

Perspectives

THE MAGAZINE FOR THE UNIVERSITY OF MINNESOTA LAW SCHOOL

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“WE MUST ACT TO FULFILL KING’S DREAM”



DEAN DAVID WIPPMAN

This year marks the 50th anniversary of the Civil Rights Act of 1964. Among its landmark provisions was a ban on housing discrimination in any program that received federal assistance. That provision, however, was rarely enforced, and it didn't apply to discrimination in the sale or rental of privately owned housing.

A lawyer and United States senator who graduated from this law school was instrumental in changing that. On April 5, 1968, the day after Dr. Martin Luther King Jr. was assassinated, Senator Walter F. Mondale ('56)—who had been working on fair housing legislation for the past several years—stood on the Senate floor and said, “We must act to fulfill King’s dream...by immediately passing the 1968 civil rights bill, and by moving quickly to provide employment and housing opportunities for all blacks and whites.” Five days later, Congress passed the Civil Rights Act of 1968, which strengthened the original 1964 Act, and the day after that, President Lyndon Johnson signed the bill into law. Federal statute now prohibited discrimination based on race, color, religion, or national origin in the sale, rental, and financing of all dwellings, whether publicly or privately owned.

Today, the work of fulfilling Dr. King’s dream goes on, and many people who are deeply committed to this work are part of our Law School community. For example—speaking of fair housing—Professor Myron Orfield and his colleagues in the Institute on Metropolitan Opportunity recently issued a report that shows in great detail how mortgage lending in the Twin Cities area is skewed against non-whites.

Other examples abound:

- The “Theory at Work” article in this issue of *Perspectives* features Professor David Weissbrodt, who has dedicated his career to international human rights issues.
- Professor Mark Kappelhoff just traveled to Mexico in a delegation led by Senator Amy Klobuchar for high-level discussions on cross-border crime, particularly heroin importation and human trafficking. Kappelhoff is a leading expert on the latter.
- The Federal Immigration Litigation Clinic, along with co-counsel from Robins, Kaplan, Miller & Ciresi and the Advocates for Human Rights, filed a petition for certiorari in the asylum case *Gormou v. Holder*. The petition asks the U.S. Supreme Court to intervene and correct the government’s misinterpretation of a controversial statute that requires most persons fleeing persecution to apply for asylum within one year of their arrival in the United States.
- A third-year student at the Law School, Julia Decker, recently was awarded the Clinical Legal Education Association Outstanding Student Director Award for her work in the Federal Immigration Litigation Clinic. Decker drafted an amicus brief in the Eleventh Circuit to support the grant of asylum for an LGBT applicant from Haiti. She also assisted in a Second Circuit case involving a young man who was forced to flee to the U.S. to save his life after renouncing his membership in a Guatemalan gang.
- Each year, the members of the Asylum Law Project, a student group, forfeit their January and March study breaks to travel to different parts of the country assisting in pro bono work. And the soon-to-graduate class of 2014 has cumulatively volunteered 16,459 hours helping 4,489 clients through the Minnesota Justice Foundation.

These are just a few examples of the work being done by students, professors and alumni. Each case, each brief, each volunteer effort moves the work of civil rights forward. Each builds upon and extends into the future the tradition of this Law School.



David Wippman

Dean and William S. Pattee Professor of Law

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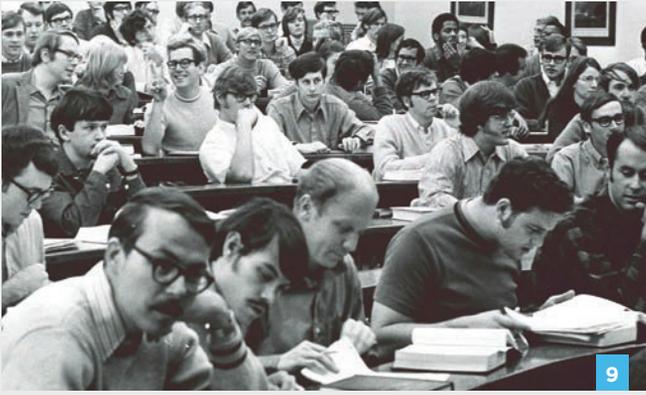
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At The Law School



LAW SCHOOL ANNOUNCES NEW MASTER OF SCIENCE IN PATENT LAW PROGRAM

BEGINNING NEXT FALL, THE LAW School will offer a one-year Master of Science in Patent Law Program specifically for scientists and engineers. Developed by Associate Dean Sharon Reich Paulsen and Professors Tom Cotter, William McGeveran and Ruth Okediji, the unique program will prepare students for a variety of careers, including patent prosecution, portfolio management, technology licensing and innovation. Chris Frank, who holds a B.S. in chemical engineering and a J.D. from William Mitchell College of Law, has been hired as director. His previous experience includes patent prosecution and portfolio management for clients ranging from individual inventors to Fortune 500 corporations.

The curriculum will combine

J.D. courses with courses expressly designed for the program. “We’re excited to welcome into our classrooms scientists and engineers who wish to enhance their knowledge base and professional credentials with a particular focus on patent law and intellectual property,” says Reich Paulsen.

“Patent filings have nearly doubled since 2000, while the number of new patent bar members has remained flat,” says Frank. “This is a true opportunity gap. As companies continue to file more patents, there is an increasing need for patent professionals who offer a more strategic and sophisticated approach to patent law. Our program has been designed to meet this need.”

Tuition will be equivalent to one year of law school. For the



inaugural class only, scholarships of \$15,000-20,000 will be offered to those accepted. Graduates of the program will have the opportunity to take a patent bar review course at the Law School to prepare for the patent bar exam. “Patent bar review courses are only offered in a few places around the country, so we’re pleased that we can offer this on-site course to our students,” says Reich Paulsen.

More information can be found at law.umn.edu/legaledprograms/mspl.html. ■

1 Left to right: Registrar Mike Galegher, administrative assistant Deborah Hill, assistant deans Erin Keyes ('00) and Patrice Schaus, and policy and communications coordinator Paula Swanson

2 Admissions director Nick Wallace ('05), associate director Kate Snowden, and counselors Ally Hilding and Hallie Prest ('12) at the staff bowling party in January

3 Following the Kellar Lecture in November, speaker Jonathan Haidt (right) signs one of his books for a fan. In the background are Irving Gottesman (left), psychiatry professor emeritus, and Eugene Borgida, affiliated professor of psychology and law.

4 Winners of the Corporate Institute's inaugural Business Law Case Competition: Jesse Stark ('14), Joseph Serge ('15), Laura Gordon ('15), and Samuel Brylski ('14)

5 Justice David Stras of the Minnesota Supreme Court at the Nuremberg Symposium in November 2013

6 At the Kellar Lecture reception, left to right: Paul Rubin; Joan Howland, associate dean and professor; Judge Paul Anderson ('68)



J.D. STUDENTS CAN NOW EARN A MASTER'S IN TAX LAW AT UPPSALA UNIVERSITY

THE LAW SCHOOL'S INTERNATIONAL PROGRAMS OFFICE has announced that University of Minnesota law students now have the opportunity to earn a master's degree in international and European tax law at Sweden's Uppsala University. The program requires one semester of coursework (in English) at Uppsala, through the existing Uppsala-Minnesota exchange program, plus the completion of a final paper under the supervision of Uppsala faculty. The master's in tax law will be awarded by Uppsala University, not by the Law School. Courses successfully completed through the program will count toward the student's Law School J.D. requirements.

The Law School has enjoyed a faculty and student exchange

partnership with Uppsala, Scandinavia's oldest university, for the past 30 years. Its Faculty of Law is Sweden's highest-ranked law school, with an educational model based on critical thinking, problem-solving, and small-group, peer-based learning. Each seminar, assignment, or exam centers on real or hypothetical problems, with solutions discussed and proposed by reading statutory texts along with legal cases and literature.

"I warmly welcome University of Minnesota law students to our master's program in international and European Union tax law," said Bertil Wiman (LL.M. '83), professor of fiscal law at Uppsala. "Having taught European tax law at the University of Minnesota in the past, I am certain that the program will suit those



University of Minnesota law students who would like to develop their skills in this area."

Uppsala is a city of 200,000 located 40 minutes from Stockholm. It features a 14th-century cathedral, a 16th-century castle, extensive botanical gardens, and a lively cultural scene. The Faculty of Law is located in the center of the city, in a building that dates to the 17th century. ■

A PIONEERING COLLABORATION: THE CENTER FOR NEW AMERICANS



Left to right: Prof. Nancy Cook; Prof. Steve Meili; Kate Evans, teaching fellow; Prof. Ben Casper ('97); Meghan Heesch, teaching fellow; Kjerstin Sanden, administrative coordinator; and Prof. Linus Chan

MINNESOTA IS HOME TO NEARLY 400,000 foreign-born residents, many of whom have fled their home countries because of war, persecution, and human rights abuses. These refugees and asylees often are in dire need of expert assistance to navigate the U.S. legal system, yet most lack the resources to pay for counsel—and only a few have the funds to pursue a complex immigration appeal. Similarly, on any given day, 300 noncitizens in Minnesota are being held in detention. Unable to work, most cannot afford to hire a lawyer to defend their rights.

Now, with the generous support of the Robina Foundation, the University of Minnesota Law School is joining with leading area law firms and nonprofit organizations to address the enormous gaps in legal services for noncitizens through the establishment of the Center for New Americans. The Center—the first of its kind in the country—will expand urgently needed legal services for diverse immigrant communities, pursue litigation to improve the nation's immigration laws, educate noncitizens about their rights, and train lawyers to provide high quality pro bono legal services in collaboration with the Center's three clinics. In myriad ways, the Center also will

provide unique real-world learning experiences for law students.

"While Minnesota has a deserved reputation for outstanding legal services in the immigration field, the needs continue to grow and far outstrip available pro bono resources," says Clinical Professor Benjamin Casper ('97), who has been named director of the Center for New Americans. "By combining our community's resources and expertise, we can significantly expand both the availability and impact of pro bono representation. This partnership is a smart way to leverage the experience of law firms and the expertise of faculty and immigration counsel at nonprofits. Through strategic litigation and non-adversarial policy engagement, we can have a major impact, especially as the debate over immigration reform continues in the U.S. Congress."

The Center was designed in formal partnership with the pro bono programs of three of Minnesota's preeminent law firms—Faegre Baker Daniels; Robins, Kaplan, Miller & Ciresi; and Dorsey & Whitney—and the state's leading immigration nonprofits—the Immigrant Law Center of Minnesota, the Advocates for Human Rights, and Mid-Minnesota Legal Aid.

"The Robina Foundation's focus is on projects that are transformative," says Kathleen Blatz ('84), retired Minnesota Supreme Court chief justice and chair of the Robina Foundation board. "This new center has the potential to be transformative in so many ways—through clinics that will broaden opportunities for students to work on real-world problems, the connections with the legal community, the outreach component, and of course the fact that this is a cutting-edge area where the Center can help refine and advance law."

Sally Silk, a commercial litigator at Robins, Kaplan, Miller & Ciresi and director of its pro bono immigration practice, believes that the Center is on track to become a national model for providing comprehensive legal services to immigrant communities. "Minnesota has a long history of supporting progressive causes, and the new Center exemplifies this tradition with its unique collaborative structure, purposeful national litigation strategy, and inspiring goal to increase student learning opportunities."

Dianne C. Heins ('97), director and pro bono counsel at Faegre Baker Daniels, says the Center is filling two significant needs: "Through our work together, we can provide meaningful representation of detained people who are in a very coercive environment. In addition, we can seek federal jurisprudence by going beyond the individual case to make policy."

Comprehensive Clinics and a Commitment to Education and Outreach

The Center offers three new integrated clinics. The Federal Immigration Litigation Clinic seeks to improve immigration law through

collaborative impact litigation in the federal courts. Students work with law firm lawyers and immigration experts in important cases before the Board of Immigration Appeals and the U.S. District Courts, Appeals Courts, and Supreme Court. Students also engage in non-adversarial policy advocacy outside the courtroom that furthers the Center's litigation priorities.

The Detainee Rights Clinic defends the rights of indigent noncitizens incarcerated by the Department of Homeland Security. Students build crucial legal skills by representing clients at all stages of their cases, from intake to fast-paced administrative hearings before immigration judges to appeals when necessary.

The Immigration and Human Rights Clinic represents asylum seekers fleeing persecution. Students interview and counsel clients, research conditions in the countries from which their clients have fled, draft briefs in defense of their clients' claims, and present claims to the Department of Homeland Security, the Immigration Court, and the Board of Immigration Appeals.

Work on several major cases is already underway at the Center. A team from Robins, Kaplan, Miller & Ciresi, working with the Advocates for Human Rights and students in the Law School's Federal Immigration Litigation Clinic, has filed a cert petition with the U.S. Supreme Court regarding a West African man who was tortured in his home country. The man missed the one-year deadline to file for asylum by just 33 days. Casper says the Center's goals are to gain Supreme Court intervention in the case while seeking a legislative fix to the onerous time limit on asylum applications.

Silk says, "RKM&C has a long track record of high-stakes litigation at all levels, from Immigration Court all the way up to the U.S. Supreme Court. We can bring that experience to a case that has the potential to improve immigration law through impact litigation, one of the Center's

"Many people plead guilty to crimes without realizing the full extent of the immigration consequences. We are in the early stages of creating a program that will connect our law firm partners with clients whose best option may be to go back to criminal courts to revisit their old convictions." —Linus Chan, professor of the Detainee Rights Clinic

primary objectives."

Students in the Immigration and Human Rights Clinic Center have taken on the case of an East African immigrant whom the Department of Homeland Security has sought to strip of resident status due to theft convictions. Clinical students are representing him in applications for asylum based on long-term ties to the U.S. and the high probability he will face persecution if deported to his unstable home country.

Faegre Baker Daniels attorneys have worked with the Center on two appellate cases, one seeking to overturn a widely criticized immigration ruling that imposed unfair new procedures in deportation cases and the other on a case concerning the proper interpretation of when an immigrant can be deported for a controlled substance offense.

Casper points to this work as a prime example of what a law firm can offer—and be given in return. "Faegre brought unique insight and expertise to the table, including a young partner who clerked for Supreme Court Justice Antonin Scalia. This was really valuable," says Casper. In return, Heins notes, those involved have been equally rewarded: "Our lawyers have learned so much and have really loved working on these cases."

Planning New Initiatives

Two unique initiatives are underway to further involve law firms in the Center's work. If approved by the Immigration Court, summer associates at law firms, under the guidance of Linus Chan, professor of the Detainee Rights Clinic, will represent immigrant detainees in hearings to get bond. "Being released from

detention can have a huge impact not only on one's legal case, but also on personal and family well-being," says Chan. He notes that summer associates in turn will learn valuable skills related to investigation, client interviewing, and oral arguments.

The second project will focus on helping certain clients seek post-conviction relief. "Many people plead guilty to crimes without realizing the full extent of the immigration consequences," says Chan. "We are in the early stages of creating a program that will connect our law firm partners with clients whose best option may be to go back to criminal courts to revisit their old convictions."

The Center's Education and Outreach Program is hosting roundtables and conferences on relevant and timely topics, as well as building alliances with departments and programs throughout the University and with organizations such as the Greater Minneapolis Council of Churches, Tubman Center, Minneapolis Public Schools Adult Education, and Parents in Community Action.

"It Can Be Done"

While the need may seem overwhelming, Casper believes that the combined resources of the Center can help successfully address the significant gaps in legal services for noncitizens. "The scale of our community works beautifully for this kind of strategic partnership. We can drive transformative change here that will impact the U.S. immigration system and improve the lives of countless new Americans." ■

By Kathy Graves, a writer based in Minneapolis

Social Psychologist Jonathan Haidt Delivers Horatio Ellsworth Kellar Lecture



ON NOV. 20, 2013, JONATHAN Haidt gave the Horatio Ellsworth Kellar Distinguished Visitors Lecture on the theme “Moral Psychology and the Law.” Haidt is the Thomas Cooley Professor of Ethical Leadership at New York University’s Stern School of Business and a leading researcher in the fields of morality and positive psychology. His three TED talks—on political psychology, religion, and political polarization—have been viewed

more than 3 million times. Haidt was named a “top 100 global thinker” of 2012 by *Foreign Policy* magazine and one of the 65 “world thinkers of 2013” by *Prospect*. His most recent book is the *New York Times* best-seller *The Righteous Mind: Why Good People Are Divided by Politics and Religion*.

Haidt began his lively talk by describing the “rationalist delusion... stalking the halls of the academy.” It’s not that rationality doesn’t exist, he said; it’s that pure rationality doesn’t exist, and indeed that reason most often functions in the service of intuition, ideology, and self-interest. The implications for lawyers and the law are profound. Legal judgments can be easily swayed by extraneous and improper influences. (Consider the old saw “Justice is what the judge ate for breakfast”; Haidt pointed out that, according to a new study, it’s not what a judge eats but when he or she eats it that affects rulings). And

conflicts of interest are far more powerful than the law acknowledges. The practice of electing judges, who raise money for their campaigns, is, in Haidt’s view, a “moral-psychological abomination.” Law students, attorneys, and judges, Haidt concluded, hold onto the rationalist delusion at their—and society’s—peril.

The late Curtis B. Kellar (’40) established the Horatio Ellsworth Kellar Distinguished Visitors Program in memory of his father in 1996. In keeping with his father’s many interests, Curtis Kellar’s desire was to support an interdisciplinary lecture series at the Law School that would connect emerging issues in the law with other disciplines, such as art, drama, and literature. Mr. Kellar retired in 1981 as an associate general counsel for Mobil Oil Corp. He served on the board of directors of the Law Alumni Association and the Board of Visitors at the Law School. ■

MPLS Program Preps Students for Law School Success

WHILE HE WAS AN UNDER-graduate at Saint John’s University in Collegeville, Minn., Alex Schoephoerster (’15) had a general interest in becoming a lawyer. What he didn’t have was a way to test and focus that interest, to determine where he ought to pursue his J.D. and how to increase his chances of admission. Enter the Law School’s Minnesota Pre Law Scholars (MPLS) program, which provides precisely the guidance prospective law students need.

The program runs from late May through mid-August and is limited to 25 students each year; a particular emphasis is on enrolling students from groups that have been historically underrepresented in law schools nationwide. Participants—who pay only a \$100

seat reservation fee, refundable upon completion of the program—gain firsthand insight into the law school admissions process, financial aid, student life, and careers in the law. They also visit a Minneapolis law firm to meet with working attorneys and Law School alumni and receive a professional LSAT preparation course from Kaplan.

