

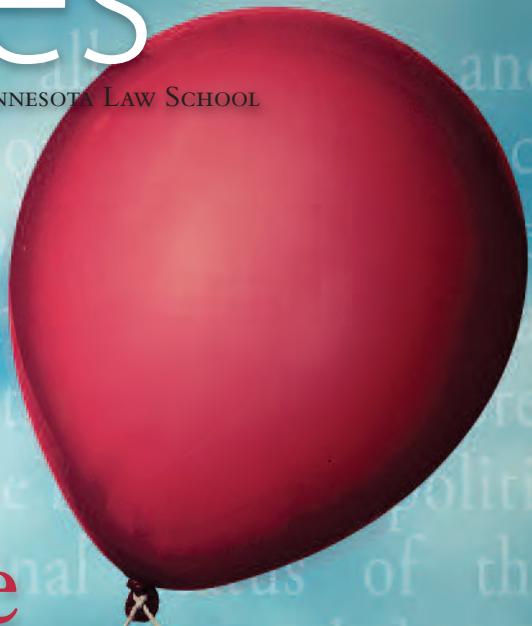
SPRING 2010

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Perspectives

THE MAGAZINE FOR THE UNIVERSITY OF MINNESOTA LAW SCHOOL



Rights on Their Side

Alumni fight for human rights on U.S. and global fronts.



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LAW SCHOOL

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Perspectives is a general interest magazine published in the fall and spring of the academic year for the University of Minnesota Law School community of alumni, friends, and supporters. Letters to the editor or any other communication regarding content should be sent to Cynthia Huff (huffx070@umn.edu), Director of Communications, University of Minnesota Law School, 229 19th Avenue South, N225, Minneapolis, MN 55455.

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New Strategy for Long-Established Commitment



DEAN DAVID WIPPMAN

Minnesota's first snow-free March in 130 years has ushered in a spring full of promise, putting "a spirit of youth in everything," as Shakespeare expressed it. In keeping with this spirit of renewal, we have been developing a strategic plan designed to keep the Law School at the cutting edge of teaching, research, and policy development, both nationally and internationally.

Alumni consultation has been central to this process and will continue to play a defining role in our thinking as we move forward. In that vein, we are expanding our efforts to make the Law School a more meaningful and continuing part of our alumni's professional and personal lives. Recently we merged our Alumni Board of Directors and Board of Visitors into a single, consolidated Board of Advisors, which will meet quarterly. Part of its mission is to help us engage with alumni in diverse and innovative ways, and its committees are open to interested alumni, including those not on the board.

Spring's spirit of endless possibility is undoubtedly strongest among our students. Soon nearly 290 men and women will be starting a new phase in their lives with a Law School diploma in their hands. And although fall may seem far away, most of next year's entering class is already in place. With applications at an all-time high (up 8% over last year), it will be an extraordinarily strong and increasingly diverse group.

In keeping with our evolving strategic plan, new and returning students will benefit from our ongoing curriculum reform. Newly introduced capstone courses, for example, allow upper-level students to work on complex legal issues in small groups with multidisciplinary faculty and local attorneys. Our efforts to combine legal theory, doctrine, and practical skills have produced a curriculum that is recognized as one of the most innovative and effective in the nation, and faculty are receiving invitations to speak about it from institutions across the country. Next year will see further changes, with new clinics, internships, and other experiential learning opportunities and a wide range of other new courses.

The faculty continues to grow and prosper. Professor Antony Duff, a leading philosopher of criminal law, will join us this fall, cementing Minnesota's preeminent position in this field. Professor Susan Wolf was elected to the Institute of Medicine, Professor Fionnuala Ní Aoláin was elected to the American Society of International Law's Executive Council, and Professor Dale Carpenter just got word of his election to the American Law Institute.

Our jurist-in-residence program also continues to thrive. Two Supreme Court Justices visited the Law School this spring. Former Justice Sandra Day O'Connor met with faculty, alumni, and others to discuss judicial selection reform. And Justice Clarence Thomas joined Professor David Stras for a week to teach a special course in constitutional law.

