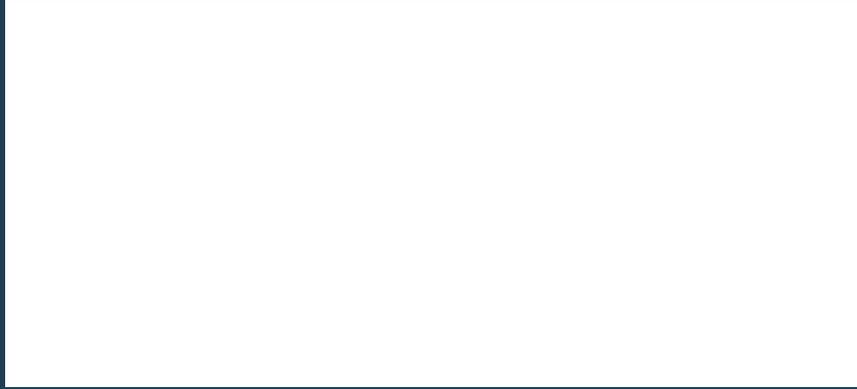
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Minneapolis, MN 55455

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Are you up to the Challenge?

p@rtners
work

The Partners at Work challenge is a fun way to gain recognition for employing five or more University of Minnesota Law School alumni and to encourage annual support for your alma mater. If your organization or firm is not currently participating, is currently employing five or more alumni, and has a desire to help grow alumni support for your law school, please contact Evan Johnson at 612-625-6584.

Look inside on page 47 or go online to <http://law.umn.edu/generations/partners-at-work.html> for more information and a list of participating organizations.