Kate Snowdon, the Law School’s associate director of admissions, calls MPLS “a wonderful opportunity to learn what it means to be a law student and a lawyer.” She also notes the value of the LSAT prep component, which offers a greater number of practice exams than many commercial prep courses do. “LSAT performance improvements for MPLS participants have been measureable,” she says. “In 2013,

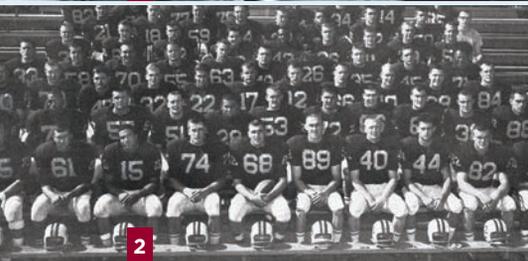
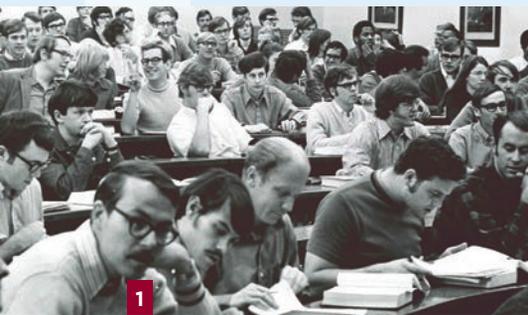
the class average was a 5-point LSAT increase from the diagnostic test to the final practice exam—and a few students raised their scores more than 10 points.”

“The Kaplan instructor did a great job of breaking down the LSAT and explaining how to attack each question,” says Schoephoerster. “My score increased the most in the logic games section. Before the MPLS class, I would get only about half the logic games questions correct on practices—but afterwards, I rarely got even one logic question wrong.

“I would recommend MPLS to anyone who is even considering law school,” he says. “Choosing a law school is a big decision. This program can help ensure that you make the right choice.” ■

History Buffs

In celebration of the Law School's 125th anniversary, we've been observing what's known as "Throwback Thursday" on the Law School's Facebook page. Each Thursday, we post an archival Law School photo with a question about it. We post the answer the next day.



- 1 February 20, 2014: Can you figure out when this photo was taken at the Law School?
- 2 March 13, 2014: Do you know what future Law School alumni were on this Gophers football team when they beat UCLA in the Rose Bowl? Do you know the year?
- 3 April 3, 2014: Can you identify this Law School group and the year this photo was taken?

Stumped? Answers on page 13.



Join the fun at
[facebook.com/
 UMNLawSchool](https://www.facebook.com/UMNLawSchool)

INNOCENCE PROJECT CLINIC CASE HELPS SPARK WRONGFUL IMPRISONMENT LEGISLATION



Star Tribune/Minneapolis-St. Paul 2014

EXONERATED KOUA FONG LEE LOOKS ON AS SEN. RON LATZ AND REP. JOHN LESCH ANNOUNCE A COMPENSATION BILL.

IN 2007, KOUA FONG LEE WAS convicted of criminal vehicular homicide and sent to prison. In 2010, due largely to the efforts of students and faculty at the Law School's Innocence Project Clinic, his conviction was overturned. The case is a major impetus behind a bill introduced in January at the Minnesota legislature—a bill that would provide financial and other compensation to people who have been wrongfully imprisoned.

Lee's case began when he crashed at high speed into the back of a car that was waiting at a traffic light in St. Paul. Three people were killed and two others injured. Lee maintained that he had tried desperately to stop his car, a 1996 Toyota Camry, but despite his efforts, it surged out of control. He was nonetheless found guilty and given a sentence of eight years. After evidence uncovered by the Innocence Project Clinic convinced a judge that Lee deserved a new trial, prosecutors declined to re-try the case. After two and a half years in prison, Lee was a free man.

But as state representative John Lesch, one of the bill's sponsors, pointed out, release from prison in such a situation may be a mixed blessing. "When guilty people are

released from prison," Lesch told the Minneapolis *Star Tribune*, "they have parole officers who help them find housing and jobs, and there's mental health and chemical-abuse counseling for them." For the wrongfully imprisoned, who've lost their jobs and been away from their spouses and children, there are no services, no remuneration. The bill aims to change that by allowing such individuals to receive up to \$700,000, plus medical and dental care and employment counseling and assistance. Similar laws are already on the books in 29 states and the District of Columbia.

"This bill is not about making exonerees rich," said Julie Jonas ('95), managing attorney for the Innocence Project of Minnesota and an adjunct faculty member at the Law School for the Innocence Project Clinic. "It's about making them whole by restoring them to where they would have been had they not spent years in prison for a crime they did not commit. Of course, the money can never give them those years back, but it can help them rebuild and give them some measure of security."

As this issue of *Perspectives* was going to press, the bill was headed for floor votes in both the Minnesota House and Senate. ■

Historian Cynthia Brilliant Herrup Delivers Erickson Legal History Lecture



ON APRIL 3, 2014, PROF. CYNTHIA Brilliant Herrup presented the Erickson Legal History Lecture, entitled “The Problem with Pardons.” Herrup is the John R. Hubbard Chair in British History and Professor of History and Law at the University of Southern California. She holds a Ph.D. in history from Northwestern University.

Her areas of special interest are the relationship of law (particularly criminal law) and culture in early modern English societies and the history of gender and sexuality. Her first book explored how communities in early modern England

working without lawyers made decisions about law enforcement, and a second used a notorious trial to explore how law reflected tensions between genders and generations. She is completing a manuscript on the relationship between pardoning and the early modern English constitution, to be published by Cambridge University Press, and is planning a project to study how legal categories shaped ideas about salvation, responsibility, and community relations in early modern England.

In her lecture, Herrup focused on a fundamental question: Is the problem with pardons intrinsic to the concept of pardoning itself? The end of every American presidency and many governorships brings controversy about pardons, Herrup said. For example, was it right for President Bill Clinton to pardon financier Marc Rich in 2001? Should Gov. George Ryan have used pardons to clear Illinois’ death row in 2003? Pardons often are viewed as signs of unfair treatment, special privilege, and even legal ineptness.

It is much easier to name scandals caused by pardons than injustices righted by them. But why? Pardons are meant to provide a necessary remedy to the sometimes too harsh rationality of the law. Critiques of pardoning usually concentrate on the specifics of who gives pardons, who gets pardons, and how and why. By looking at the history of pardons in the tumultuous world of 17th century England, Herrup examined why societies have pardons and what can reasonably be expected from them.

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

—By Corrine Charais, a freelance writer and editor based in Bloomington, Minn.

SPRING 2014 LEGAL HISTORY WORKSHOPS

Workshops are held on Fridays from 12:15-1:15 p.m. in Room 1 of Mondale Hall and are open to the public. To receive the paper in advance of the lecture, email Prof. Barbara Young Welke at welke004@umn.edu.

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University of Minnesota
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University of Southern California
A Pardon Gone Awry: The Case of A Rye Mason

18 Sharon Park
University of Minnesota
Legal Categorizations of the Child Refugee and Recipient of U.S. Aid during the Cold War, 1945-1960

>>> MAY

2 Jameson Sweet
University of Minnesota
Becoming a Mixed-Blood Nation: Power, Nationhood, and the Dakota Mixed-Blood Treaties of 1841 and 1849

Justice Foundation Has a New Home



MJF staff, left to right: Thom Hart, staff attorney; Janine Laird, executive director; and Patrick Harrigan, administrator

THE OFFICES OF THE MINNESOTA

Justice Foundation, formerly located on the Law School's subplaza level, have moved to room N140 on the first floor concourse in Mondale Hall.

The phone number remains 612-625-1684. The foundation's staff would like to extend a heartfelt thank-you to the class of 2014, whose members provided 16,459 hours of volunteer service to 4,489 clients during their Law School careers. ■

Debating Corporate Personhood at the National Civil Rights Moot Court Competition



Chicago-Kent's winning team: Stephen Pauwels, coach; Nick Bartzan, Melody Gaal and Eric Shinaberger; Scott Lechowicz, coach.

THE 29TH ANNUAL WILLIAM E.

McGee National Civil Rights Moot Court Competition was held at the Law School Feb. 20-22, with 33 teams from 25 law schools competing. The teams submitted briefs and made oral arguments in a 2013 U.S. Court of Appeals case—*Conestoga Wood Specialties Corp. v. Secretary of U.S. Dept. of Health and Human Services*—in which a for-profit corporation and its shareholders sought relief from the contraceptive-coverage

“mandate” of the Patient Protection and Affordable Care Act, claiming it violates their rights under the Free Exercise Clause of the First Amendment and the Religious Freedom Restoration Act.

First place went to Chicago-Kent College of Law Team 1, which also won Best Brief honors. The University of Arkansas at Little Rock's William H. Bowen School of Law took second place. Brigham Young University Law School finished third, and the University of Wisconsin Law School Team 1 took fourth.

The late William E. McGee ('80), for whom the competition is named, was a strong advocate for human rights. He was the first African American to be appointed chief public defender in the state of Minnesota. During his career, he also served as a public defender and prosecutor for Hennepin County and as a staff attorney and then executive director at the Legal Rights Center, a nonprofit, community-based organization that represents low-income people of color. ■

SAVE THE DATE >

September 16, 2014: Professor Robert A. Stein ('61) and U.S. Supreme Court Justice Ruth Bader Ginsburg in conversation

For the second annual Stein Lecture, Professor Stein will sit down with Justice Ginsburg for a conversation about current topics of national interest. Prior to her appointment to the Supreme Court in 1993, Ginsburg served for 13 years on the U.S. Court of Appeals for the D.C. Circuit. She has been a professor of law at Columbia University and Rutgers, and a fellow at the Center for Advanced Study in the Behavioral Sciences at Stanford. Ginsburg received her B.A. from

Cornell College, attended Harvard Law School, and received her LL.B. (J.D.) from Columbia Law School. She holds honorary degrees from 30 colleges and universities, and she is a member of the Council on Foreign Relations, the American Academy of Arts and Sciences, and the American Philosophical Society. She has written widely in the areas of civil procedure, conflict of laws, constitutional law, and comparative law.

Professor Stein generously



JUSTICE RUTH BADER GINSBURG

endowed this annual lecture to enrich the Law School by inviting leaders of the bench and bar and the governments of the United States and other nations to share their insights on topics of national or international interest. [Watch www.law.umn.edu](http://www.law.umn.edu) for more details.

STAFF NEWS

NEW STAFF



Christa Daszkiewicz joined the Law School as a faculty administrative assistant.

She was employed most recently at MotivAction LLC as a key account manager, and she has several years of experience in customer service, event planning and database management.



Dennis Depp comes to the University in a shared position with the Law School and the

Office of Information Technology; he will serve as the Law School's IT director. He has more than 22 years of IT experience, including, most recently, the position of chief enterprise architect at the Oak Ridge National Laboratory.



Chris Frank joined the Law School as director of the Master of Science in Patent Law Program. He

holds a B.S. in chemical engineering from the University of Wisconsin and a J.D. from William Mitchell College of Law. As an engineer, he has worked at 3M, Novel Biomedical, and Vascular Solutions. As a patent lawyer, he has experience in private practice and, most recently, as a senior intellectual property specialist at Medtronic.



Shana Hansen was hired as operations manager in the Career Center and as the Law

School's judicial clerkship administrator. A graduate of Hamline

University, she has worked in the dean's office at the Hamline School of Law, and she was involved in Hamline's Collegiate Mock Trial Program as a team captain. Her most recent job was with Tubman Legal Services.



Ally Hilding came to the Law School as an admissions counselor after working as visit coordinator in the admissions office at Hamline University. She holds a master's degree in leadership in student affairs from the University of St. Thomas.



Sue Minor joined the Technology Department part-time as an information technology

professional. She previously worked in a temporary capacity for the Joint Degree Program in Law, Science & Technology and the Consortium on Law and Values in Health, Environment & the Life Sciences.



Kelly Mitchell joined the Law School as executive director of the Robina Institute

of Criminal Law and Criminal Justice. She previously served as executive director of the Minnesota Sentencing Guidelines Commission, and as secretary of the National Association of Sentencing Commissions. From 2001 to 2011 she worked as a manager and staff attorney for the State Court Administrator's Office of the Minnesota Judicial Branch. She has also been an instructor for many years in the Law School's First Year Legal Writing Program.



Hallie Prest ('12) returned to the Law School as an admissions counselor, after clerking for

Hennepin County District Court Judge Jay M. Quam ('88).



Phillip Quintero joined the Law School as associate editor in the Institute on Crime and Public Policy.

He will also assist in various administrative capacities with the Robina Institute of Criminal Law and Criminal Justice. A graduate of the New School for Social Research in New York City, he serves as a consultant for the Social Science Research Council's program on digital culture.



Brian Reilly accepted a position as webmaster in the Robina Institute's

Sentencing Law and Policy Program. He moved to the Law School from the University's Office of Measurement Services, where he did web design and other IT-related work for more than 10 years. He holds degrees from the University in biochemistry, mathematics, and computer science.



Kjerstin Sanden joined the Law School as administrative coordinator for the Center for

New Americans. She holds a B.A. in global development studies and Spanish from Concordia College in Moorhead, Minn. Previously she worked for a human rights immigration organization in Buenos Aires.



Andrew Thompson joined the Law School as a research fellow in the Law Library. He is a recent J.D.

graduate of New York Law School, where he was associate managing editor of the *Law Review*.



Monica Wittstock joined the Law School as a faculty administrative assistant. Her most recent

position was as marketing and communications manager at Camp Fire Minnesota. She previously worked at the Law School as the communications specialist/program associate for the Consortium on Law and Values in Health, Environment & the Life Sciences.

PROMOTIONS



Valerie Figmiller was promoted from communications associate to communications

specialist in the Communications Department.



Bria Goldman was promoted from principal office and administrative specialist to

executive office and administrative specialist.



Morgan Gooch was promoted from principal office and administrative specialist to

executive office and administrative specialist.



Stephanie McCauley was promoted from office supervisor to executive office and

administrative specialist in the Dean's Office.



Jill Seguin was promoted from executive office and administrative assistant to donor and volunteer

relations associate in Advancement.



Delanie Skahen was promoted from principal office and administrative specialist to

executive office and administrative specialist in the Dean's Office.



Kaythey Windyk was promoted from library assistant to executive office and administrative

specialist in the Law Library.



If the campus seems purpler next fall, it's not an influx of legal prose—it's the Minnesota Vikings. The NFL team will play its home games at the University's TCF Bank Stadium during the 2014 and 2015 seasons while its new stadium is being built across the river. Watch for upcoming information on parking restrictions in the Law School lot: www.law.umn.edu/contact/directions.html.

Each Thursday, we post an archival Law School photo on Facebook with a question about it. We post the answer the next day.

Below are the answers to the Facebook questions on page 9:



- 1** February 20, 2014: This photo was taken sometime between 1970 and 1973 in Fraser Hall.
- 2** March 13, 2014: This team did win the Rose Bowl in 1962, and our future Law School alumni were Tom King ('65), Judge Dickson ('65), Bob Frisbee ('65), Julian Hook ('67) and Terry Maus ('66).
- 3** April 3, 2014: This photo was taken in 1933 and shows *Minnesota Law Review* members briefing new cases in their office.

f Join the fun at facebook.com/UMNLawSchool

HRC'S MARSHA FREEMAN ('76) HELPS TAIWAN ENHANCE HUMAN RIGHTS



MARSHA FREEMAN ('76), A SENIOR fellow with the Law School's Human Rights Center, was one of six international experts invited to Taiwan in November 2013 to help judges and prosecutors better understand the application of international human rights treaties in its domestic courts.

The island nation of Taiwan—officially, the Republic of China—is one of the most successful democracies in Asia, as well as an Asian Tiger economically. It is also a study in the complexities of reconciling facts on the ground with theories of sovereignty. It was recognized as the Republic of China in 1948 under a government established by Nationalists retreating from Mao Zedong's Communist forces on the mainland, but in 1971 it lost its seat at the United Nations to the People's Republic of China (i.e., mainland China). Today, Taiwan still has diplomatic relations with 22 governments and continues to operate under its 1948 Republic of China constitution.

The government of Taiwan walks a fine line between maintaining the nation's identity as a modern, well-run, democratic alternative to mainland China and avoiding assertiveness that could provoke a destructive Chinese reaction. It has

staked out moral territory by undertaking the human rights obligations of a recognized state. Over the past 10 years, Taiwan has ratified several international human rights treaties and sent the ratification instruments to the United Nations, which—not unexpectedly—rejected them based on its 1971 recognition of the mainland as the “sole and legitimate representative of China.” Unfazed, the government has produced reports as required under the treaties and invited a group of experts who have served in various U.N. human rights monitoring mechanisms to Taiwan to review implementation.

The November symposium was one result of this review. Held at the Academy for the Judiciary, which trains all Taiwanese prosecutors and judges, it was designed to provide practical guidance to the judiciary and prosecutors for direct application of treaty provisions, which is a basic principle of Taiwan's civil law system.

Freeman was invited specifically to discuss application of the U.N. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). After noting that no insights could be offered based on American experience, as the U.S. has not ratified the convention, she turned to the experience of other countries that have invoked CEDAW

1 Marsha Freeman with Taiwanese prosecutor Thomas Tsai. The symposium was conducted with great style (flags, copious flowers) and ceremony: the international experts entered on the first day to a recorded fanfare, and as each rose to speak, a musical work from his or her home country was played (for Freeman, an excerpt from *Appalachian Spring*).

2 The symposium banquet was held in the State Dining Room at the historic Grand Hotel in Taipei, at whose gold-leaf-trimmed black marble table Chiang Kai-shek entertained U.S. President Dwight Eisenhower and many other world leaders.

in landmark decisions. She also provided a list of practical suggestions for domestic implementation, including the possibly startling suggestion that the judiciary might undertake self-examination as to gender issues in the courtroom as well as in decision-making, on the pattern of American projects in the 1980s and 1990s.

“In the end,” Freeman says, “the government has engaged in a unique self-monitoring exercise that, at the least, provides a major opportunity for civil society advocacy. Given Taiwan's resources, this could help it become an example for other well-off Asian countries in which the achievement of equality lags behind the quality of the economy.” ■

CAREER CENTER: WORKING WITH EMPLOYERS

The Law School's Career Center understands how important it is to find and hire the appropriate professionals. We can help connect employers with our students and alumni to support hiring needs. Services we provide to employers include job postings via Symplicity (free to employers); interviewing programs—on-campus, off-campus, diversity, public interest, and more; Law School grades and quartile information; and information on hiring trends, salaries,

and sample job descriptions.