One thing that is not changing is our commitment to excellence. We are working hard to shape the Law School's strategic vision and new strategic plan to make the Law School even stronger in the years ahead. We hope you will assist us in this endeavor by sharing with us your thoughts about our current and future direction. And we hope to see you soon, whether at reunions in June, at a CLE program, to visit a class, or just to wander the halls.

Sincerely,

A handwritten signature in black ink, appearing to read "David Wippman".

David Wippman
Dean and William S. Pattee Professor of Law

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> At the Law



Jim Sanderson, Sen. Amy Klobuchar, and Prof. Prentiss Cox ('90) at public service press conference, held at Law School, November 2009, to warn shoppers about online post-transaction marketing practices



U.S. District Court Judge John R. Tunheim ('80) lunches with prospective students during April preview days



Jerry Rotman (back to camera), Bill Mullen ('58), and John I. Halloran ('58) at Dean David Wippman's William S. Pattee Chair in Law Appointment lecture

Faculty Spreads the Word on Curriculum Reform

> Long before the Carnegie

Foundation's report on innovations in legal education was published in 2007, the Law School was focused on strengthening its curriculum to better prepare students to solve the complex social, economic, and business problems of our time. Building on the work of Co-Deans Fred Morrison and Guy Charles, Dean David Wippman has developed a dynamic combination of theory and practical training focused on equipping students to operate in the globalized economy of the 21st century. Today, the Law School is a national leader in curriculum reform.

The Robina Foundation provided funding for the early reform efforts, begun in 2006. Discussions on how to integrate legal doctrine and analysis, practical lawyering experience, ethics, and professionalism throughout a student's education resulted in a bold new curriculum that focuses on addressing pressing socioeconomic problems,

facilitating exciting new research, and training a new breed of lawyers capable of operating in a global context.

Today's Law School education explores how law shapes and transforms the foundation of a society. Students explore present-day issues in courses that prepare them for legal practice while still engaging in theoretical learning. Among the curriculum innovations:

- Intensive training in statutory interpretation integrated into a legal brief writing program
- Introduction to the practice of law and its theoretical and ethical underpinnings in a Practice and Professionalism course
- Legal issues from different viewpoints in the team-taught Perspectives on the Law course
- In-depth study of a topic by small groups in innovative simulation-based capstone courses

As leaders in curricular innovation, faculty members have responded to requests from institutions around the country to share their knowledge. Last fall Clinical Professor Nancy Cook, director of the Law School's Lawyering Program, presented a workshop on curricular innovations and professional responsibility for the National Institute for Teaching Ethics and Professionalism.

This year, Professors of Law Emerita Beverly Balos and Mary Lou Fellows were invited to a faculty meeting at Seattle University School of Law to discuss curriculum changes, in particular, Practice and Professionalism.

Recently, Cook spoke at American University's Washington College of Law about curricular development following the Carnegie report and described the Law School's first-year curriculum, applicable learning theory, and diffusion of innovations theory. She organized an Experiential Renaissance Roundtable at that the

School



Law School in April 2010 to examine the challenges in constructing and reconstructing experiential education programs. In May, Cook and Clinical Professor Perry Moriearty will lead a session at the annual Association of American Law Schools Clinical Law Teaching Conference encouraging institutions to reflect on how change occurs and offering insights and strategies to facilitate change.

At the June 2010 conference of The Labor Law Group, an international organization of labor and employment law professors, Professor Laura J. Cooper will describe the labor and employment law capstone course that she and Adjunct Professor Karen G. Schanfield ('78) co-taught for the first time this spring. It is designed to replicate what practicing attorneys would do in resolving workplace legal claims. Assisted by a major new seed grant from the Robina Foundation, the Law School will continue to refine its curricular innovations in the coming year.

ABA Site Evaluation Team Visits Law School

Each law school accredited by the American Bar Association is evaluated every seven years in a visit by a Sabbatical Site Evaluation Team to help determine whether the school continues to meet the ABA Standards for Approval of Law Schools. A seven-member evaluation team composed of law school deans and professors, a vice president of academic affairs, and a retired state supreme court chief justice visited the Law School on March 28-31, 2010.

Through the efforts of the Self-Study and Strategic Planning Committee, co-chaired by Associate Deans Joan Howland and Brett McDonnell, and many others over the last 18 months, the Law School had completed preparations, including the materials required by the ABA Committee on Accreditation, when the team arrived March 28. Howland and McDonnell greeted the team and provided a tour of the Law School, and in the evening, Dean David Wippman hosted a dinner at the Riesenfeld Rare Books Research Center.

Student-related issues are a major focus of every ABA site visit. The team held an open meeting with students to gain an overview of

the Law School from the student perspective, including the general atmosphere inside and outside the classroom as well as insights on specific matters, such as the curriculum, clinics, moot courts, law journals, career placement, and financial aid. It also held meetings with leaders of student groups.

Over the course of its three-day visit, the team met with University President Robert Bruininks, Provost E. Thomas Sullivan, staff members, and various other groups. It had lunches with faculty and student leaders and breakfast with alumni, who shared their views on the Law School. In addition, team members met individually with faculty, visited classes, inspected facilities, evaluated the Law Library's collections and services, and made other assessments.

The team will incorporate its findings into a final report that will be submitted to the ABA Committee on Accreditation. The Association of American Law Schools (AALS) representative on the team also will write a report to assist that organization in determining whether the Law School continues to meet the AALS requirements for membership.

Former Justice Sandra Day O'Connor Visits Law School



Minnesota Supreme Court Justices with former U.S. Supreme Court Justice Sandra Day O'Connor (left to right): G. Barry Anderson ('79), Lorie Skjerven Gildea, Justice O'Connor, Helen Meyer ('78), and Chief Justice Eric Magnuson



Minnesota State Representative Steve Simon ('96), Justice O'Connor, and Minnesota Senator Ann Rest



Former U.S. Justice Sandra Day O'Connor

> Retired U.S. Supreme Court

Justice Sandra Day O'Connor made a brief visit to the University of Minnesota's West Bank campus on Feb. 10, 2010. She was the featured guest at a luncheon at the Law School and in the afternoon spoke at the annual bipartisan Legislative Policy Conference at the Hubert H. Humphrey Institute of Public Affairs.

She was accompanied by Theresa Spahn, director of the Judicial Selection Initiative at the University of Denver's Institute for the Advancement of the American Legal System. Justice O'Connor was the force behind formation of the Initiative, intended to accelerate judicial selection reform.

Law School Dean David Wippman offered welcoming remarks and introduced speaker Leo Brisbois, head of Minnesota's Coalition for Impartial Justice and president of the Minnesota State Bar Association.

To the delight of the audience of approximately 35, Justice O'Connor also spoke. She mentioned Minnesota's highly respected leadership role across the nation and encouraged attendees to back judicial selection reform efforts, including Minnesota's Impartial Court Amendment. In attendance at

the luncheon were Minnesota Senator Ann Rest (DFL-New Hope) and Representative Steve Simon ('96) (DFL-St. Louis Park), who helped draft the Amendment.

Justice O'Connor noted that a system of choosing judges on the basis of merit rather than through direct elections is critical to preserving judicial impartiality and to avoiding the expense and acrimony of campaigns. The United States is the only nation in the world that elects judges, and people in other countries are very surprised when they hear about the process, she continued.

Among audience members were Minnesota Supreme Court Chief Justice Eric J. Magnuson; former Chief Justice Russell A. Anderson ('68); and Supreme Court Associate Justices G. Barry Anderson ('79), Lorie Skjerven Gildea, Helen Meyer, and Alan Page ('78). Additional members of the judiciary were Eighth Circuit Court of Appeals Judge Diana Murphy ('74) and District Court Judge Pamela G. Alexander ('77).

Also attending were former Minnesota Governor Al Quie, Minnesota's Secretary of State Mark Ritchie, past and present leaders of the

county and state bar associations, representatives from Minnesotans for Impartial Courts and the Minnesota Chamber of Commerce, and directors of the League of Women Voters, the Citizens League, the Joint Religious Legislative Coalition, and the Minnesota AFL-CIO.