Prospective employers can engage with our students and alumni in numerous ways, including Career Options Night (fall semester), the Lunch with a Practitioner Series, our Mock Interview Program (spring semester), alumni networking events, and many others.

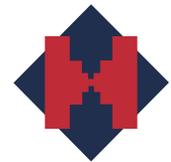
For more information, and to sign up for our Employer Newsletter, please contact us at 612-625-1866 or lawcareers@umn.edu.

“BRING A STUDENT” OPPORTUNITIES

Are you attending a professional event, CLE, or social or community service program? Do you have an extra seat for a student to attend with you? If so, please contact lawcareers@umn.edu and the Career Center will notify students of the opportunity.

Thanks in advance for your commitment to helping students engage with the profession!

HUBERT H. HUMPHREY FELLOWSHIP PROGRAM CELEBRATES ITS 35TH YEAR



Senator Hubert H. Humphrey and President Lyndon B. Johnson exchange pens at the signing of the Civil Rights Act.

THE 2013-14 ACADEMIC YEAR marks the 35th anniversary of the Hubert H. Humphrey Fellowship Program, which was established in honor of the late senator and vice president and his lifelong commitment to human rights, international cooperation, and public service. Sponsored by the U.S. Department of State and administered by the Institute of International Education, the program brings accomplished mid-career professionals from selected developing nations to the United States for a year of professional development, academic study, and cultural exchange at one of 17 participating American universities. Each year, about a

dozen Humphrey Fellows with professional interests in human rights and other fields of law are assigned to the University of Minnesota Law School. The University's Humphrey School of Public Affairs hosts its own group of fellows whose professional interests focus on public administration.

The Humphrey Fellowship Program commemorated its 35th anniversary the weekend of April 25-27, which happened to coincide with the Law School's own Spring Alumni Weekend. The kickoff event was "Living the Legacy of Hubert H. Humphrey," a pair of panel discussions held at the Law School and web-streamed for access by the

other Humphrey Fellowship campuses and program alumni around the world. Other events for the University's Humphrey Fellows, alumni, friends and legacy partners ranged from the serious (roundtable discussions, a bus trip to the Humphrey statue on the grounds of the Minnesota Capitol in St. Paul) to the social (luncheons, receptions, a pizza and bowling outing). During the 2013-14 Humphrey Fellows' graduation reception on April 27, a prerecorded video message from former President Jimmy Carter was shown. Carter made the official announcement of the creation of the Humphrey Fellowship program in 1978. ■

GIFTS TO GENERATIONS



THE CAMPAIGN FOR THE UNIVERSITY OF MINNESOTA LAW SCHOOL

Robins, Kaplan, Miller & Ciresi LLP Creates New Distinguished Scholar Fund

In December 2013, the law firm of Robins, Kaplan, Miller & Ciresi made a \$500,000 gift commitment to the Law School. The gift will endow the Robins, Kaplan, Miller & Ciresi Distinguished Scholar Fund, which will provide incentives for junior or mid-career faculty with exceptional potential to grow and develop their careers at the University of Minnesota. This support is intended to provide a margin of excellence above and beyond core faculty funding from other sources. Faculty members who are designated Robins, Kaplan, Miller & Ciresi Distinguished Scholars will use the funds to further their academic endeavors in such areas as trial practice, appellate practice, evidence, civil procedure, torts, intellectual property, and antitrust.

“All of us at Robins, Kaplan, Miller & Ciresi are proud of our long association with the University of Minnesota Law School,” said Ronald J. Schutz ('81), a partner in the firm and the chair of its National IP Litigation Group. “We view our philanthropy there as an extension of our shared purpose of excellence, community service, and commitment to justice.”

“The University of Minnesota Law School has benefitted from a strong partnership with Robins, Kaplan, Miller & Ciresi since the firm was founded in 1938,” said Dean David Wippman. “With the establishment

of the Robins, Kaplan, Miller & Ciresi Distinguished Scholar Fund, the firm is reinforcing the importance of scholarship and teaching at the Law School.”

Robins, Kaplan, Miller & Ciresi is a national litigation firm with headquarters in Minneapolis and offices in New York, Los Angeles, Atlanta, Boston, and Naples, Fla. The firm has consistently received national recognition for its trial work in intellectual property, business litigation, antitrust, entertainment and media law, insurance litigation, and mass tort law, as well as for its award-winning pro-bono, diversity, and associate training programs.

Richey Scholarship Will Benefit Law Students Motivated to Represent the Underserved

Early in her law career, Paula Richey ('76) found herself at a loss when asked for legal advice regarding an issue that involved the governing council on an Indian reservation. “I realized this client needed someone more knowledgeable than I was about the interrelationship of tribal, state, and federal law,” she said. Richey reached out to public interest attorneys in her community, but her search yielded few who could help. The experience stuck with her—and over the years, both she and her husband, S. Walter Richey ('63), had other occasions to observe and compare the experiences of people who were able to engage competent legal counsel and those who were

not. It left both of them deeply cognizant of the need for attorneys with the skills and, equally important, the inclination to represent underserved communities.

Now the Richeys are doing their part to see that those in such communities can get good legal help when they need it. The couple has established a scholarship to benefit students in the Law School who are enrolled or eligible for enrollment in a federally recognized American Indian tribe; alternatively, the scholarship's funds may go to an individual with a strong interest in and commitment to having a career in public service—to providing legal service to underserved populations, ensuring the rights of all people and alleviating poverty. Ideally, the scholarship recipient will have a demonstrated history of past service as well.

The Richeys appreciate the skills they acquired at the Law School. Both feel an obligation to provide ways for others to have some of the same opportunities they have had. “Law school teaches more than just the law,” Walt said. “It teaches you a way to approach and analyze problems and prepares you not only to practice law but to tackle other concerns in society.”

Paula and Walt were married in 1957, the year Walt graduated from Purdue University. Paula completed her B.S. degree at the University of Minnesota College of Education and Human Development in 1961. Walt worked in engineering at Honeywell until 1960, when he left to attend



S. WALTER ('63) AND PAULA ('76) RICHEY

the Law School. After earning his J.D., he practiced law before transitioning to the business sector. He served on several public and private corporate boards of directors and retired as chairman, president and CEO of Meritex Inc. Paula graduated from the Law School in 1976 and practiced at several firms before establishing the firm of Gibas, Richey and Dube, from which she retired in 1996.

The couple, who have five children, are retired on their farm near Amery, Wis. Both have worked with a variety of domestic and international nonprofit organizations, including serving in several countries with Global Volunteers. Both have been members of the Law School's Board of Advisors.

The Richeys hope that the Paula K. and S. Walter Richey Scholarship will provide financial aid to law students often faced with the prospect of burdensome debt, and that it will help sustain the Law School's ability to attract students who are passionate about doing good in the world.

—By Marla Holt, a freelance writer based in Owatonna, Minn.

Eftekhari Fellowship Will Support Law Students Studying Human Rights

A fellowship for University of Minnesota Law School students studying human rights has been established in the name of prominent Iranian lawyer Mehdi Eftekhari, who died in 2013 at age 93. His daughter,

Nazie Eftekhari, and son, Amir Homayoun Eftekhari, created the fellowship in their father's honor.

Between the 1940s and 1970s, Mehdi Eftekhari was instrumental in building modern-day Iran, providing expert counsel for the nation's first telephone service, first electrical grid and first system of dams. In 2000, he and his wife, Homa, moved to Minnesota to be with their children. Here, they helped the Bloomington-based Foundation for the Children of Iran provide critically needed medical care.

"My father had a strong commitment to the rule of law, a commitment he hoped to inspire in future jurists," said Nazie Eftekhari. "He knew that the way to a better life was through education."

The fellowship's first recipient is Sanam Ghandehari, who graduated from the University of Tehran, passed the Iranian bar exam and practiced law for six years before immigrating to the United States. In December 2013 she completed her LL.M. degree at the Law School; the next month she entered the J.D. program, where she is a member of the class of 2015.

"I was proud to receive a fellowship [in the name of] someone from my own country, especially one who went to the same law school I did in Iran," said Ghandehari. "Iranians like me who are trying to make a legal career in the United States have very few examples to follow. This fellowship shows me there are opportunities for us here."

"The University of Minnesota Law School has a long history of excellence in human rights law," said Dean David Wippman. "We are grateful to have a fellowship that will support our students in carrying on this tradition. Through the Human Rights Center, the newly established Center for New Americans, numerous clinics, scholarship, advocacy and pro bono work, the Law School offers a multitude of ways for students to involve themselves deeply and meaningfully in human rights law."

The Mehdi Eftekhari Fellowship in Law is part of Fast Start 4 Impact, which means it will receive an additional \$10,000 over four years for student support. The Fast Start program, funded by the University of Minnesota Foundation, has raised \$11.2 million to date, creating 104 Fast Start scholarships and fellowships, which are supporting 115 students. ■

GENERATIONS: The Campaign of the University of Minnesota Law School

The gift stories on these pages show a range of reasons why individuals and organizations support the Law School. As we celebrate 125 years of shaping the rule of law for benefit of society, the Law School is grateful for each and every contribution received over its history.

The Law School relies on donations of all amounts to sustain its academic mission. A special thank-you to Lockhart Club donors and to our leadership lifetime giving contributors can be found in a special Celebration of Philanthropy donor listing available on the Law School Web site.

To review this roster of contributors, please go to www.law.umn.edu/generations.html.

FAR AND AWAY

Pleasures and Pitfalls of Practice Abroad

By Cathy Madison

LAWYERS WHO WORK ABROAD are an adventurous and mobile bunch, willing to leap cultures as well as time zones. But in doing so, they must face and conquer many challenges, from relocating entire families to adapting to foreign office environments. They learn new skills as well as new languages, and their worlds shrink as they turn vast networks of strangers into friends, developing wanderlust along the way.





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“The biggest challenge is always going to be language. You need to be good at understanding non-first-language English, even in writing, so you know what specific legal issues you need to address.”
— SHINHONG BYUN ('05)

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LAWYERS WHO WORK ABROAD CAN ALSO BE HARD to reach. Jennifer Cirese ('07) shared her story from the seat of a Hong Kong bus that was shuttling her to work in the wee hours of the morning. As deputy general counsel, Asia, for Pine River Capital Management, a \$14 billion asset management firm founded a dozen years ago in a Minnesota lakeside cabin, she has spent seven months grappling with a schedule that demands her attention early and late. She spends the shoulders of her day on calls to the U.S., where it is always yesterday. Life is hectic.

“It is completely different here—more fast-paced. No one has a spare minute,” she says.

Ray Eby ('98) relayed his experiences from the airport (with a brief hiatus as he went through security), then followed up online while in the air. Now director of 3M's corporate business development group, he spent two years in Istanbul working as 3M's director of compliance and business conduct for Europe, the Middle East, and Africa. He, too, encountered huge job and lifestyle differences, summing up his experience in one word: awesome.

“This is a natural passion for me,” says Eby, who didn't travel overseas until his 30s but has already retired two fat passports. “Culture and people are always the most interesting side of everything. For some people, working on a car gets them excited. For me, it's virtually impossible to change the oil. [Working abroad] is complicated, but I love it.”

TALKING THE TALK

FEW EXPAT LAWYERS ENJOY THE MULTILINGUAL advantage of Shinhong Byun ('05), who was a foreign legal consultant at Asian behemoth Kim & Chang in Seoul for three years before taking leave to pursue her LL.M. in admiralty (maritime law) at Tulane University. Born in New York to the now-retired ambassador for the Republic

of Korea, she grew up in Australia, Hong Kong, Kenya, Bangladesh, and Korea as well as the United States. She speaks Korean and English, claiming neither—or both—as her “first language.”

“The biggest challenge is always going to be language,” she says. Meetings in foreign countries can be difficult. In internal meetings, Byun's command of conversational Korean didn't always bridge the legalese gap. External meetings, held in English with Japanese and Chinese maritime clients, presented their own challenges. “You need to be good at understanding non-first-language English, even in writing, so you know what specific legal issues you need to address,” she says.

“I would be better off if I spoke Chinese, but I haven't had time to pick that up. It's frustrating,” sighs Cirese. Hong Kong meetings are conducted in English, but she also travels to mainland China, where meetings may be in Chinese, in which case she must ask someone to translate. Bringing along her own translator often isn't practical.

James Southwick ('89), deputy general counsel, international, and vice president/government affairs for Medtronic, spent three years working in French-speaking Lausanne, Switzerland. English sufficed at work, where he interacted with legal teams from throughout Europe as well as the Middle East, Asia, and Latin America, but he and his family took classes to become “passable” in French. “I could survive dealing with restaurants and retailers. I even bought and sold a used car in French, and I got much better at reading. But we weren't forced to be fully immersed,” he says.

Relatively few Turks speak English, says Eby, but he has a different take on the subject. “One of the biggest benefits was not understanding the language. I could order food in a restaurant and engage in small talk, but I didn't have to listen to talk at neighboring tables about silly things. I never had to listen to guys talking about their boring golf game. I could just hear the beautiful tones of the language. It was really pleasant.”



RYAN STROM ('03)



SHINHONG BYUN ('05) WITH FRIENDS

WALKING THE WALK

ADJUSTING TO FOREIGN OFFICE CULTURE CAN BE smooth or bumpy, the challenges grating or subtle. For Cirese, changes related more to job than culture. Working in Minnesota for Pine River, she focused on fund formation and documentation in a back-office setting. In Hong Kong, her role is much broader, incorporating compliance and other functions, and she now works next to the traders in the front office. Being so close to the action is “dynamic and exciting.”

When Ryan Strom ('03), senior counsel for Philip Morris International, was posted to Mexico City for three years, language proficiency influenced the assignment; college summers in Mexico and Paraguay and a year in Argentina had polished his Spanish. Yet differences surfaced in the office, where 95% of his colleagues hailed from Mexico.

“How we approach a legal question is different. In the U.S., we embrace ambiguity and uncertainty. If the law doesn't provide a definitive answer, we inherently advocate for a position. In Mexico, lawyers focus more on the letter of the law,” he says. “It really taught me the value of a U.S. law degree.”

He missed being able to do legal research online. “If you want updates on cases in Argentina, you have to pay outside counsel to go weekly to monitor developments. There is no notification by the court when an order is issued. As U.S. attorneys, we feel we should be able to figure out answers independently, but you simply cannot,” he says.

Byun understands Korean culture, but she still faced hurdles when she left the small New York office of criminal defense attorney Eric Franz to join the 700-plus attorneys at Kim & Chang—“a drastic change” in size, style, and culture. In Korea, she dealt with complicated, high-profile matters that placed her at the forefront of international commercial and maritime issues. Her network was sophisticated and broad yet required cultural awareness.

Comments had to be shared with humility and restraint, or perhaps saved for another time. “Korean people aren't very confrontational. They don't debate as heatedly as other cultures,” she says. “I had to learn how to express my opinion without coming off as too rash or rude.” A single woman in what is still a man's world, she discovered that discussing marital status, for instance, is not taboo. She also took care to be sure her demeanor and approach denoted respect for elders, which is very important in Asian culture. For example, she always used two hands, not one, to give something to or accept something from someone senior.

Ray Eby anticipated differences related to Turkey's Islamic status but found few because it is a largely secular country. It is, however, hierarchical in its own way. “People are interested in discussing things, but once the boss has spoken, there is no more discussion. If a boss allows it, they lose respect. They want a boss who leads from the front. Russians are similar but they aren't very open; you have to work to figure it out. Turks are frank and open, but they won't question your decision. In Israel, when the boss says whatever the boss says, that's the beginning of the conversation. They'll still be disagreeing once the project kicks off and halfway through.”

Large international companies such as 3M and Medtronic can smooth transitions simply because their experience is vast and well-tested, but they can't cover all the bases. Travel, for example, Eby spent about 70% of his time on the road, often gone for six weeks at a stretch. In Belarus, he learned to avoid talking about politics or personal things because the offices were bugged; he was more comfortable in certain large restaurants or those with outdoor seating. In Ukraine, he took ill on a train and had to have an emergency appendectomy in an old Kiev hospital.

“Travel in general is grueling, and some places are rougher than others,” he says. “Catching a plane in Kazakhstan is different from catching one at LaGuardia.”

Southwick encountered more subtle differences in his Swiss office. “The coffee was a lot better!” he says. “And it

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“Travel in general is grueling, and some places are rougher than others. Catching a plane in Kazakhstan is different from catching one at LaGuardia.”

—RAY EBY ('98)



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was anathema to eat lunch at your desk. Really uncivilized. Every day you trooped down to the cafeteria to eat with your department. It was nice to have 30 minutes or so to get your head out of the job a bit and talk about sports, weather, and families.”

MOVING THE FAMILY

ACCEPTING A FOREIGN POST MEANS DEVOTING significant attention to family, housing, transportation, and social challenges less likely to affect domestic assignments.

Jennifer Ciresi volunteered for her two-year Hong Kong gig. The well-traveled daughter of an Irish immigrant, she was excited to embrace new cultures. But placing her children, ages 11, 8, and 5, into good international schools was a challenge, as was moving into a small apartment with no yard for soccer.

“My son really misses the grass,” she says, although her kids enjoy newfound freedoms and have stopped asking to go home to Minnesota. “It’s not like living in Eagan on a cul-de-sac.”

Moving to Mexico City from “the lovely, clean Twin Cities” required a year of adjustment, says Strom, during which he was ready to pull the plug several times. Accompanied by his wife, toddler, and infant, he expected different cultural norms. News accounts, after all, blared deaths, decapitations, and drug wars. “Imagine the mother-in-law,” he chuckles. But his biggest daily challenge? “Crossing the street. They have a complete disregard for pedestrians, not to mention crosswalks.”

His biggest lesson? “The premium I have to put on patience—not one of my strong suits. Things just take longer. We also learned that they have a different standard of care, in childbirth, for example. Our third child was born there. It was a bit of shock.”

Settling in Switzerland “was stressful at times, but it becomes an adventure,” says Southwick, citing the hard work of relocating his wife and two teenagers. Whether getting drivers’ licenses or setting up Internet connections, challenges abounded. Surprises, too. “The Swiss are very rule-bound and rigid. It’s against the law to mow the lawn on Sunday. If you live in an apartment building, it’s against the law to flush the toilet after 10 p.m.,” he says. Then consider the age laws. “We say they’re crazy to let teens drink at 16, and they say we’re crazy to let teens drive at 16. There was plenty of discussion on that.”

Shops that closed weekdays at 6 p.m. and always on Sunday sparked new family recreation. “First we wondered how they could ignore the wheels of commerce to that extent. Then we decided we’re awfully obsessed with shopping.” No mall access meant more hiking and exploring European food and art. Public infrastructure provided enormous freedom for the kids, who rode trains into the mountains to ski.