Justice O'Connor graduated from Stanford Law School in 1952. Unable to find a firm that would hire a woman lawyer, she worked in public service and in Europe while her husband was on military duty. From 1965–69, she was Arizona's Assistant Attorney General. She became an Arizona State Senator in 1969 and was re-elected twice, during which time she helped Arizona create a merit selection system for judges. She was a judge in Arizona's Maricopa County Superior Court from 1975–79 and was then appointed to the Arizona Court of Appeals. In 1981, Ronald Reagan appointed her to the U.S. Supreme Court, the first woman to hold the post. She retired from the bench in 2006.

At present, she is a Chancellor of the College of William & Mary and a frequent speaker on judicial selection reform.

Staff Hirings and Promotions



Dawn Hoover joined the Law Library staff as administrative director on Jan. 4, 2010. She will have

primary responsibility for many aspects of the Library's operation, including matters associated with the budget, the facility, and personnel. She has worked for the Institute on Race and Poverty for the past five years.



Nora Klaphake ('94) has been promoted to assistant dean and chief of staff in the dean's office. She has been

chief of staff since 2008, helping develop and implement administrative policies. Earlier, she was the Law School's director of employer relations and outreach and assistant director in career services. She also worked with Maslon Edelman Borman and Brand as director of recruiting and professional development.



Erin Schlicht joined the Law Library on Jan. 11, 2010, as an access services librarian. She was previously the evening and weekend student supervisor and a research assistant at the University of Wisconsin Law Library. She received her master's degree in library and information science in 2009 from the University of Washington.



Jillene (Jill) Seguin joined the Office of Advancement as an administrative specialist on Feb. 22, 2010. She will provide administrative leadership in a variety of key areas, including gift processing and database management, and will assist with donor stewardship reporting, special initiatives, and alumni and donor events. She has been a campaign associate with the United Way of Duluth for the past 17 years.



Nicholas Wallace ('05) is the new director of admissions. He joined the Law School as associate director of admissions in 2007. From 2005 to 2007, he was a research assistant and then a research fellow at the Institute on Race and Poverty. He completed his master's degree in public policy at the Humphrey Institute of Public Affairs in 2006.



Dinah Zebot joined the Office of Advancement as assistant director of alumni relations and annual giving on March 29, 2010. Previously she was assistant director of alumni relations for three years at Roosevelt University, Chicago, where she developed annual fund solicitation vehicles as well as programs and strategies to engage alumni. She received her B.A. in history from Grinnell College in 2003.

> CHINA Study Abroad Program

JUNE 18–JULY 23, 2010: FIVE-WEEK SUMMER STUDY PROGRAM



The University of Minnesota Law School and Renmin University (People's University) of China School of Law in Beijing are offering students an opportunity to experience China and to study firsthand its economic, legal, and political systems. The 2010 China Summer Study Abroad Program runs from June 18 to July 23.

The program focuses on comparative law, taught by world-class faculty from both the Law School and Renmin's law school. This year, Professor Prentiss Cox is teaching comparative consumer protection and Adjunct Professor Niel Willardson ('87) is teaching financial institutions law. In addition, Professor Wang Lin of the University of Minnesota

Department of Asian Languages & Literature is offering optional courses in both beginning and intermediate Mandarin Chinese language—an opportunity distinct to this program.

The program, its academic content, and credit determinations are administered by the Law School, overseen by Dean David Wippman; Professor Fred Morrison, chair of the University's International Programs Committee; and Khary Hornsby, director, and Paul Zhang, program assistant, in the Law School's Office of International and Graduate Programs.

Renmin, in addition to assisting with instruction, provides cultural expertise and plans educational and cultural trips

and events. Several professional development and cultural evenings are included in the program, featuring practicing lawyers from international and local law firms and government agencies who share their insights on the legal profession in China. Chinese natives also participate in discussions and activities surrounding Chinese culture.

As part of the hands-on learning experience, students visit important legal institutions in Beijing, including the National People's Congress and the Supreme People's Court. Optional visits to historical sites, such as the Great Wall, Forbidden City, Tiananmen Square, and Summer Palace, are available on weekends.