Eby could have moved anywhere for his international job; he chose Istanbul after a French colleague claimed she loved it so much she’d rather quit than return to Paris. He took along his wife and five children, including a daughter who postponed college to attend a local university. While he didn’t like everything—“The traffic stinks. The Turks call school holidays on a moment’s notice”—the family made wonderful friends and were reluctant to leave.

Shinhong Byun had family and friends in Korea, yet moving was still challenging. Seoul is a bustling city that can overwhelm. Smaller street signs may only be written in Korean. Few locals speak English. A key deposit (anywhere from \$50,000 to \$300,000) is required to rent an apartment. “It’s very difficult to do on your own without some kind of help,” she says, crediting her firm with being better than most at smoothing transitions.





JAMES SOUTHWICK ('89)

LOOKING BACK—AND AHEAD

“IT’S A SACRIFICE TO LEAVE YOUR COMFORT ZONE and go someplace else. But what you get when you’ve been living in a place that is not your own country is respect,” says Strom. “There’s also a feeling of added value, even to the mundane aspects of life. Waiting at a bus stop, walking down the street—no time is wasted, because you’re improving your language skills and having this experience. It adds meaning.”

Like all the Law School alumni interviewed here, Strom reflects on his foreign stint with fondness and appreciation. He and his wife (aka social director) became firmly ensconced in the expat community. “We were sad to leave, to go back to the foreign country that is New York City.... Despite the fact that most of our friends were other Americans, we felt exceptionally welcomed in [Mexico]. The people were interested in us, and we never felt that we weren’t wanted.” He’d return to Latin America “in a heartbeat”—maybe Colombia, which he says is beautiful, has a strong educational base, and is “up and coming, kind of the next Mexico.”

Ciresi appreciates the chance to grow her career, learn Chinese, and travel to Thailand, Malaysia, and Beijing with her family. She finds the financial community surprisingly close-knit and helpful and often socializes with her counterparts in other hedge funds.

Perhaps the world shrinks when you live abroad. Shinhong Byun was pleasantly surprised by visits from classmates, the Law School dean, and a chief judge and senator from Minnesota. In addition to a wider network, her Seoul post gave her a boost up the ladder.

“waiting at a bus stop, walking down the street—no time is wasted, because you’re improving your language skills and having this experience. It adds meaning.”

—RYAN STROM ('03)

“You can get on your feet much earlier than at a large law firm in the U.S.,” she says. “If you go to a conference in the States, you may not have the opportunity to meet a keynote speaker unless you’re very aggressive and introduce yourself. It’s much easier to meet top names in Asia, where it is equally competitive but a much smaller pool.” Rapid growth makes the Korean legal market appealing, although Byun cautions that spending too many years abroad can cause one to lose touch with U.S. law.

For those aspiring to foreign assignments, advice is plentiful. “When you practice in the international sector, it’s not what you know but how you go about approaching a particular issue. There’s less premium on substantive knowledge and more on the ability to communicate simply and clearly,” says Strom.

“Either you work for an organization that does work overseas and build your competence so they trust you, or you develop some real expertise in a very narrow area. Expat assignments are usually more of the first kind,” says Eby.

The key to success, however, is basic. “Sometimes Americans come in and presume to know everything, but if you come in and say you can’t wait to learn about their country, they’re ecstatic,” he adds. “People are the same everywhere. Whether they’re Muslim or Orthodox, they have families at home and want to take care of their children. When you respect people wherever they are, everything gets a whole lot easier.”

Where might Eby aspire to go next? English is the first language of business in Europe and Asia but not Latin America, he muses. The Gulf countries, not so family-friendly. Africa: complicated. “Budapest. I loved eastern Europe very, very much,” he says. “But I’d love to go anywhere.” ■

Cathy Madison is a freelance writer and editor based in the Twin Cities.



This article is part of an ongoing series highlighting professors' community work at state, national, and international levels. For all the differences in the issues they tackle, the citizens profiled in this series 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 in which they believe. They bring fresh perspectives back to students in hopes of inspiring them to put their own scholarship into practice.

David Weissbrodt: Global Leadership on Human Rights

ON A COLD THURSDAY NIGHT IN MARCH, TWO University of Minnesota professors were in the audience for *The Dream of Valentino* at the Ordway Center in St. Paul. When the opera's composer, Regents Professor Emeritus Dominick Argento, stood for a bow at the end of the show, the applause rose. As David Weissbrodt, Regents Professor and Fredrikson & Byron Professor of Law, moved quietly among the crowd with his wife, Pat Schaffer, he was in a favorite milieu far from the world stage of human rights on which he has played a leading role for four decades. And if no one stood to applaud his presence, it's only because most Minnesotans don't know that he's one of the chief architects of human rights advocacy, teaching, and scholarship in the state and far beyond.

When Weissbrodt arrived at the Law School in 1975, he was already well versed in human rights law. After graduating from the University of California Law School at Berkeley, he studied religious discrimination and human rights on a Robbins Fellowship and interned at the International Commission of Jurists in Geneva in 1971-72.

Weissbrodt was hired to teach torts, and he still does. "But the subject of human rights was my particular interest," he says, "and I asked to teach that subject." He was among the first scholars to teach human rights at a U.S. law school, and he helped found the International Human Rights Internship Program in 1976, which later operated out of Washington, D.C. Weissbrodt broke more new ground when he established the University of Minnesota Human Rights Center (HRC), only the third such program in the nation, in 1988. Since that year, HRC has—among its many other activities—involved 538 interns in direct human rights advocacy and in assisting 365 human rights organizations in 91 countries. In recent years, HRC's online library of human rights documents and reference materials has made it even more valuable internationally.

When Minneapolis attorney Sam Heins ('72) learned of Weissbrodt's work with Amnesty International in London in 1982-83, he asked, "What can we do in Minnesota?" Weissbrodt answered, "The dead body project."

Heins, Weissbrodt, and others founded the Minnesota Lawyers International Human Rights Committee (now the Advocates for Human Rights) and set to work developing uniform legal and medical standards for investigating political assassinations. The guidelines, adopted in 1989 by the United Nations as the *Manual on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions*, are used and known worldwide as the Minnesota Protocol.

When Rudy Perpich Jr. joined Amnesty International while enrolled at Stanford Law School, he asked his father, then-Governor Perpich, "What are you going to do to improve human rights?" At the request of the governor's

"David Weissbrodt is a human rights innovator, networker, problem-solver, and doer."

—Kristi Rudelius-Palmer

staff, Weissbrodt outlined 10 proposals for addressing torture. Perpich responded, "Let's do them all." One of the results was the establishment in 1985 of the St. Paul-based Center for Victims of Torture.

Weissbrodt has often spent his sabbaticals teaching and consulting, rather than dialing back his pace. In 1983 he was the first visiting professor in an exchange program between the University of Minnesota and Université Jean Moulin in Lyon, France. He taught his courses *en français*. In 2004 he taught at the United Nations University in Tokyo and the Monash University Law School in Melbourne, Australia.

During the five summers (2004-09) he was on the faculty for Oxford University's master's program in human rights law, Weissbrodt won rave reviews from the experienced legal professionals who were his students. Program director A.E. Shacknove wrote, "David has the unusual ability to transcend his national background and outlook and to teach in a truly international manner that is both relevant to and respectful of the approaches of different cultures and legal systems."

President Bill Clinton nominated Weissbrodt to the United Nations Sub-Commission on the Promotion and Protection of Human Rights, which he served from 1996 to 2003. Elected as chair for 2001-02, Weissbrodt became the only American to head a U.N. human rights group since Eleanor Roosevelt chaired the inaugural Human Rights Commission. In 2005 Weissbrodt was named to the board of trustees of the U.N. Trust Fund for Contemporary Forms of Slavery; he served as its chair in 2008.

WEISSBRODT SAYS HIS GREATEST CHALLENGE HAS been working with colleagues who had very different ideas about human rights but nonetheless shared a commitment to the basic rights of their fellow human beings. As he reminisces about getting to use his Spanish and French and about a working group that included representatives from China, Cuba, Russia, and Senegal, it's clear he relished the relationships as much as the intellectual stimulation.

Kristi Rudelius-Palmer has long had a front-row seat from which to observe Weissbrodt in action. When she was his mentee, he took her to the U.N. Commission on Human Rights in Geneva. They have been co-directors of the HRC for 25 years and co-directors of the Law School's Humphrey Fellowship Program for 11 years. "David develops relationships around improving the conditions for individuals and communities by looking for areas of mutual interest and potential collaboration," she says. "David rarely shoots down an idea. Instead, he helps people breathe life and possibility into creative responses to human rights violations and prevention strategies."

Weissbrodt's diplomatic and intellectual imprint is on such key U.N. documents as the Declaration on the Rights of Indigenous Peoples (2007); Committee on the Elimination of Racial Discrimination, General Recommendation 30, Discrimination against Non-citizens (2004); Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights (2003); and Declaration on the Protection of All Persons from Enforced Disappearance (1992).

"We've now seen quite a lot of success in the developing of standards and their involvement in creating treaties, and those treaties being broadly accepted by governments," he says. As for implementation of those treaties, he adds, "We've been less successful, but we're still working on techniques."

Of all the roles he's played, Weissbrodt likes fact-finding best. He has participated in Amnesty International visits in Canada, Congo, Guinea, Guyana, Haiti, Hong Kong, Kenya, Malaysia, Qatar, and Rwanda.

Because human rights abuses are emergencies for individuals who are being tortured and imprisoned, Weissbrodt drafts his reports while flying home. "You have to learn enough to get a report done quickly in order to have much effect," he says.

In 1986 in Kenya, then led by President Daniel arap Moi, Weissbrodt met Gibson Kamau Kuria, an attorney who was representing students and other political activists. Weissbrodt told Kuria, "If you keep on doing what you're doing, you're going to get yourself arrested."



Weissbrodt took notes on Kuria's activities and family, essentially treating him as though he were already a prisoner. When Kuria was imprisoned without trial two months later, Weissbrodt had the information Amnesty International needed to mount the campaign that ultimately won Kuria's release. Years later, Kuria—by then an official in a new Kenyan government—traveled to Minnesota to thank Weissbrodt for saving his life.

HUMAN RIGHTS ADVOCACY IS A SISYPHEAN endeavor. New abuses come to light even as intractable violators refuse to desist. These days, Guantánamo keeps Weissbrodt awake at night. He has worked on several detainees' cases, enlisted students and lawyers to help, and written books on the subject.

Weissbrodt works on all fronts: representing clients, incorporating the practical lessons of advocacy into the theory and canon of human rights law through his scholarship, and using his experiences and the textbook he wrote to teach and mentor the next generation of professional and volunteer advocates.

In Weissbrodt's International Human Rights Law course, students complete a project for a client. "The result," Rudelius-Palmer observes, "is that students have not only learned in detail about international human rights law, they have worked on a concrete project that serves the field."

And if they choose to go into the field, the establishment of thousands of human rights organizations since the 1980s has created myriad opportunities for them to use their skills to protect the rights of their fellow citizens and others.

In addition to the satisfaction of helping launch students—such as Karen Curtis ('87) at the International Labour Organization and Lucie Viersma ('98) at the United Nations Office of the High Commissioner for Human Rights, both in Geneva—Weissbrodt is pleased to have 11 fellow Law School professors and Dean David Wippman all doing human rights work. "When I started," he says, "there was just me."

Weissbrodt has devoted his career to "navigating human rights turbulence," in Rudelius-Palmer's apt phrase. "David set the course," she says, "and before he realized it, he had thousands of birds flying behind him." ■

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

Faculty Perspective



FACULTY AWARDS, GRANTS AND NEWS



Eugene Borgida, affiliated faculty member, was elected a fellow of the American Association for the Advancement of Science. Borgida was elected in psychology “for distinguished contributions tackling flawed decision-making in consequential contexts, especially law and politics, and for defining social psychology in law through research, reviews, and courtroom expertise.”

Dale Carpenter was named a 2013 Attorney of the Year by *Minnesota Lawyer*. Carpenter was also chosen to receive a 2014 University of Minnesota Graduate and Professional Teaching Award. This award, given to



no more than eight University of Minnesota professors each year, recognizes outstanding contributions to post-baccalaureate, graduate, and professional education.

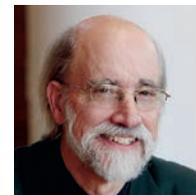


Ben Casper ('97), through the Federal Immigration Litigation Clinic and a collaborative litigation effort with Center for New Americans partners Faegre Baker Daniels and the Immigrant Law Center of Minnesota, filed a petition to the U.S. Supreme Court asking it

to resolve an Eighth Circuit and Third Circuit disagreement in *Mellouli v. Holder*.



Barry Feld's ('69) book *Kids, Cops, and Confessions: Inside the Interrogation Room* was highlighted in research sponsored by the National Science Foundation.



Richard Frase has been named co-director, with Kevin Reitz, of the Robina Institute of Criminal Law and Criminal Justice.

1 Left to right: Professors Carol Chomsky, Perry Moriearty, Laura Thomas, Jean Sanderson and Ann Burkhart catch up after Oren Gross's reappointment lecture

2 Professor Barbara Welke introducing the Erickson Legal History Lecture speaker, Cynthia Brilliant Herrup

3 Professor Jill Hasday with her parents and Dean Wippman following her appointment lecture

4 Left to right: Professor Antony Duff, Robina Visiting Scholar Vincent Chiao and Professor Francis Shen at Robert Stein's ('61) reappointment lecture reception

5 Professor June Carbone and Dean Wippman at the reception following her appointment lecture



Jennifer Green served as counsel of record on an amicus brief discussed in an oral argument heard by the U.S.

Court of Appeals for the Ninth District in the case of *Doe v. Nestle*, brought on behalf of three children allegedly forced to perform slave labor on cocoa plantations in the Ivory Coast. The brief argued that the precedents set during the Nuremberg trials regarding corporations' responsibility for criminal acts should be adhered to in *Doe v. Nestle* as well.

District Court for the District of Massachusetts in the case of *Patel v. Johnson*. Hickman also filed an amicus brief before the U.S. Supreme Court in *United States v. Quality Stores, Inc.*



John Matheson testified before the Minnesota House and Senate Judiciary Committees in support of a bill

to amend the Minnesota Business Corporation Act. Matheson serves as the official reporter for the Minnesota Business Corporation Act.

improve the law. The ALI drafts, discusses, revises and publishes *Restatements of the Law*: model statutes and principles of law that are enormously influential in the courts and legislatures, as well as in legal scholarship and education.



Perry Moriearty testified before the Minnesota Senate Judiciary Committee in support of a bill that would

abolish life imprisonment without parole for juveniles convicted of homicide.



Kristin Hickman's work on the *Skidmore* doctrine of judicial deference to agency legal interpretations

was cited in an opinion issued by Judge William Young of the U.S.



Amy Monahan has been elected to the American Law Institute (ALI), the leading independent organization in

the United States producing scholarly work to clarify, modernize and



Myron Orfield, director of the Institute on Metropolitan Opportunity, and Tom Luce, research director,

released a new report, "Reforming

CONT >

Subsidized Housing Policy in the Twin Cities to Cut Costs and Reduce Segregation,” which shows that a disproportionate share of the Twin Cities’ publicly subsidized affordable housing is built in the two central cities, at high cost and with few quantifiable benefits for the region. The New Jersey Supreme Court agreed with Orfield’s position in an amicus curiae brief he filed arguing against Gov. Chris Christie’s allocation formula in the New Jersey Fair Housing Act.

Richard Painter testified before a hearing of the U.S. House of Representatives Government



Oversight Committee on the ongoing Department of Justice (DOJ) investigation into allegations that the Internal Revenue Service singled out conservative groups for additional tax scrutiny. Painter discussed a range of issues, including whether the IRS is an appropriate gatekeeper for the nation’s campaign finance system and whether the DOJ should have taken additional steps to assign leadership of the investigation to a lawyer without ties to either political party.



and Criminal Justice.

Kevin Reitz has been named co-director, with Richard Frase, of the Robina Institute of Criminal Law



Consumer Protection regarding appropriate capital standards for

Daniel Schwarcz testified to the U.S. Senate Subcommittee on Financial Institutions and

Prof. Oren Gross Delivers Irving Younger Professorship in Law Reappointment Lecture



ON FEB. 11, 2014, PROF. OREN Gross, director of the Law School’s Institute for International Legal & Security Studies and its Irving Younger Professor of Law since 2005, celebrated his reappointment to the chair with the lecture “The New Way of War: Is There a *Duty* to Use Drones?” In today’s “technologically centric” war, he said, U.S. forces are expected to deliver military power “quickly, decisively, and with minimal risk of casualties.”

Gross focused on the use of drones by military forces in combat zones

but observed that they also have been used by others (e.g., the CIA, State Department, border patrols) and raise difficult moral, legal, constitutional, humane, and international questions: Do the laws of armed conflict apply? Are targeted killings legal? How can accountability without transparency, authorization, and investigation be ensured? Debate has focused largely on a state’s right to use drones, but “little attention, if any, has been given as to whether states have a legal or moral obligation” to use them, Gross noted.

Under international law, the overarching requirement of weapons systems is “prohibition of superfluous injury or unnecessary suffering.” Since drones’ improved reconnaissance and precise targeting may reduce civilian involvement and collateral damage, do states with access to drones have an *obligation* to use them? The question must be addressed, he said, “if we want to think about making armed conflict more humane, both to combatants and to civilians.”

Gross is an internationally recognized expert in international

and national security law, the Middle East, and the Arab-Israeli conflict. He holds an LL.B. from Tel Aviv University and LL.M. and S.J.D. degrees from Harvard Law School. He was a senior legal advisory officer in the international law branch of the Israeli Defense Forces’ Judge Advocate General’s Corps (1986-91), served on the faculty of Tel Aviv University Law School (1996-2002), and has held numerous visiting professorships. His extensive writings include the co-authored *Law in Times of Crisis*, which received the 2007 American Society of International Law’s Certificate of Merit for creative scholarship.

The Irving Younger Professorship of Law was established through the generosity of colleagues, friends, and admirers of the late Irving Younger, the Law School’s first Marvin J. Sonosky Professor of Law and one of the best-known law teachers in the nation. Younger’s love of language and the law inspired a generation of law students and lawyers. ■

—By Corrine Charais, a freelance writer and editor based in Bloomington, Minn.

certain insurers under the Dodd-Frank Wall Street Reform and Consumer Protection Act.