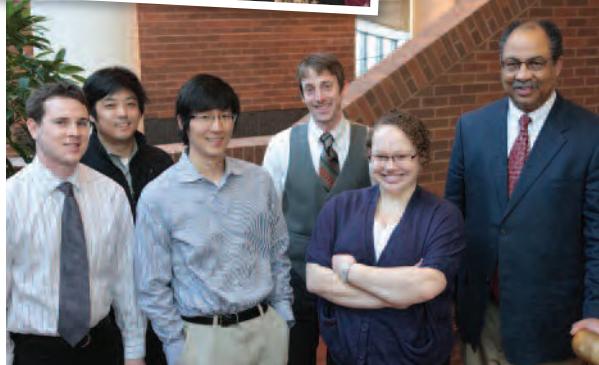
McGee Civil Rights Moot Court Competition Turns 25



Three members of Final Panel with winners of 2009-10 McGee National Civil Rights Competition, Washington University at St. Louis School of Law (left to right): Judge Wilhelmina M. Wright, Minnesota Court of Appeals; Coach John Kershman; team members James Stanley, Katherine McRobbie, and Ian Gross; Assistant U.S. Attorney Gerald Wilhelm ('73); and Judge Joan N. Erickson ('81), U.S. District Court, District of Minnesota



Chief Judge Edward Toussaint Jr., Minnesota Court of Appeals, with Rose McGee at March 6 McGee Civil Rights Moot Court Competition awards ceremony



Professor Carl Warren ('75) (far right) and moot court participants (left to right): **Front row:** John Betzler ('10), Jessie Oh ('11), and Amber Tarver ('11); **Back row:** David Kim ('10) and John Mathews ('10)

Top honors went to Washington University School of Law in St. Louis Team 1. Second place went to the University of St. Thomas Law School Team 2. Brooklyn Law School took third, and fourth place as well as best brief honors went to the University of Iowa College of Law. Jeremy Bayliss, a member of Washington University School of Law's Team 2, won best oral advocate honors for both the preliminary rounds and overall.

The Competition's namesake, William E. McGee ('80), was the first African American appointed Chief Public Defender in Minnesota. He devoted much of his career to representing the poor and underprivileged and advocating for human rights. He served as Executive Director at the Legal Rights Center, and in 1992 he received the Hennepin County Bar Association Pro Bono Award and the Minnesota Minority Lawyers Association Leadership award. Mr. McGee passed away in 2000.

In celebration of the competition's 25th year, Mrs. Rose McGee attended the welcoming dinner March 4. A recognized poet, she presented an inspiring original composition, "Time to Switch it Up." Prof. Myron Orfield, Director of the Law School's Institute on Race and Poverty, talked about the need and opportunities for attorneys to make a difference in the area of civil rights.

More than 160 attorneys and judges volunteered to judge the briefs and oral arguments at this year's competition. To express its appreciation for their service, the Law School offered them a continuing legal and judicial education program on Feb. 5, 2010, entitled "Shopping While Black: Do §1981 and the Prohibition Against Public Accommodation Discrimination Provide Appropriate Relief Against its Perils?"

> The William E. McGee National Civil Rights Moot Court Competition, held March 4-6, 2010, marked its 25th anniversary this year. The competition is sponsored by the Law School to promote interest in civil rights law and to develop the oral advocacy and writing skills that are essential to successful appellate practitioners. Professor Carl M. Warren ('75) has been the advisor and overall competition supervisor for 18 years.

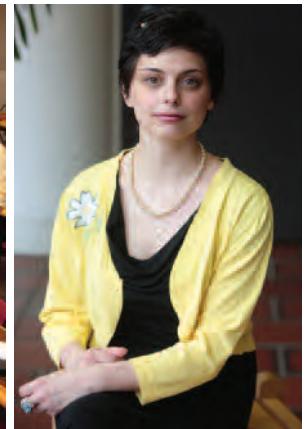
Thirty-three teams from 21 law schools across the country participated in this year's competition case, *Gregory*

v. Dillard's, Inc., 565 F.3d 464 (8th Cir. 2009) (en banc), cert. denied, 2009 WL 2946880 (U.S. 2009), 78 USLW 3130 (U.S. Nov. 16, 2009) (No. 92-322). The problem considered whether race-based surveillance and hostility directed at African-American patrons by employees of a retail establishment constitute "interference with protected contract interests" in violation of 42 U.S.C. §1981 and also whether such conduct violates the prohibition against public accommodation discrimination set forth in the Missouri Human Rights Act.