Francis X. Shen has been named a 2014–2016 McKnight Land-Grant Professor by the Office of the

Senior Vice President for Academic Affairs and Provost. Shen is one of just eight University of Minnesota faculty members to be so honored.

Susan Wolf spoke at the Smithsonian Institution, National



Academy of Sciences, American College of Medical Genetics and Genomics annual meeting, and American Association of Law Schools annual meeting, and was elected to the American Law Institute. She was also appointed to an expert panel, in an effort by the Association of Schools and Programs of Public Health to re-envision public health education. With funding from the National Institutes of Health (NIH) and others, she co-directed an international workshop at the

Brocher Centre in Switzerland on return of results and incidental findings. NIH-funded and National Science Foundation-funded work led by Wolf was heavily cited in new reports by the Presidential Commission on Bioethics on incidental findings and an Institute of Medicine committee on oversight of gene therapy. ■

Our faculty are frequently quoted in the media and called upon for their expertise. There are too many to include here, due to space constraints. To see more faculty news, go to our Web site, www.law.umn.edu/news/faculty.html.

Prof. June Carbone Delivers Robina Chair in Law, Science and Technology Appointment Lecture

ON MARCH 4, 2014, PROF. JUNE Carbone delivered the lecture “Are Women About to Become a Lot More Like Men?” to mark her appointment as the inaugural holder of the Robina Chair in Law, Science and Technology. Carbone joined the Law School faculty in June 2013 from the University of Missouri at Kansas City, where she was the Edward A. Smith/Missouri Chair of Law, the Constitution and Society. Carbone is an expert in law, medicine and bioethics; family law; and assisted reproduction and writes prolifically on law and the family, marriage, divorce, and domestic obligations, including changes brought about by the biotechnology revolution. Her most recent book, *Marriage Markets: How Inequality is Remaking the American Family* (co-authored with Naomi Cahn), is due for release by Oxford University Press in 2014.

Carbone’s lecture examined how today’s changes in marriage, family, and career opportunities for women conflict with the realities of fertility and childbearing. While women who wait until their 30s to marry and have children have a lower likelihood of

divorce, more secure and flexible workplace situations, higher incomes, and often, more time to spend with their children, women in their 30s and 40s also have higher miscarriage rates and more problems with fertility.

Women may be able to achieve the best of both worlds, Carbone said, by freezing their eggs in their younger years, preferably their early 20s. This practice would raise certain bioethical questions, including how to determine whether the procedure is safe and the future of extra eggs. For example, could unused eggs be offered to research facilities? Could eggs be donated or sold to infertile couples?

Egg freezing as a routine part of future planning would ease the pressure on women to accommodate both family and career needs during the small window of time when fertility and career growth are both at their peak, making women’s lives truly a lot more like men’s, Carbone said. In considering changes that would theoretically involve a remaking of women’s roles and a reorganization of society for the development of children, she



observed, “I think the choice we face today is rethinking how we are going to deal with a new era that requires an enormous investment with enormous payoff.”

The Robina Chair in Law, Science and Technology was established through a generous grant by the Robina Foundation to launch and support the Law School’s Program on Law, Public Policy and Society. It is one of several chairs supported by generous gifts from the Robina Foundation. ■ —C.C.

Prof. Jill Hasday Commemorates Appointment to Centennial Professorship in Law



PROF. JILL HASDAY PRESENTED “Family Law Reimagined” on March 25, 2014, in celebration of her appointment to the Centennial Professorship in Law. The lecture was based on her book, *Family Law Reimagined*, which will be published by Harvard University Press in June.

One of the law’s most important

and far-reaching roles is to govern family life and family members. Yet despite its significance, family law remains remarkably understudied and poorly understood, Hasday said.

Family Law Reimagined is the first book to explore the canonical stories that decision-makers repeatedly invoke to explain family law and its governing principles. These stories contend that family law is exclusively local, that it repudiates market principles, that it has eradicated the imprint of common law doctrines that subordinated married women, that it is dominated by contract rules permitting individuals to structure their relationships as they choose, and that it prioritizes children’s interests over parents’ rights.

Hasday outlined findings revealed in *Family Law Reimagined*, explaining how family law’s canon misdescribes the reality of family law, misdirects attention away from the actual problems that family law confronts, and mishapes the policies that legal

authorities pursue. The book demonstrates, Hasday said, how much of the “common sense” that decision-makers expound about family law actually makes little sense. “We need to challenge the answers that the canon assumes and ask questions that the canon never considers. We need to reimagine family law,” she concluded.

Hasday teaches and writes prolifically in the fields of family law, constitutional law, antidiscrimination law, and legal history. After graduating from Yale Law School, she clerked for Judge Patricia M. Wald of the U.S. Court of Appeals for the D.C. Circuit. Hasday joined the University of Minnesota Law School as a tenured faculty member in 2005.

The Centennial Professorship in Law was established through the generous gifts of many Law School alumni and friends during the 1986–89 Endowment for Excellence campaign for the purpose of attracting and retaining a scholar of national rank. ■ —C.C.

SPRING 2014

FACULTY WORKS IN PROGRESS

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. For more information, contact Delanie Skahen at 612-624-6892 or skahe003@umn.edu.

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Andrew Johnson

University of Minnesota

Geospatial Optimization of Global Food and Carbon Tradeoffs

30 Ryan Goodman

New York University School of Law

Network Analysis, International Relations, and International Law

>>>

FEBRUARY

6 Daniel Schwarcz

University of Minnesota Law School

Insurance Agents in the 21st Century: The Problem of Biased Advice

13 Fionnuala D. Ní Aoláin

University of Minnesota Law School

Special Courts, Interrogation and the Law: Empirical Research in the State of Exception Post 9/11

20 Anna Gelpern

Georgetown Law

The Minister’s New Clause

27 Ralph Richard Banks

Stanford Law School

How Diversity Corrupts Affirmative Action: Race, Class and College Admissions

Prof. Robert Stein ('61) Presents Everett Fraser Chair in Law Reappointment Lecture

ON APRIL 9, 2014, PROF. ROBERT A. Stein ('61) celebrated his reappointment to the Everett Fraser Chair in Law with the lecture "Strengthening Federalism: The Uniform State Law Movement in the United States." Stein has held the chair since rejoining the faculty in 2006 from his 12-year service as executive director and COO of the ABA. He first joined the faculty in 1964, was dean of the Law School from 1979-94, and was its first William S. Pattee Professor of Law from 1990-94. He is a commissioner from Minnesota to the Uniform Law Commission (ULC) and was president of the organization from 2009-11.

Stein reviewed the development of uniform state laws and how they combine with federal laws to maintain and strengthen federalism. The government system established by the U.S. Constitution depends on an appropriate balance of federal and state law, he said. For state law to be a viable alternative to federal law on

subjects as to which uniformity is desirable and practicable, uniformity among states is essential, but it has been a challenge from the nation's earliest days. In 1892, to meet this challenge, states formed the ULC to draft and support enactment of uniform state statutes on appropriate subjects.

A major impetus to uniformity was the 1938 U.S. Supreme Court decision in *Erie Railroad v. Tompkins* that there is no federal common law. That decision led to creation of the Uniform Commercial Code, which now governs virtually all U.S. commerce. Other areas receiving attention have included business entity statutes and trust and estate statutes. The newest challenge for the ULC is to address international issues in uniform state legislation, Stein said. "In our increasingly global practice of law, state law, in order to be most effective, must connect across international borders as well as across state borders."



The Everett Fraser Chair in Law was established through the generosity of James H. Binger ('41), a former CEO of Honeywell Inc., Broadway theater owner, and widely recognized philanthropist. The chair honors Everett Fraser, the third dean of the Law School (1920-48), who led it to academic excellence and national leadership. Many of the innovative programs established under Fraser's long service fostered curricular change in legal education nationwide. ■ —C.C.

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MARCH

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Law School
Researching and Reforming Sentencing Enhancements Based on Prior Convictions
- 13 Danielle Citron**
University of Maryland Francis
King Carey School of Law
Criminalizing Revenge Porn
- 27 Osagie Obasogie**
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Race as a Risk Factor

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APRIL

- 3 Michele Goodwin**
University of Minnesota
Law School
The New Jane Crow: Pregnancy Penalties and Status Based Punishment
- 10 Jill Horwitz**
UCLA School of Law
Challenges to Regulatory Decentralization: Lessons from State Health Technology Regulation
- 17 Eugene Volokh**
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Bad Intentions
- 24 Carol Steiker**
Harvard Law School
Lessons for Law Reform from the American Experiment with Capital Punishment



FACULTY BOOK PUBLICATION

BRIAN BIX
Family Law (The Oxford Introductions to U.S. Law)
(Oxford University Press, 2013)

For additional faculty-published and -edited casebooks, chapters, and articles, go to www.law.umn.edu/faculty/recent-publications.html.

RECENT IMO STUDIES QUESTION HOUSING ASSUMPTIONS AND MORTGAGE PRACTICES

THIS SPRING, THE LAW SCHOOL'S Institute on Metropolitan Opportunity (IMO), whose director is Professor Myron Orfield, released widely discussed reports on two key aspects of housing in the Minneapolis/St. Paul area. The first, issued in January, showed that a disproportionate share of the Twin Cities' publicly subsidized affordable housing is built in the two central cities, at high cost and with few quantifiable benefits for the region. The second, released in April, found that communities of color in the Twin Cities receive unequal treatment from mortgage lenders.

Subsidized housing: higher costs don't buy better outcomes

An analysis by the IMO of more than 160 subsidized housing projects in the metropolitan area revealed striking cost differences between the central cities and suburbs. Units of subsidized housing built in Minneapolis cost, on average, \$30,000 more than units with similar characteristics built elsewhere in the region. In St. Paul, such units cost \$37,900 more than their suburban equivalents. Yet despite the added expense, a very large share of subsidized housing construction is focused in the two

cities. While Minneapolis and St. Paul contain only 25% of the region's total housing, they are home to 59% of its subsidized units. These units are concentrated in racially segregated, low-income areas. And while housing development in urban areas is frequently justified as necessary to jump-starting economic growth in struggling neighborhoods, the IMO study found no evidence of improved growth or revitalization in the Twin Cities' largest housing development.

Mortgage lending still skewed against non-white, low-income people

A 2009 IMO study showed that, before the housing crisis, toxic subprime loans were deeply embedded in the Twin Cities mortgage market and were highly targeted toward communities of color. These loans contributed to the foreclosure crisis and the staggering drops in housing values that disproportionately affected people of color, stripping many moderate- and low-income communities of enormous amounts of housing wealth. The IMO's new study updates the 2009 report,



finding that, while subprime lending is much less common today, access to credit for communities of color still lags significantly behind the access available to those in predominantly white areas. Even high-income black loan applicants are more likely to be denied a mortgage than low-income whites. In short, high subprime lending rates fed subsequent high foreclosure rates that, in turn, created the economic woes now used to justify exaggeratedly low lending rates in the very same neighborhoods.

“The banking system has not served the region's racially diverse neighborhoods at all equitably,” said Orfield. “High-cost loans and poor access to prime finance exacerbated the housing crisis in these areas. More equitable treatment now could make an enormous contribution to rejuvenating housing markets decimated by the foreclosure crisis.”

Both reports can be read in their entirety at law.umn.edu/metro. ■

NEW FACULTY



Linus Chan joined the faculty at the end of 2013 as a visiting associate professor of clinical law in the Center for

New Americans. He teaches the newly formed Detainee Rights Clinic, which provides representation and support for indigent noncitizens in the Twin Cities area who are facing removal from the United

States. Prior to coming to the Law School, he taught at the DePaul College of Law in Chicago and at the DePaul Asylum and Immigration Law Clinic. He has practiced immigration law for more than 10 years with a focus on representing people who are detained by Immigration and Customs Enforcement.

Chan received his A.B. in economics from the University of Chicago and his J.D., cum laude, from Northwestern University School of

Law. Before teaching at DePaul, he clerked for Judge Pasco M. Bowman II of the U.S. Court of Appeals for the Eighth Circuit, worked as a criminal defense attorney with the Chicago firm Genson and Gillespie, and served as a senior staff attorney at the National Immigrant Justice Center. His article “The Right to Travel: Breaking Down the Thousand Petty Fortresses of State Self-Deportation Laws” is forthcoming this year in *Pace Law Review*. ■

Faculty Profile

KRISTIN E. HICKMAN

Harlan Albert Rogers Professor of Law and Associate Director of the Corporate Institute

Kristin E. Hickman joined the Law School faculty in 2004 and became professor of law in 2011. She was the 2010 Julius E. Davis Professor of Law. Hickman practiced as a CPA for five years before earning her J.D. from Northwestern University School of Law, then clerked for the D.C. Circuit and spent three years in tax-related law practice in Chicago.

FOLLOWING IN HER MOTHER'S footsteps as a CPA was a natural path for Kristin Hickman, whose family also includes two generations of bankers. As an undergraduate at Trinity University in San Antonio, Texas, she pragmatically chose a business administration major with a concentration in accounting. But her second major, a proverbially impractical one in history, also twines through her career.

Little is easy or familiar about the articles and briefs that Hickman writes or the classes she teaches in tax law, administrative law, and statutory interpretation. It is a measure of her professorial prowess that she can succinctly clarify the arcana of her specialties without causing listeners' eyes to glaze over.

"I do my best to make the material comprehensible to students and to make myself available to them," she says. "They seem to learn the material."

Hickman eschews pedagogical jargon; "I just teach my classes," she says. The fact that she was invited to teach at Harvard Law School in 2012-13 belies the "just" in that assertion, and she does allow as how teaching at Harvard "definitely ranks among the cooler things" she's gotten to do.

In class Hickman refers occasionally and with judicious intent to the lost sleep and juggled schedules that are the realities of her life as a professional and the mother of Charles, 10, and Jack, 5. "It's particularly important for my women students to see that you can do both, but it's also important for my men

students, because these days they want to be involved with their kids, too."

Hickman is looking forward to reaching beyond the classrooms in Mondale Hall this summer, when she will be one of seven professors from different law schools who will teach courses live via webcam to law students around the country. "I view this as a bit of a precursor to figuring out how to make online teaching work at the U of M Law School," she says.

However keen one's interest in tax law, only a historian at heart would study the annals of federal tax administration as avidly as Hickman has. Her close reading of scholarship written during and about the 1920s through 1950s, combined with her study of tax law trends, undergirds her own scholarship in administrative law and tax law. The articles Hickman has published—especially those that address the legal vulnerabilities resulting from the divergence of Treasury and IRS practices from general administrative law norms over the last 30 to 40 years—have been cited dozens of times in judicial opinions and court briefs. Among her most influential works are "*Chevron's Domain*" (co-authored with Thomas W. Merrill, 2001) and "*The Need for Mead: Rejecting Tax Exceptionalism in Judicial Deference*" (2006).

Hickman's writing has kept her name in the forefront of her field and her opinions present in the arguments, citations, and decisions of the U.S. Supreme Court and appellate courts. Since 2010, she has written three amicus briefs for the Supreme Court (*United States v.*



Quality Stores, Inc.; United States v. Home Concrete & Supply, LLC; Mayo Foundation for Medical Education and Research v. United States), and one *en banc* amicus brief for the D.C. Circuit (*Cohen v. United States*). One ruling is pending, and she is "three for three" on the others, with two decisions tracking her arguments directly and the third reaching the outcome for which she advocated.

The recognition that resonates most profoundly with Hickman is less visible than briefs written for the courts. In her office, the pristine blue, red, and gold volumes of the *Administrative Law Treatise* stand a bit apart on the shelf nearest her desk. The late Kenneth Culp Davis, who taught at the Law School, originated the first edition in 1958. His photo hangs in the hallway just down from Hickman's office. "I genuflect in front of it regularly," she deadpans. "Ken Davis in his era was *the* administrative law scholar."

Richard J. Pierce Jr., "the single most cited administrative law scholar in the country," co-authored the third edition, then succeeded Davis as author. Pierce in turn selected Hickman to co-author the sixth edition. Edition seven will bear Hickman's name alone.

"Following in the footsteps of Ken Davis and Dick Pierce may mean more to me than just about anything else I have accomplished as a scholar," she says. "The historian in me says, 'Isn't that cool?'" ■

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

Student Perspective



STUDENT PROFILES



LIVA SREEDHARAN

2013-14 Humphrey Fellow
Every day, people flee their home countries due to war, hunger and a multitude of other reasons. When they arrive in a new nation, they're often seen as tattered and unkempt. But that viewpoint ignores human potential.

"A refugee is not just a victim.

A refugee is a wife, a mother, a child, a fighter," says Liva Sreedharan, a human rights activist from Malaysia. "A refugee is someone with dreams, someone with hopes."

That's something Sreedharan learned firsthand while helping refugees escape prostitution and labor abuse in her home country. She works with Tenaganita, a Kuala Lumpur-based nonprofit dedicated to advocacy and protection for women and migrant workers. As a program officer in Tenaganita's anti-trafficking in persons unit, Sreedharan has rescued more than 100 people.

"I wanted to do something to serve humanity," she says.

When Sreedharan was growing up, her parents often hosted visitors from other countries on behalf of their church. "People from all over the world came and stayed with us," she

says. "It widened my perspective."

After earning a bachelor's degree in psychology and mass communication, she took a job teaching English in China, saved money and traveled throughout the region. After winning acceptance to London's Middlesex University to study for her master's, Sreedharan volunteered at Tenaganita. She liked it so much that after completing master's degrees in criminology and forensic psychology, she started working for the group full-time.

While in Minnesota, Sreedharan is volunteering at the American Refugee Committee and interning at Catholic Charities. The focus at the latter organization is on labor trafficking, which is also a problem in Malaysia. Middle- and upper-income families there (as here) often hire domestic help from other countries,

1 LL.M. and exchange students and staff go bowling in January

2 2Ls Mariam Mahmood, Angelica Ramirez and Tenzin Pelkyi speak at the Diversity Week kickoff event in March

3 Caitlinrose Fisher ('15) speaks with Judge Mary Vasaly ('83) at the Women's Law Student Association's annual women's judicial luncheon in February

4 TORT musicians amaze at this year's show, *Clue: A Murder Mystery in Mondale*

5 Asylum Law Project members take a trip to Washington, D.C., in January. From left to right, Luke Gagnon ('16), James Meinert ('16), Senator Al Franken, Allison Rochford ('16), and Jeff Bruno ('16)

6 LL.M. and exchange students and staff go ice skating in February



but fail to give them days off or pay them adequate wages. When Sreedharan learns of such abuses, she confronts the employer face-to-face. Police officers accompany her, but they wait nearby, often out of sight. So far Sreedharan's enforcement visits haven't resulted in violence. "I have not gotten hit before, but there is a very real possibility," she says.