Winning the Lottery: Taking a Class from Justice Clarence Thomas



Front row, center, Justice Clarence Thomas; to his left, Prof. David Stras; with students in spring seminar



Abigail Cerra ('10)

> **Class enrollment at the University** of Minnesota Law School is administered as a lottery. Students who *really* want to take a class must put it at the top of their list, cross their fingers, and hope to get in. When Professor Stras announced that U.S. Supreme Court Justice Clarence Thomas, for whom he clerked, would be teaching a seminar this spring, I put it at the top of my list. A few months later I won the lottery. I was enrolled for a weeklong seminar with Justice Thomas.

Prior to enrolling in the class, my impression of the Justice was informed only by the mass media and the few opinions of his I was assigned to read. Journalists labeled him “the quiet Justice,” and his writings were usually concise, emotionless rebuttals to a majority decision. I imagined he would be a cerebral and pedant lecturer—sort of a meta law professor.

My misconceptions of Justice Thomas were dispelled within minutes of meeting of him. He led an enthusiastic repartee with the class, peppering the discussion with jokes and anecdotes. He took questions directly from the students and held extra office hours to meet one-on-one. If he found a student’s comment (or his own) humorous, he erupted in a deep belly laugh that was contagious to anyone

within earshot. My classmates and I universally regarded him as engaging, warm and solicitous.

The Justice was also candid about decisions that were unpopular or difficult to make. As an example, he brought up the Haitian refugee cases from the early 1990s. Although he was moved to provide relief to the refugees, he had to “use self-restraint to avoid the urge to go outside the bounds of the law,” he said. Thomas emphasized the importance of discipline in adhering to his role as a judge and not adopting the role of lawmaker. As he explained, there is sometimes a difference between what one *wants* to do and what one is *authorized* to do.

When the Justice described agonizing over some decisions, I began to understand the real difficulty of being a judge: The rub is not so much in figuring out what the law says, but rather in reaching an outcome you can live with given what the law compels. Through his candor, Thomas demonstrated how human struggle is one of the main components of the judicial process, and this was perhaps the most valuable lesson of his seminar. He emphasized that the law is rarely a simple algorithm, scientific and easy to apply. If we, the legal community, ignore the human aspect of a case, we

are more susceptible to make or advocate for a decision based on the desired outcome instead of sound legal reasoning. Acknowledging this tension in the law enables us to address legal conflicts honestly and effectively—a paradigm conspicuously absent from most law school curricula.

There is edifying value in dispelling myths of public figures. We get closer to the truth when we can see the humanness in our opponents; we are obliged to attack the reasoning and not the person. Responding to challenges from the Justice forced me to think hard about my own opinions, to grapple with the tough questions I once thought were easy.

I benefited tremendously from taking a seminar from the Justice who is perhaps farthest from me on the political spectrum, and I hope that other students will have a similar opportunity in the future. One student gaily approached me after class and told me I was “all grown up” for conceding a point to Justice Thomas. His joy at my concession demonstrated the need for someone equal in stature to a Supreme Court Justice to provide another political and ideological perspective to students.

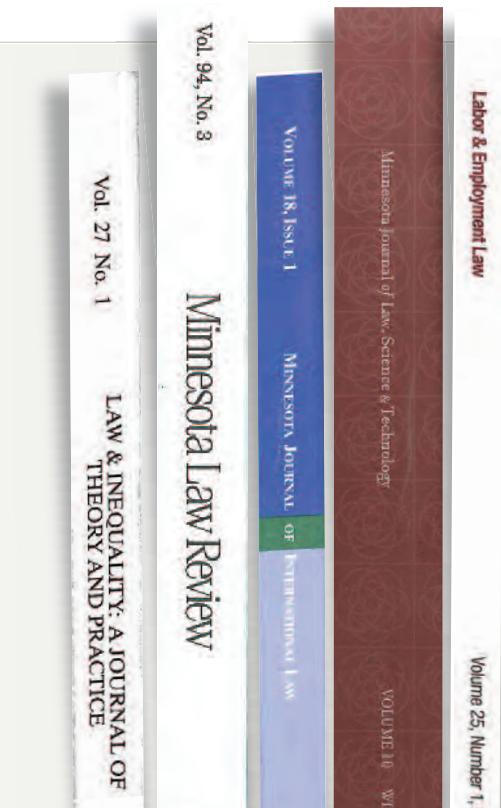
By Abigail Cerra ('10)

law library makes journals a priority

Most top-ranked law schools publish multiple law journals and the University of Minnesota Law School is no exception. In addition to the Law School's faculty-edited journal, *Constitutional Commentary*, there are three student-edited journals: *Minnesota Law Review*, *Law & Inequality: A Journal of Theory and Practice*, and *Minnesota Journal of International Law*. Recently, two additional journals, edited by both students and faculty, joined the list: *Minnesota Journal of Law, Science & Technology* and the *ABA Journal of Labor & Employment Law*.

Close to 180 law students and faculty participate as editors or staff members of these journals, which are on track to produce 18 journal issues containing more than 120 articles during the current academic year.

Producing so many articles in a given year requires intellectual talent, hard work, and dedication. In addition, it requires the support of a strong law library that ranks the needs of in-house journals as a top priority. At the University of Minnesota Law Library,



we dedicate a significant portion of our time and attention to the journals. Each journal is assigned a librarian liaison, who ensures that library services are tailored to its particular needs. Students writing for publication in a journal receive personalized research consultations and in-depth assistance in locating hard-to-find sources. We streamline the tracking of materials collected by each journal through special lending procedures. In addition, we facilitate use of the library by providing journals with office space and study carrels.

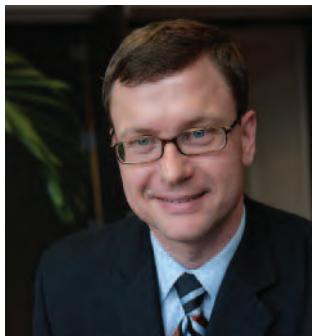
We are pleased to provide this level of support to the journals at the University of Minnesota Law School. Working with the students and faculty involved is extremely rewarding. They provide us with the opportunity to utilize our expertise and to tap the breadth and depth of our library collections. In the process, we all help the Law School advance legal scholarship.

By Suzanne Thorpe, Law Library Associate Director
for Faculty, Research, and Instructional Services



> "Personnel at the Circulation desk walk new staffers of *Law & Inequality* through the source-finding process. Reference librarians help staffers find obscure sources and are invaluable in correctly citing uncommon materials or tricky international sources."

Jennifer Cornell ('10) (right), Editor-in-Chief, and Jill McKiernan ('10) (left), Executive Editor, *Law and Inequality: A Journal of Theory and Practice*



> "In 2009, the Law School became the new home of the *ABA Journal of Labor & Employment Law* (formerly *The Labor Lawyer*). The journal posed a unique challenge for student editors. We had to transplant a publication with a 24-year history and a 28,000 readership from its former home to the Law School and run it with a staff one-third the size of any other in-house journal. Efficiency was essential, and we relied on the advice of Associate Director Suzanne Thorpe when crafting our policies on authoritative digital source material. Thorpe played a key role in our staff training, introducing 2Ls with limited experience in labor and employment law to the specific, topical resources on which practitioners rely, and helping student authors develop research plans for potential articles."

Jack Sullivan ('10), Editor-in-Chief, *ABA Journal of Labor & Employment Law*



> "Meeting the challenges of the *Minnesota Journal of International Law* would be nearly impossible without the expertise of the librarians and access to the Law Library's collections. As more and more authors research online, determining if a particular source exists in print, and if not, which electronic database will provide an authoritative copy, can be very difficult. Mary Rumsey is of invaluable assistance in answering those questions and deciphering and tracking down esoteric sources."