Sreedharan also has been studying a St. Paul-based nonprofit called Breaking Free—particularly its Offenders Prostitution Program, also known as "John School," a restorative justice project that aims to stop men from buying women for sex.

"[At home] we rescue the women, but the men go scot-free," she says. "I want to see if I can start something like this in Malaysia."

HUI YU

LL.M. Class of 2014

Hui Yu grew up in the Henan Province of China, a rural area far from the country's power centers in Beijing and Shanghai. Although his parents weren't poor, they



remembered tough times, which is why his mother reminded him to finish every meal.

"You need to eat what you have in your bowl," she said.

At 17, Yu left his village for Xinyang Teachers College to study politics. The typical career path for such a graduate is high school instructor, but Yu yearned for more. "I didn't want to be that hometown teacher," he says.

So he headed to Beijing, where he earned a law degree at Renmin University, the nation's top-ranked school. While he may not have been

at the head of his class, he rarely stopped working. "I'm not number one or number two, but I study hard, I try my best," he says. "I don't give up."

That quality of perseverance has enabled Yu to receive ever-greater levels of responsibility in his law career. Yu's first job as an attorney was for a Chinese intellectual property firm, where he focused on trademark protection for pharmaceutical companies. After three-plus years, he took a position with a U.K.-based firm and worked to protect brands such as Dove Chocolate and Motorola from local copycats.

At both law firms, he led dozens of raids on Chinese companies that were manufacturing lookalike products to be sold under the names of successful Western brands. Such actions sometimes resulted in threats from angry businessmen, but Yu didn't back down.

"I am not wrong," he says. "I am protecting my client."

Yu's tenaciousness landed him a job at Bayer, the German pharmaceutical

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giant. He's worked at the company's offices in Beijing and Shanghai for the past six years. He still raids intellectual property rustlers, but he's also gained courtroom experience in trademark infringement cases.

As a college student and a practicing lawyer, Yu has worked hard to improve his English skills. After completing his LL.M. degree, however, he won't seek a job in the United States. Yu's wife and four-year-old son are home in Beijing, and his goal is to return there and work as in-house legal counsel for a multinational firm, preferably a U.S.-based one. "I want to experience the culture of an American company and continue to learn about the American legal system," he says.



DESMOND READY

Class of 2014

Although he's not a rock climber or rugged outdoor adventurer, Desmond Ready has always gotten a kick out of visiting America's great parks. While living in the Southwest, Ready often made day trips to see the giant cacti at Saguaro National Park in Arizona or the dunes at White Sands National Monument in New Mexico.

Soon he'll be taking a job that may have him defending such national treasures against environmental threats. After graduating from the Law School this spring, Ready begins work at the U.S. Department of Justice's Environmental and Natural Resources Division in Washington, D.C.

"If lands are threatened, it's lawyers that can protect them," Ready says.

Working as a legislative aide at the Colorado State Senate, Ready saw firsthand how attorneys fought for

change by drafting legislation, lobbying and casting votes. "I saw a lot of lawyers doing it, and I wanted to be a part of it," he says.

That's when pursuing a legal education became foremost in his mind. Previously, Ready had considered a career in the military. He joined the Air Force (the branch in which his father had served) while still in high school, and he later worked in military intelligence, analyzing threat assessments to American forces in combat zones. He also learned to fly planes at civilian flight schools in the South.

At one point Ready had wanted to become an Air Force pilot, but less-than-perfect vision put an end to that dream. "It was a big disappointment," he says.

Still, for all its allure, flying lacked intellectual heft, something Ready had always craved. Which is why studying the law—and applying it in the real world—seems like the perfect fit for the restless Ready. He studied environmental law with Professor Bradley C. Karkkainen at the Law School and found his passion for the outdoors rekindled. As a teenager in St. Charles, Minn., Ready participated in 4-H, raising sheep. While attending the Law School, he returned to southern Minnesota to help citizens fight proposed silica sand mines near his hometown.

Says Ready, "When citizens are able to access the legal system, the positive change that can result is amazing."

ANN MOTL

Class of 2015

When she entered the Law School, Ann Motl had no desire to become a litigator. "I thought they were jerks that yelled at people," she says.

Two things changed her mind.

The first was a civil litigation class taught by Professor Bradley G. Clary ('75), a seasoned litigator who brought real-world experience into the classroom. Without yelling. "He's the coolest ever," Motl says.

The second was her discovery of patent litigation, an intellectual property specialty that leverages her understanding of mechanical engi-



neering, her undergraduate major at the University of St. Thomas in St. Paul.

After all, mechanical engineering is about inventing stuff that works, which is helpful to the litigator who is defending a client's patent or challenging unsubstantiated claims by a competitor. Either way, Motl is drawn to this detailed, nuanced world.

That's evidenced by the title of a 45-page article she hopes to publish in the *Minnesota Law Review*: "Inter Parties Review: Ensuring Effective Patent Litigation Through Estoppel."

Motl grew up on a dairy farm near Staples, Minn., where her parents milked a herd of 80 cows every morning and evening. Her mother was a veterinarian who encouraged her to explore science. She did just that, mostly through 4-H. Her final project featured 3-D modeling.

A few years later, her senior project at St. Thomas involved the design and assembly of a device that measured the viscosity of hydraulic fracturing fluids used in the oil and natural gas industry. After completing her undergraduate degree, Motl worked as a public policy associate at the American Society of Mechanical Engineers in Washington, D.C.

These days, Motl is steering her career away from policy and toward patent litigation. During spring semester, she tackled courses in Patents, Biotechnology Patents and Winning Patent Litigation. In May, she returns to the Minneapolis office of Fish & Richardson, a global intellectual property, litigation, and technology firm, to work as a summer associate for the second year in a row.



RAJIN OLSON

Class of 2016

As an undergraduate at Iowa State University, Rajin Olson studied civil engineering and Spanish. One day, he decided he could do more. So the double major added an emphasis in international studies and became a triple major.

He also kept busy outside the classroom, participating in student government, serving on the board of the university's Memorial Union, and singing in a men's a cappella group. Oh, and he danced on a bhangra team—bhangra being a high-energy

style of folk dancing that originated in the Punjab region of India, Olson's mother's home.

"I like to do a lot of things," he deadpans.

As a college freshman, Olson thought he might follow his father's career path into engineering. But it wasn't a structurally sound fit for him. "I realized I didn't want to be an engineer," he says. "I want to work more with people. I want to think different ways, not just solve equations."

So the Cedar Rapids, Iowa, native immersed himself in the world's cultures, mostly by mastering Spanish, dabbling in Punjabi, and diving into classes on international relations. He's studied in Valencia, Spain, and recently volunteered for a nonprofit organization in Guatemala.

Those experiences pushed his fluency to new levels.

During this year's winter break, Olson traveled to El Paso, Texas, to do volunteer work with the Asylum Law Project (a Law School student organization of which he is also the president). The assignment had him

chatting with his Mexican-American clients in Spanish. In fact, he might have been a tad too comfortable in the language. One day in court, he asked his client a question without waiting for the interpreter to tell the rest of the courtroom what was being discussed.

As his first year at the Law School draws to a close, Olson is looking forward to working as a summer associate at the Minneapolis office of Norton Rose Fulbright, a law firm that employs more than 3,800 lawyers in 50 cities around the world. The position will include a stint at the corporate headquarters of General Mills.

Despite a hectic schedule, Olson is immersing himself in the local bhangra scene, dancing and choreographing moves for Twin Cities Bhangra, a University of Minnesota student group. "It's so energetic," he says. "I feel alive when I'm doing it." ■

By Todd Melby, a freelance writer and radio producer based in Minneapolis



Left to right: Judge Ann O'Reilly ('96), Judge Pamela Alexander ('77), Judge Heidi Schellhas, Judge Kristin Siegesmund ('80), Judge Louise Bjorkman ('85), Judge Renee Worke, Judge Mary Vasaly ('83), Judge Elizabeth Cutter, Judge Janet Poston ('83), Chief Justice Lorie Gildea, Judge Carol Hooten, Judge Natalie Hudson ('82), Judge Kathleen Sanberg ('82), Judge Laurie Miller, Judge Margaret Chutich, Judge Kathleen Sheehy ('84), and Judge Kathryn Quaintance.

Learning OVER Lunch

On February 25, the Women's Law Student Association hosted its annual women's judicial luncheon, which gives female law students an opportunity to speak with and learn from prominent female judges in Minnesota. Approximately 25 students and 17 judges attended, including Minnesota's Chief Justice, Lorie Gildea, who attends every year. Associate Dean Sharon Reich Paulsen welcomed the women, and after the judges introduced themselves, the students and judges dispersed at tables and had a discussion over lunch.

NEW JOURNAL EDITORS

> *ABA Journal of Labor & Employment Law* (Vol. 30)

Editor in Chief: Brittany Mitchell
Lead Managing Editor: Drew Kuettel

> *Minnesota Law Review* (Vol. 99)

Editor in Chief: Karianne Jones
Symposium Editor: Carla Virlee
Lead Articles Editor: Caitlinrose Fisher

> *Minnesota Journal of International Law* (Vol. 24)

Editor in Chief: Allison Don
Symposium Editor: David Plabian
Lead Articles Editor: Brian Kennedy
Executive Editor: Leah Leyendecker

> *Law & Inequality: A Journal of Theory and Practice* (Vol. 33)

Editor in Chief: Evan Gelles
Executive Editor: Bethany Hurd
Symposium Editor: Mike Petre

> *Minnesota Journal of Law, Science & Technology* (Vol. 16)

Editor in Chief: Alison Key
Symposium Editor: Alex Vlisides
Lead Articles Editor: Ke Huang

STUDENT NEWS AND AWARDS

Matthew Hu ('14) Wins Federal Bar Association Award for Tax Law Writing



Matthew Hu ('14)

In February, Matthew S. Hu ('14) was awarded first place in the Federal Bar Association's annual Donald C. Alexander Writing Competition for his article "Fine-Tuning the Tax Whistleblower Statute: Why *Qui Tam* Is Not a Solution." As the winning author, Hu received \$2,000 and a trip to the FBA Section on Taxation's annual tax law conference in Washington, D.C. His article will be considered for publication in the FBA magazine, *The Federal Lawyer*, or the Section on Taxation's newsletter, *Inside Basis*.

The Alexander competition is open to any full- or part-time J.D. or LL.M. student who submits an original paper concerning federal taxation. "I was delighted to hear of Matthew's achievement," said Professor Kristin Hickman, a federal tax expert who, along with Professor Stephen Cribari, advised Hu as he worked on the article. "He deserves recognition both for writing the piece and for showing the initiative to enter it. Don Alexander was admired by tax attorneys nationwide. By winning the competition established in Alexander's honor, Matthew shines a positive light on his own abilities and on the Law School."

In summarizing his article, Hu said, "Current tax law offers little protection for whistleblowers whose

claims are ignored or handled sluggishly by the IRS. Some commentators have argued for reinforcing whistleblowers' rights by adopting *qui tam* provisions"—which allow a private person to sue a tax code violator on behalf of the U.S. government. "However, I have critiqued this argument and offered an alternative solution, by reinforcing the existing tax court appeal right and by permitting use—albeit limited—of taxpayers' confidential information."

Hu has been a student attorney at the Law School's Insurance Law Clinic since September 2013, and he is a staff member of the *Minnesota Law Review*. He has served as a judicial intern with U.S. District Court judge Ronald A. Guzman in Illinois and Minnesota District Court judge William H. Koch in Minneapolis. He earned his LL.B. at Seoul National University College of Law in 2010. After completing his second year at the University of Minnesota Law School, Hu worked during the summer in Seoul as a law clerk at Kim & Chang, Korea's largest law firm, and as a research assistant for the Strategy & Operations Group at Deloitte Consulting.

"I was both honored and greatly surprised by the news [of the award]," Hu said. "Although I enjoyed the writing process, I never could have imagined that the paper would actually bring me a prize. I thank Professor Hickman for suggesting the topic, for her guidance and inspiration on the project, and for sharing her passion for tax law. I also thank Professor Cribari, who helped me come up with creative solutions to the problem."

Law School Team Shines at ABA National Negotiation Competition

On Feb. 8, at the ABA Midyear Meeting in Chicago, the University of Minnesota Law School Corporate Institute student team of Christie Sullivan ('15) and Dan Hegg ('16) placed third overall in the ABA



Helen Winder, Christie Sullivan ('15) and Dan Hegg ('16)

National Negotiation Competition. The final round of the event was lively, suspenseful, and very close, with the second-, third-, and fourth-place finishers each separated by a single point.

The annual competition begins in November with more than 200 teams from law schools across North America participating. Twenty-four teams that have won first or second place in regional matchups then travel to the national finals in February. On the first day of finals there are two rounds of negotiation, reducing the field to 16 teams. On the second day there are also two rounds; the first reduces the field to 8 teams, which then compete for the championship. Only the top four places are announced.

This year's order of finish was:

- 1st—Lewis & Clark Law School
- 2nd—University of Houston Law Center
- 3rd—University of Minnesota Law School Corporate Institute
- 4th—Washington & Lee University School of Law

The Sullivan-Hegg team's road to the top four was complicated by the fact that its coach, adjunct associate professor Helen Winder, was unable to be in Chicago, due to a leg injury that prevented her from traveling. All the same, said Winder, "we were in constant contact during nationals. I coached the team remotely by phone, text, email, and Skype. They put in an extraordinary effort, with four intense negotiation sessions over two days. I am very proud of their hard work and accomplishment." ■



TORT GETS A *CLUE*

THE LAW SCHOOL'S THEATRE OF the Relatively Talentless (TORT) exhibited mischief, madness, murder, and mayhem in its 12th annual musical parody, *Clue: A Murder Mystery in Mondale*, presented March 7 and 8 at the Pantages Theatre in downtown Minneapolis.

As “Wadsworth,” 3L Phil Black solved the mystery (in three different ways) with the help of eight additional cast members. Sixteen talented song-and-dance performers, 40 chorus members and 13 pit musicians added to the showbiz atmosphere.

Professor Judith T. Younger continued her record of appearing in every production since TORT's inception. Other scholarly participants were Professors Brad Clary ('75) and John Matheson and Deans David Wippman and Erin

Keyes ('00). Minnesota Supreme Court Justice G. Barry Anderson ('79), Judges John R. Tunheim ('80) and Mary R. Vasaly ('83), and University President Eric Kaler made the cameo appearances that have become a favorite TORT tradition.

Like all TORT productions, *Clue: A Murder Mystery in Mondale* was written, performed, and produced entirely by Law School students. Dan Weber ('14) headed the 13-writer team that created the script, choreographer Kelsey Thorkelson ('14) masterminded the dances, and music director Glenn Greenberg ('14) conducted the beautiful music.

Critical behind-the-scenes contributors included costumer Courtney West ('14) and technical director Kirsten Selvig ('14), who headed the set-construction crew. Mathew Morrison ('15) directed

the action, and Sarvesh Desai ('14) and Leon P. Wells IV ('15) put it all together.

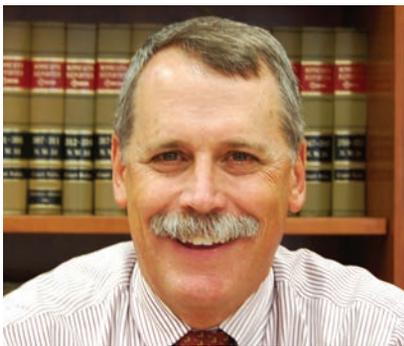
The Law School gratefully acknowledges 2014 corporate sponsors Stinson Leonard Street; Briggs and Morgan; Dorsey & Whitney; Faegre Baker Daniels; Shumaker & Sieffert; Fredrikson & Byron; Robins, Kaplan, Miller & Ciresi; Thompson Reuters; Themis Bar Review; BARBRI; and LexisNexis. Special thanks for continued support also go to the Law School's Admissions Office, Advancement Office, Communications Office, Student Organizations Office, Career Center, Educational Technology, Law Council, and the University's Graduate and Professional Schools Assembly. ■

By Sarvesh Desai ('14)

Alumni Perspective



ALUMNI PROFILES



JAMES SWENSON

Class of 1976

“Family law was never on my radar,” admits Judge James Swenson, who nevertheless became a beacon of innovation in Hennepin County’s Family Justice Center, where he joined Family Court in 1997 and has since earned numerous service, professionalism and judicial improvement accolades.

After a long stint as a business trial lawyer with Mackall, Crounse & Moore, Swenson joined the bench in 1995. But presiding over criminal courts did not resonate with him, and opportunities for a civil block were far off. He jumped at the chance to join Family Court, which presented some of the challenging issues he had enjoyed as a civil litigator, such as complex business evaluations and property appraisals that required detailed, well-written opinions.

“As a judge presiding over criminal trials, you often need to be kind of a potted plant. You can respond to objections but you can’t intervene,” he said. “Putting aside the subject matter”—families in crisis—“and a system that really didn’t treat families well, some of the issues were intellectually very challenging. I liked writing about them. I was definitely

not a potted plant in Family Court.”

The system, however, was flawed. “Every case I saw was already 15 to 18 months old and terribly acrimonious. Trials were just awful. People hired the meanest pit bull they could find on the street, and the other side reciprocated. Every issue was litigated to the nth degree,” he said.

He implemented changes in his courtroom, including nontraditional methods for handling expert opinions he’d learned as an arbitrator, then developed systemic innovations. Among these was the Initial Case Management Conference (ICMC), which allows judges to set a family-friendly tone and broker deals. In the first year, ICMCs reduced his filing-to-disposition time by 45% and trial days by 35%.

Social Issue Early Neutral Evaluations (SENEs), conducted by

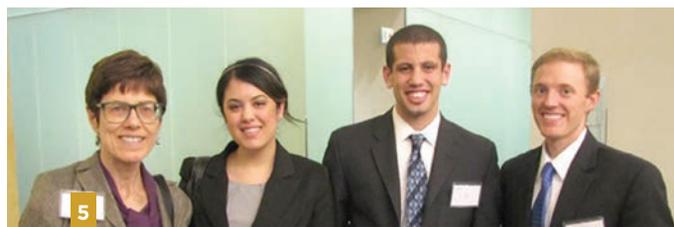
1 David Potter ('80) was a guest speaker in the Corporate Counsel Law class.

2 Washington, D.C. Alumni Breakfast, March 13, 2014: Maisa Jean Frank ('10), Joseph Cappola ('09), Patrick Hedren ('10), Bianca Blomquist (CLA, '09), Congressman Keith Ellison ('90)

3 Nearly 200 alumni and students gathered at Kieran's Irish Pub in Minneapolis for a happy hour before the TORT performance on March 8, 2014.

4 Arne Sorenson ('83) speaking to the students in the Leadership Foundations Program in January

5 Chicago-Area Alumni Reception, November 19, 2013: Jean Janes ('93), Erin McDonald ('13), David Hanna ('13), Matthew Ebert ('06)



a male/female team to eliminate gender bias, drastically shortened child custody/family issue evaluation sessions and nearly tripled settlements. They were so popular that key family bar members applied similar strategies to financial issues. That several states and Canadian provinces have adopted these processes “has been very rewarding,” says Swenson. “I was not enamored with the idea of refereeing disputes between parents who would rather scratch each other’s eyeballs out.”

MARY RANUM

Class of 1983

Self-dubbed “the Queen of Indecision,” Mary Ranum wasn’t sure where her law degree would lead her. Her year’s clerkship with the Minnesota Supreme Court pointed toward transactional law, and the two years she spent as a banker between college and law school suggested business law. Otherwise, her career was up for grabs.

“Everything I touched, I enjoyed doing,” she recalls. So when a Fredrikson & Byron recruiter told



her in 1984 that the firm’s real estate group needed an associate, she met with them. “Those five guys were great,” she says. So real estate it was, and a pioneer she became.

“At that time it was unusual for women to be in law firms, and even more so in real estate and development,” she says. “It has dramatically improved, but it was definitely a male-dominated industry and to a great extent still is. Construction is not a business women flock to.”

Clearly it was a good fit. A member of Fredrikson & Byron’s Real Estate and Bank & Finance Practice Groups and the recipient of numerous industry honors, Ranum is known

for building strong teams and nurturing long-term relationships with well-known companies such as Buffalo Wild Wings, her client since 1994. She enjoys the variety her job provides, despite its boring parts.

“Reading leases is not very exciting,” she chuckles. “But you can’t negotiate if you haven’t read the document. I love to negotiate. I like the process of give and take, of finding creative solutions that achieve the goals of both sides. I like reflecting a complex agreement in words that are clear and cover all possible nuances.”

She currently chairs the board of directors at her firm, whose history, culture and approach to practice she admires. “We’re leaders among equals,” she says of the non-hierarchical structure that nurtures longevity such as hers.

Yet family, she explains, has been even more essential to her career success. She attended law school with her brother, Arne Sorenson ('83), now president and CEO of Marriott International, and brother-in-law Robert Ranum ('83), now

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her partner at Fredrikson & Byron. Most proud of her two daughters and supportive husband, she says it was “critically important to have a family structure that was solid and wonderful.”



RONALD C. WHEELER

Class of 1984

“Life is full of surprises,” muses Ron Wheeler, “and mine have mostly been pleasant ones.” The senior vice president for content protection with Fox Entertainment Group never set out to fight pirates, but he embraced whatever swashbuckling adventures came his way.

When he applied to the Department of Justice’s Antitrust Division for a second-year law school internship, he didn’t make the first cut. He wasn’t even first on the waiting list. But when, in those pre-email days, the leading candidate dropped out, Wheeler was the first one who happened to be at home to pick up the phone and accept the post.

“It was a tremendous experience for me,” he recalls, and it led to corporate antitrust positions at New York firms Shearman & Sterling and Weil, Gotshal & Manges. He became a specialist—one of very few—in a Depression-era statute, the Robinson-Patman Act, and that expertise landed him, in 1994, at 20th Century Fox’s home video division in Los Angeles, where more surprises waited.

Hollywood wasn’t the shark-infested pool he expected. Instead, he discovered big-studio camaraderie, loyalty, opportunity, and a new specialty: copyright protection. Thanks to his experience representing such companies as Panasonic in

the DVD format wars, plus his in-house work on copy protection technology, Fox chose him to lead the battle against Internet-based piracy, launching his four-person department in 2001.

“We kept our fingers in the dikes as best we could,” he says. “Thankfully, with great company support, we’ve been adding people ever since. We’re up to 19 now.”

Technology expansion remains rapid. Although some developments are positive, such as the ability to fingerprint copyrighted work, “most are not so beneficial,” he says. “It keeps us in full employment. Every day I get up to a different challenge, a different set of problems with a different set of solutions. It’s never dull.”

“So many of my peers, from New York firms in particular, did not enjoy law school and very commonly went on to not enjoy being lawyers,” he adds. “I really did enjoy my law school experience at the U. And it’s hard for me to think of something in the legal world that has more appeal than solving the fiendishly difficult puzzle of copyright infringement.”



MATTHEW MELEWSKI

Class of 2008

Matthew Melewski wants to pursue cases that make a difference, and in a way that portends the future: via the cloud. That’s why he established The Boutique Firm last November, after six years of large-firm experience at Hunton & Williams in Washington, D.C., and Leonard, Street and Deinard in Minneapolis.

Both firms allowed him to do pro bono work, such as a Minnesota Court of Appeals case that established,

for the first time, that immigration status is not an appropriate basis for a child custody determination. “But important cases require enormous time and resources,” he says. “It’s difficult to balance them in a firm setting, where you have mandatory billable hour requirements.”

Instead of a traditional practice model, Melewski envisions one that eliminates “an office, views, boardrooms and 200 associates,” that meets clients where they are and thrives on litigation disputes that don’t require massive discovery or resources. And while such law-practice basics as maintaining a good reputation and generating business are the same, other aspects—technology, for one—have changed dramatically in the past five years.

Melewski cites another: “The value proposition. When the market started to tank, there wasn’t as much focus on legal expenditures as a cost of doing business, but now it’s easier to convince executives and corporate counsel that they can get the same quality for far less money. At the end of the day, we’re service providers. We like to think of ourselves as more, but from a business standpoint, we’re just another division with a budget.”

Armed with a laptop, an online library, and a sophisticated cloud-based filing and billing system, he focuses on state and federal court litigation and environmental law. Clients range from national and international industry groups to a pro sports team and a Guantanamo detainee. He has already added one attorney and hopes for more, licensed to practice in different jurisdictions and able to accomplish from a laptop what they could from a big-city building.

“I’ve been lucky so far,” he says, hopping recently from Dallas to D.C. to Ottawa and Albany. “Basically, every aspect of my office is available wherever I am. I’m looking forward to more cases with significant impacts on civil liberties and vulnerable communities.” ■

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

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TUESDAY, MAY 27, 2014

A Primer in Data Privacy Law

8:30 a.m.-4:30 p.m. with Professor William McGeeveran

WEDNESDAY, MAY 28, 2014

Hot Topics at the Energy-Environment Interface

8:30 a.m.-4:30 p.m. with Professor Hari M. Osofsky

THURSDAY, MAY 29, 2014

Selected Topics in Unfair Competition and Business Torts

8:30 a.m.-4:30 p.m. with Professor Thomas F. Cotter

FRIDAY, MAY 30, 2014

Accounting and Finance for Lawyers

8:30 a.m.-4:30 p.m. with Professor Edward S. Adams

SATURDAY, MAY 31, 2014

The Constitution in a Conservative Court

8:30 a.m.-4:30 p.m. with Professor Dale Carpenter

MONDAY, JUNE 2, 2014

Hot Topics in Contract and Commercial Law

8:30 a.m.-4:30 p.m. with Professor Brian Bix

TUESDAY, JUNE 3, 2014

Hot Topics in Corporate Law

8:30 a.m.-4:30 p.m. with Professor Claire A. Hill

WEDNESDAY, JUNE 4, 2014

Recent Developments in Immigration Law: Asylum, Detention and Immigration Reform

8:30 a.m.-4:30 p.m. with Professor Steve Meili

THURSDAY, JUNE 5, 2014

Ethics Issues in Representing Business and in Managing Law Firms

8:30 a.m.-4:30 p.m. with Professor Richard W. Painter

FRIDAY, JUNE 6, 2014

Chevron and Beyond: Administrative Law Review and Update

8:30 a.m.-4:30 p.m. with Professor Kristin Hickman

SATURDAY, JUNE 7, 2014

(a.m.) Ethics Update and Dealing with Bias as a Matter of Ethics

(p.m.) Dealing with Differences: Serving Immigrant Communities

9:00 a.m.-3:00 p.m. with Professor Carl M. Warren ('75)

For more information about Summer CLE and other CLE events, visit:

www.law.umn.edu/cle/index.html

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CLE CREDIT: 6.5 standard credits for each course
May 27 - June 4 and June 6
1.5 standard and 5 ethics for June 5
3 ethics (a.m.) and 2 bias (p.m.) for June 7

ALUMNI NEWS AND AWARDS

David Etwiler ('90) to Lead the Siemens Foundation



David Etwiler ('90) was named CEO of the Siemens Foundation on October 22, 2013. In the newly created position, Etwiler is responsible for overseeing day-to-day operations while implementing a strategic vision that expands the foundation's reach and impact. The foundation's mission is to support innovation, research, and educational initiatives in science, technology, engineering, and mathematics (STEM); it provides more than \$7 million annually to enhance STEM education in the United States.

In making the announcement, Jim Whaley, chairman of the Siemens Foundation and senior vice presi-

dent of corporate communications for Siemens Corp., said, "David's extensive experience in corporate philanthropy and his unique understanding of the intersection of business and society will enable the foundation to explore new ways to bring people, products, and programs together. At a time when STEM jobs are growing three times faster than non-STEM jobs, the Siemens Foundation is committed to supporting the development of the inventors and innovators of tomorrow."

Etwiler came to the Siemens Foundation with more than 15 years of experience in both corporate and healthcare foundations. Most recently, he served as executive director of Decade of Discovery in Diabetes, a partnership between the Mayo Clinic, the University of Minnesota, and the state of Minnesota. Before that, he was vice president of community affairs and executive director of the Medtronic Foundation. In addition to working in leadership capacities at nonprofits and foundations in Minneapolis, Etwiler practiced law in the areas of charitable giving and

nonprofit management.

"I really couldn't be more excited to be joining the Siemens team," Etwiler said. "Siemens has such a rich history of creating products to improve individual lives and society, and the foundation is already a recognized leader in STEM education. The opportunity to further advance the full spectrum of assets at the Siemens Foundation is an amazing opportunity."

Nicole A. Engisch ('90) and Carolina A. Lamas ('03) Appointed to Hennepin County Bench



In December 2013, Governor Mark Dayton named five new judges to Minnesota's Fourth Judicial District

RECENT REGIONAL EVENTS

ALUMNI CONNECT NATIONWIDE

Alumni across the country joined Dean David Wippman and regional alumni ambassadors at receptions in honor of the Law School's 125th anniversary. Dean Wippman shared updates on curricular innovations and future plans while alumni enjoyed socializing and networking.

- 1 Kirkland & Ellis hosted a Chicago-area reception for alumni, friends and Dean Wippman.
- 2 Sitso Bediako ('08) and Lindsay Moilanen ('09) welcome alumni to a New York-area alumni reception at Alston & Bird.
- 3 Elizabeth Karan ('12), Katie Evans, Chris Walker ('11), Stuart Gibson ('76), Congressman Keith Ellison ('90) and Joseph Russell ('95) gather at the Rayburn House Office Building on Capitol Hill.
- 4 Regional alumni ambassador Maisa Jean Frank ('10) welcomes attendees to the alumni breakfast in Washington, D.C.



bench, two of whom are Law School alumni. The Fourth District encompasses Hennepin County and carries the highest caseload in the state.

At the time of her appointment, Nicole A. Engisch ('90) was serving as an assistant U.S. attorney and the chief of the criminal division at the Office of the United States Attorney for the District of Minnesota, where her duties included criminal prosecution and staff management. Previously she litigated commercial and intellectual property cases at Minneapolis-based Leonard, Street and Deinard, where she was a shareholder and a member of the board of directors. Engisch is a former board member of the Volunteer Lawyers Network and the Harriet Tubman Center, and she volunteers with a branch of the Catholic Charities Opportunity Center.

Prior to being named a judge, Carolina A. Lamas ('03) devoted her career to criminal defense. She served as the executive director and chief attorney for the Neighborhood Justice Center in St. Paul, representing low-income individuals charged with felonies, misdemeanors, and probation violations. She previously

worked for four years at the Ramsey County (Minn.) public defender's office. Lamas is a former vice president of the American Civil Liberties Union of Minnesota and a former president of the Minnesota Hispanic Bar Association. She serves on the board of directors of Tempo of the Minnesota Opera.

In announcing the judgeships, Gov. Dayton said, "These five new judges were selected from over 70 well-qualified applicants. [They] are all highly accomplished legal professionals. I am confident that they will serve very well the citizens in the Fourth Judicial District."

Erin McDonald ('13) Wins Healthy Young America Video Contest

The White House announced in December that Erin McDonald ('13) had won the overall grand prize in the Healthy Young America Video Contest. The contest was launched in August 2013 by Young Invincibles, an advocacy group, in partnership with the U.S. Department of Health and Human Services, as a means of mobilizing young people to help educate and inform one another



about the Affordable Care Act. In her video, McDonald performed a song called "Forget About the Price Tag" (a parody of "Price Tag" by the popular singer/songwriter Jessie J). To watch the video, go to www.WhiteHouse.gov and enter "Erin McDonald" in the search box.

Since graduating from the Law School, McDonald has been a post-graduate fellow at the Chicago Law Department, whose 270-some attorneys provide legal advice and municipal code expertise to the city's agencies and officials. She also works at the Illinois State Bar Association as a production coordinator for its CLE webcasts. In May she'll be leaving both of those roles for a position as a program analyst for the U.S. Department of Defense. ■

IT'S ALWAYS (A LAW SCHOOL) HAPPY HOUR SOMEWHERE!

Alumni socialized and networked at informal happy hours hosted by regional alumni ambassadors in Chicago, Los Angeles, Washington, D.C., New York, and San Francisco during the month of March. Several of the events were held in coordination with the Law School's Office of Admissions to provide an opportunity for admitted students to talk to alumni about their law school experience and career paths since graduation. In San Francisco, the happy hour was held jointly with area graduates from the University's Carlson School of Management—a chance to network with an even broader group of Gopher alumni.

If you live in one of these regions, email lawalum@umn.edu to make sure you are on our regional listserv.



3 Washington, D.C., March 13, 2014



4 Washington, D.C., March 13, 2014

Class Notes

NEWS ABOUT YOUR CLASSMATES AND COLLEAGUES

1947

David R. Brink, a member of the American Bar Association's House of Delegates, was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

1954

Ronald M. Mankoff was honored by the Jewish Federation of Greater Dallas for his dedicated support of Jewish education in the greater Dallas community.

1957

Ron I. Meshbesh, founder and president of Meshbesh & Spence in Minneapolis, was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

1966

Charles H. Andresen has joined Hanft Fride in Duluth, Minn., as part of the real estate team.

1971

Michael V. Ciresi, a partner at Robins, Kaplan, Miller & Ciresi in Minneapolis, was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

1972

James C. Erickson was recognized in *Best Lawyers in America 2014* for his work in personal injury law. He works with his son at Erickson Bell Beckman & Quinn in Roseville, Minn.

1973



Judith Bevis Langevin joined Stinson Leonard Street in Minneapolis as a shareholder working in the firm's labor and employment practice.

1974

Joseph M. Goldberg, assistant general counsel/director of legal services at Sentry Insurance, was chosen as its 2013 inductee for the Sentry Wall of Fame.

Michael O. Freeman, Hennepin County Attorney, was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

1976

Robert Bennett, a partner at Gaskins Bennett Birrell Schupp in Minneapolis, was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

William L. H. Lubov, a partner at Lubov & Associates in Minneapolis, was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

1979

Peter A. Gilbertson has been named president and chief executive officer of Anacostia Rail Holdings Inc. a firm that owns and operates freight railroads in New York, Illinois, Minnesota, Indiana and California.

1981



Kevin C. Busch was elected to a three-year term as a member of the board of directors of Moss & Barnett in Minneapolis.

Elizabeth D. Moran was named vice president of legal affairs for Blue Cross and Blue Shield of Minnesota.

1982



Thomas J. Conlin became a fellow of the American College of Trial Lawyers.

1983

Ken J. Erler was named senior vice president and chief administrative officer at Sentry Insurance.

Judge Mary R. Vasaly was named a 2013 Attorney of the Year by *Minnesota Lawyer* for her work as co-founder and past president of the Infinity Project.

1985



Timothy R. Baer, executive vice president, general counsel and corporate secretary for Target Corp., was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

David W. Beehler, a partner at Robins, Kaplan, Miller & Ciresi in Minneapolis, was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

Lonny D. Thomas started his own firm, Thomas & Severson, with offices in Crosslake and Baxter, Minn. His practice focuses on real estate, business law, and mediation services.

1987

Felicia J. Boyd, a partner at Barnes & Thornburg in Minneapolis, was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

1988

Mark D. Fiddler of Fiddler Law Office in Minneapolis was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

Toni L. Halleen was promoted to co-owner of Schaefer Law Firm, now Schaefer Halleen, in Minneapolis.

1989



Barbara J. Duffy was appointed chair of the American Health Care Association's legal committee.

Daniel E. Gustafson of Gustafson Gluek in Minneapolis was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

Molly J. McCarragher was hired as vice president, personal trust manager, with Associated Bank in Madison, Wis.

1990



Nicole A. Engisch was appointed a district court judge in Minnesota's Fourth Judicial District.

David D. Etzwiler was named the CEO of Siemens Foundation, which provides funding to support innovation, research, and educational initiatives in the areas of science, technology, engineering, and mathematics.

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, 2014. Submit your news 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!

Leah C. Piersol was appointed to lead the University of South Dakota School of Law's enhanced experiential practice opportunities and will serve as the new career services manager.

1992

Jeanette M. Bazis, an attorney at Greene Espel in Minneapolis, was named a 2013 Attorney of the Year by *Minnesota Lawyer* for her leadership as president of the Infinity Project.

Daniel Oberdorfer, a shareholder at Stinson Leonard Street in Minneapolis, was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

Jennifer Reedstrom Bishop, a principal at Gray Plant Mooty in Minneapolis, was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

1994

Matthew D. Forsgren joined Greene Espel in Minneapolis as a partner. He focuses on business litigation, internal investigations, and white collar criminal defense.

Jessica L. Jackson was awarded a Bush Fellowship to pursue a master's degree in psychology and to develop a community-based program to increase engagement and well-being among African Americans in Minnesota and the Dakotas.

1995

Paul A. Banker joined Sweeney & Masterson in St. Paul. He focuses on defense of railroad and corporate clients.

Jennifer L. Frisch was appointed a district court judge in Minnesota's Second Judicial District.

Lori J. Ketola joined the University of Minnesota as the

chief health information compliance officer.

1997



John J. Bursch, a partner at Warner Norcross & Judd in Grand Rapids, Mich., was recognized by *Michigan Lawyers Weekly* as one of its 2014 Leaders in the Law.

1998



Thomas W. Beimers was named a partner at Faegre Baker Daniels in Minneapolis. He focuses on regulatory, compliance, and health care fraud issues.

CONT >



GRADUATE AND STUDENT NETWORKING RECEPTION JANUARY 15, 2014

Nearly 80 recent alumni and current and admitted law students attended a networking reception and happy hour at Mason's Restaurant Barre in downtown Minneapolis on January 15, 2014. This event was hosted by the Office of Advancement and alumni Bryan Browning ('08), Rachel Brucker ('09), and Matt Pelikan ('12).

- 1 Phillip Kitzer ('09), Darren Sharp ('07), Peter Christian ('11)
- 2 Henry Pfutzenreuter ('10), Patrick Lofton, Stacy Kaye ('10), Erica Davis ('12)

Class Notes

< CONT

Christopher J. Bellini joined Cozen O'Connor in Minneapolis as a member of the corporate law department.

Stacey Drentlaw joined Leonard, O'Brien, Spencer, Gale & Sayre in Minneapolis. She specializes in product liability, railroad litigation, and regulatory compliance.

Danyll W. Foix was named a partner with Baker-Hostetler in Washington, D.C., where he is a member of the firm's litigation group.

Brian A. Manson joined the California Association of Realtors as its managing corporate counsel in October 2012.

Mark A. Zitzewitz was named a 2013 Attorney of the Year by *Minnesota Lawyer*. Zitzewitz also started a new position at TCI Business Capital in Burnsville, Minn., as the senior vice president of risk management and general counsel.

2000

Ralf D. Wiedemann was elected to the executive committee of the Consular Corps Association of

Philadelphia. He is an associate at Montgomery McCracken Walker & Rhoads in Philadelphia.

2001

Blong Yang was elected to the Minneapolis City Council, representing Ward 5, in the 2013 city elections.

2002



Kathy Y. Allen has joined Moss & Barnett in Minneapolis as an attorney on the real estate team.



Julie L. Fisk joined Quinlivan & Hughes in St. Cloud, Minn., as an associate attorney.

Troy J. Hutchinson started his own firm, Hutchinson, in Wayzata, Minn. The firm specializes in defending

business entities in a full range of litigation matters.

Tony J. Odegard was hired as campaign manager for Minnesota U.S. Senate candidate Chris Dahlberg.

David M. Pederson was named a shareholder at Dunlap & Seeger in Rochester, Minn., where he focuses on commercial transactions.

2003

Carolina A. Lamas has been appointed a district court judge in Minnesota's Fourth Judicial District.

Geoffrey S. Trotier joined von Briesen & Roper in Milwaukee as a shareholder in the firm's labor and employment law section.

2004



Jaime Driggs was elected a shareholder at Henson Efron in Minneapolis, where he is part of the family law practice group.



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A CELEBRATION OF VOLUNTEERS FEBRUARY 19, 2014

On February 19, 2014, the Office of Advancement held a reception to recognize the Law School's volunteers. The Law School has more than 200 alumni volunteers who dedicate their time and talents to assist with admissions, career development, fundraising, and much more. Dean Wippman and Professor Bill McGeeveran shared an inside look at recent developments and curricular innovations at the Law School.

- 1 Michael Skoglund ('01), Ryan Vettleson ('01), Dean David Wippman
- 2 A group of alumni listen to Dean Wippman's opening remarks
- 3 Joe Cassioppi ('07), Amber Kraemer ('16), Ashley Keedy, Melba Melton ('14)

Steven Y. Reeves of Faegre Baker Daniels in Minneapolis was chosen as a 2013 Best Lawyer Under 40 by the National Asian Pacific American Bar Association.

2005

Sarah J. Gorajski was named a shareholder at Littler Mendelson's Minneapolis office.



Victor P. Jonas was named a partner at Faegre Baker Daniels in Minneapolis. He focuses on intellectual property litigation and compliance.



Ryan R. Miske, a partner at Faegre Baker Daniels in Minneapolis, was elected to serve as president of the Minnesota Chapter of the Association for the Advancement of Corporate Growth in 2015.



Maribeth Mrozek Klein was elected a shareholder at Polsinelli's Phoenix office, where she focuses on environmental and natural resources litigation.

Margaux C. Soeffker joined the practice of Terzich & Ort in Maple Grove, Minn., as a senior associate.



Douglas G. Ujdur was elected a shareholder at Briggs and Morgan in Minneapolis.

2006

Kathryn Ballintine moved from the Commodity Futures Trading Commission to the Board of Governors of the Federal Reserve System in January 2014.

Geoffrey D. Biegler was named a principal at Fish & Richardson's San Diego office, where he will continue to focus on patent litigation in a variety of health care-related areas.

Stephanie K. Bitterman was elected a partner at Maslon, Edelman, Borman and Brand in Minneapolis. She focuses on commercial litigation.



Matthew R. Brodin was elected shareholder at Briggs and Morgan in Minneapolis, where he is a member of the firm's business litigation section.

Andrew W. Davis, a partner at Stinson Leonard Street in Minneapolis, was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

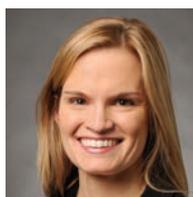


Meghan M. Hansen was named a partner at Oppenheimer Wolff & Donnelly in Minneapolis, where she is a member of the firm's business litigation practice group.



Brett Hanson was named a partner at Oppenheimer Wolff & Donnelly in Minneapolis, where he is a member of the firm's finance and transaction practice group.

Matthew Krueger's article "In Search of the 'Modern' Skidmore Standard," co-authored with Professor Kristin Hickman, was cited in an opinion issued by Judge William Young of the U.S. District Court for the District of Massachusetts in the case of *Patel v. Johnson*. The case concerned a challenge against a decision of the United States Citizenship and Immigration Services Administrative Appeals Office to dismiss an immigrant worker visa petition. Krueger and Hickman's article was published in the *Columbia Law Review* in 2007.



Jessica Hutson Polakowski was named a shareholder at Renihart Boerner Van Deuren in Madison, Wis., where she practices intellectual property

litigation and tax litigation.

Michael D. Reif, a partner at Robins, Kaplan, Miller & Ciresi in Minneapolis, was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

Holly A. Stocker was named a partner at Winthrop & Weinstine in Minneapolis.

2007

Stuart R. Nostdahl joined Davern, McLeod & Mosher in Golden Valley, Minn., as a partner. He focuses on family law, estate planning, and civil litigation.

Ryan J. Schildkraut was named a partner at Winthrop & Weinstine in Minneapolis.

Joseph M. Windler was named a partner at Winthrop & Weinstine in Minneapolis.

2008

Erik J. Birkeneder joined Nixon Peabody in Palo Alto, Calif., as an associate in the intellectual property group.

Bryan R. Browning joined Bassford Remele in Minneapolis as an associate focusing on product liability, personal injury and wrongful death.

Jennifer Ives of Stinson Leonard Street in Minneapolis was named a 2013 Attorney of the Year by *Minnesota Lawyer*.

2009



Jennifer M. Bisenius joined the finance and restructuring group at Faegre Baker Daniels in Minneapolis.

Phillip M. Kitzer joined the employment law firm Schaefer Halleen in Minneapolis.

Lindsay S. Moilanen was honored by the New York State Bar Association with its 2013 President's Pro Bono Service Award in the young lawyer category. She is an associate at Kaye Scholer in New York City.

Lisa von Biela released her novel, *The Janus Legacy*, in 2013. She has a novel coming out in May 2014 and another being released in January 2015.

2010



Jennifer L. Cornell joined Nilan Johnson Lewis in Minneapolis, where she works in the labor and employment practice group.

Julie R. Landy rejoined Faegre Baker Daniels in Minneapolis as a litigator in complex financial disputes.

CONT >

Class Notes

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2011

Michael M. Sawers joined Briggs and Morgan in Minneapolis as an associate in the business litigation section and white collar crime and enforcement-related civil litigation practice group.



Eva B. Stensvad joined Faegre Baker Daniels in Minneapolis as an associate focusing on intellectual property litigation.



Laura E. Cowan joined Best & Flanagan in Minneapolis, where she focuses on estate planning and wealth transfer issues.

Kyle R. Hardwick joined Best & Flanagan in Minneapolis as a member of the litigation and real estate practice groups.

Ruth T. Langworthy joined Webber Law in Minneapolis as an associate practicing immigration law.

R. Lynn Parins joined von Briesen & Roper in Milwaukee as an associate in the banking, bankruptcy, business restructuring and real estate practice groups.



Aalok K. Sharma joined Winthrop & Weinstine in Minneapolis as an associate in the real estate group.

Timothy J. Teicher joined Michael Best & Friedrich in Milwaukee as an associate in the intellectual property practice group.

2012

Elise L. Larson joined Briggs and Morgan in Minneapolis as an associate in the business litigation section.

Seth A. Thompson joined Vogel Law Firm as an associate attorney in the Bismarck, N.D., office.

2013

Allison N. Boyle was featured in the March 2014 Texas Bar Journal's *New Lawyer Snapshot*.

Anne M. Carroll joined Michael Best & Friedrich in Milwaukee as an associate in the employment relations practice group.

Nicholas A. Coulson joined Macuga, Liddle & Dubin in Detroit as an associate attorney.

UPCOMING ALUMNI EVENTS

Keep an eye out for our monthly digest email providing up-to-date information regarding volunteer opportunities and alumni events, or visit community.law.umn.edu.

- > **UMAA EMERGING PROFESSIONALS NETWORKING EVENT—JUNE 17, 2014**
Save the date for the next MOMENTUM: Emerging Professionals Networking Event, to be held at Day Block Brewing Company in Minneapolis.
- > **FALL SOCIAL—OCTOBER 2014**
Stay tuned for details of our annual fall alumni social event.
- > **WELCOME TO THE BAR BREAKFAST—OCTOBER 31, 2014**
Save the date for the annual Welcome to the Bar Breakfast on Friday, October 31, 2014 at the St. Paul RiverCentre.



PRE-TORT HAPPY HOUR MARCH 8, 2014

A happy hour for alumni and students was held before the Theatre of the Relatively Talentless's production of *Clue: A Murder Mystery in Mondale* on March 8. Nearly 200 alumni and students joined in the fun at Kieran's Irish Pub in downtown Minneapolis. This event was hosted by the Office of Advancement and Josh Colburn ('07), Allison Lange Garrison ('10), Rachel Gartner ('08), Brad Hammer ('12), and Paula Polasky ('13).

- 1 Kiel McElveen ('13), Erin Osborne ('13)
- 2 Glenn Greenberg ('14), Tim Schmidt ('09), Molly Schmidt ('10), Rachel Gartner ('08)
- 3 Sarvesh Desai ('14), Matt Morrison ('15), Leon Wells IV ('15)

TRIBUTE

LAW SCHOOL COMMUNITY MOURNS THE DEATH OF JOAN MONDALE (1930-2014)



JOAN ADAMS MONDALE, WIFE OF FORMER VICE PRESIDENT WALTER F. Mondale ('56) and one of the nation's foremost supporters of the arts, passed away Feb. 3, 2014, at the age of 83 after a brief stay in hospice care. Mr. Mondale, their sons Ted and William ('90), and other family members were with her when she died.

"Joan Mondale will be greatly missed as an artist, a champion of the arts, and a beloved member of the community," said Dean David Wippman. Professor Joan Howland, who also serves as associate dean for information and technology, said, "She was known for her support of the arts, but she was also a great supporter of the law library here at the Law School. Our condolences go out to the vice president. She will be missed by many."

Though she often referred to herself as a "traditional political wife," her passionate advocacy of art and artists, along with her own avocation as a potter, earned Joan Mondale the nickname Joan of Art—a moniker she clearly relished. "She is generous and straightforward," the painter Frank Stella once said of her. "She relates well to artists and makes everybody feel good. She has the ability to be interested wherever she is, which is no small gift. Most of us think: If it is in Des Moines, it can't be any good. She's different."

"Joan Mondale's name never appeared on a ballot," said the Minneapolis *Star Tribune* in an editorial tribute. "But she was indeed a public servant, participating with her husband in myriad ways as he served as Minnesota's attorney general and U.S. senator and the nation's vice president and ambassador to Japan."

At her funeral, held Feb. 8 at Westminster Presbyterian Church in downtown Minneapolis, Mondale was remembered as a "battery of positive energy," "the needle on the compass of truth and beauty," and a person who "truly believed that everything we do adds up to make a valuable difference." ■

"This is my favorite picture of Fritz and me, walking in the garden of the ambassador's residence in Tokyo. My suit was made from a man's kimono I bought at a shrine sale."

—From *Letters From Japan*, 1997,
by Joan Mondale

An amateur potter, she continued to make her own pieces, often presenting them as gifts to Japanese dignitaries. Her celebrity [in Japan] may even have eclipsed her husband's. Visiting an artist in Kyoto, a Mondale aide mentioned that he worked at the United States Embassy.

"'Oh, do you know Joan Mondale?' the artist said, his eyes lighting up," the aide told the *Star Tribune* in Minneapolis in 1996. "The guy never asked a word about the ambassador."

—From the *New York Times* obituary for Joan Mondale, published Feb. 4, 2014

IN MEMORIAM

Class of 1938

Brantly P. Chappell
September 25, 2013
Elkhart, Minn.

Class of 1940

Edward L. Murphy Jr.
November 6, 2013
St. Paul, Minn.

Class of 1947

James H. Michael
March 7, 2014
St. Paul, Minn.

Class of 1948

George X. Connor
October 23, 2013
Minnetonka, Minn.

Lionel Greenberg

November 27, 2013
Mendota Heights, Minn.

Class of 1950

Robert C. Bell
February 10, 2014
Roseville, Minn.

Class of 1951

O. Russell Olson
October 16, 2013
Shoreview, Minn.

Allen G. Wilson

October 25, 2013
Hot Springs, S.D.

Howard E. Paulson

January 1, 2014
Fargo, N.D.

George W. Hinshaw

February 11, 2014
Marshalltown, Iowa

Class of 1952

James B. McKenney
February 19, 2014
Novato, Calif.

Noah S. Rosenbloom

January 15, 2014
New Ulm, Minn.

Robert S. Kersch

October 30, 2013
Grayslake, Ill.

Class of 1953

Thomas A. Lang
December 15, 2013
Santa Maria, Calif.

Class of 1954

Roy A. Bogen
December 26, 2013
Surprise, Ariz.

Gerald E. Magnuson

February 9, 2014
Richfield, Minn.

Class of 1955

Allen H. Aaron
November 9, 2012
North Bethesda, Md.

Class of 1957

J. Richard Tuthill
November 9, 2013
Fort Myers Beach, Fla.

Charles A. Cox

December 8, 2013
Minneapolis, Minn.

Jerome H. Lewis

December 27, 2013
Minneapolis, Minn.

Class of 1959

Owen E. Shaffer
January 19, 2014
Highland Park, Minn.

Class of 1960

Robert E. Beck
December 6, 2013
Murphysboro, Ill.

Class of 1961

William L. Orr
October 10, 2013
Edina, Minn.

Class of 1965

James J. Krieger
October 13, 2013
Minneapolis, Minn.

Peter J. Schmitz

January 29, 2014
Northfield, Minn.

Class of 1968

Winston W. Borden
January 20, 2014
Merrifield, Minn.

James H. Paulsen

January 31, 2014
Sandpoint, Idaho

Class of 1969

John W. Jensen
January 13, 2014
Salem, Ore.

Steven A. Maurer

February 10, 2014
Akron, Ohio

Class of 1972

Thomas P. Burke
December 14, 2013
Fishers, Ind.

Class of 1973

Bruce A. Enstad
December 9, 2013
Boulder, Colo.

Mark E. Haggerty

March 2014
New Hope, Minn.

Class of 1976

Kristeen L. Hulsebus
January 26, 2014
St. Paul, Minn.

Class of 1977

Leah Manning Stetzner
October 26, 2013
Englewood, Colo.

Class of 1981

Charlotte A. Striebel
March 12, 2014
Richmond, Calif.

Class of 1998

Baba A. Odukale
June 14, 2013
St. Cloud, Minn.

Class of 2006

Michael Vellon
November 5, 2013
St. Louis Park, Minn.

PARTNERS IN EXCELLENCE

DEAR FRIENDS AND FELLOW ALUMNI,

I am proud to support our Law School each year and am grateful to those of you who have joined me so far this year in supporting the *Partners in Excellence* Annual Fund. Thank you for your generosity!



After attending my 40-year reunion in April, I was reminded of the many benefits that have accrued to me from attending the University of Minnesota Law School—a fulfilling career and personal relationships formed and sustained over the years with classmates and other University of Minnesota lawyers.

Gratitude alone is sufficient reason to give, and is an important reason why I personally am a donor. More importantly, however, the Law School is at a pivotal moment in its 125-year history, and it needs our support to sustain its long tradition of excellence.

If you have not already done so, I ask that you join me by making a gift before June 30, 2014, the end of the fiscal year.

Gifts of all sizes are needed. Pooled together, our gifts to the *Partners in Excellence* Annual Fund will help the Law School provide more scholarships, recruit and retain the very best faculty, and expand clinical and other innovative course offerings that prepare students for success in a challenging job market. Our support ensures that today's students and future generations have access to the same world-class legal training that you and I received, and that the Law School's reputation remains strong.

Thank you.

Gary Haugen ('74)

2013-14 *Partners in Excellence* National Chair

P.S. Gifts of all sizes can be made in the enclosed envelope, online at www.giving.umn.edu/law, or by calling 612-626-8671.



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LOCKHART CLUB —
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For more information, please contact Courtney Poja at cpoja@umn.edu or 612-625-6584.

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SPRING ALUMNI WEEKEND *reconnect* APRIL 25–26, 2014

In this 125th anniversary year, hundreds of alumni returned to the Law School for a variety of all-alumni events as well as individual reunions for those classes celebrating milestone anniversaries. This year's lineup of events included three new programs: a student and alumni networking event, the Corporate Institute's forum on accelerating business innovation and entrepreneurship, and an alumni and faculty anniversary luncheon. Thanks to all who attended for being part of this growing Law School tradition!

MORE PHOTOGRAPHS FROM THE WEEKEND ARE AVAILABLE ONLINE AT
COMMUNITY.LAW.UMN.EDU/SAW.