George H. Norris ('10) (left) and Erin L. Fraser ('10) (right), Co-Editors-in-Chief, *Minnesota Journal of International Law*, with Library Professor Mary Rumsey (center)



> "Our authors include lawyers, research scientists, healthcare professionals, bioethicists, and business people. Consequently, we rely on the Law Library to connect us not only with traditional legal resources but also with digital resources across the world. The librarians have helped us with everything from creating a cross-disciplinary research manual to tracking down and translating Dutch physics articles. The support they provide extends well beyond the Law Library's walls."

Leili Fatehi ('10), Editor-in-Chief, *Minnesota Journal of Law, Science & Technology*



> "The *Minnesota Law Review* is pretty much in the business of making obscure requests of our reference librarians, during both the racking and citechecking processes. Our law librarians are well-acquainted with both of these processes and are absolutely invaluable to us as a journal. I could think of countless examples: One occurred last year, when I was looking for hard copies (required by my journal) of former presidential speeches. These speeches had been removed from the website shortly before the 2008 election, and were not yet in the presidential papers, but Mary Rumsey nonetheless found the most official, and paper, copy of the speeches available. In the same afternoon, no less."

Kristin Zinsmaster ('10), Editor-in-Chief, *Minnesota Law Review*

Judicial Independence Forum Reviews Quie Commission Recommendations

> On January 28, the Law School and the student chapter of the Federalist Society hosted “A Forum on Judicial Independence” featuring a discussion of the state of judicial elections in Minnesota and some options for improving the current system. The four panelists were Minnesota Supreme Court Justice G. Barry Anderson ('79), Administrative Law Judge and former State Representative Eric Lipman, former president of the Hennepin County Bar Association Mary Vasaly ('83), and Mohrman & Kaardal co-founder William Mohrman.

Mohrman was the litigator who successfully challenged restrictions on campaign speech in Minnesota’s judicial elections before the U.S. Supreme Court in 2002 (*Republican Party of Minnesota v. White*).

Anderson, Lipman, and Vasaly served on the Citizens Commission for the Preservation of an Impartial Judiciary, commonly known as the Quie Commission because it was chaired by former Minnesota Governor Al Quie. The Commission was formed in 2006 to review the effects of the White decision and make recommendations for changes in Minnesota’s judicial selection method.

Dean David Wippman offered introductory remarks, and Kimberly Crockett, president of the Minnesota Lawyer’s Chapter of the Federalist Society, moderated the discussion. Each panelist presented a different recommendation, and questions were solicited from the faculty, students, and lawyers in attendance. Conversation focused on striking a balance between

judicial independence and judicial accountability. At the end of the Forum, students were asked to vote in a straw poll for their favorite proposal.

Panelists, students, faculty, and guests continued the discussion informally at a reception in Auerbach Commons, where the vote totals were announced. Although there was no clear winner, the majority recommendation of the Quie Commission—a system of gubernatorial appointments followed by retention elections—earned support of a plurality of the students in attendance.

Video of the Forum is available at www.law.umn.edu/news/quie-commission-1-8-2010.html.

By T. Evan (Thos) Fisher ('11), president, Federalist Society student chapter

Tribute to Law Librarian Arlette Soderberg



> Arlette Soderberg, a distinguished law librarian and assistant professor of law at the University of Minnesota Law Library, died on March 22, 2010, at the age of 92. Her tenure at the Law Library spanned 36 years, during which she made important contributions to collection development and circulation and provided countless law students and faculty with vital research support. In addition, she was instrumental in the development and organization of the Arthur C. Pulling Rare Books Collection.

Born in Dresser, Wisc., Soderberg graduated from Gustavus Adolphus College with a B.A. in history and English and a teaching certificate, and in 1951 she completed a B.S. in library science at the University of Minnesota. She taught high school for several years before joining the Law Library. From 1959 to 1962, she served as vice president and president of the Minnesota Association of Law Libraries, and in

1986 she received the organization’s Law Librarianship Award.

When Soderberg retired to her home on Deer Lake in St. Croix Falls, Wisc., former Dean Maynard E. Pirsig stated that “the Law School is losing an able, dedicated and beloved librarian.” In her 90s, she found a way to maintain her independent determination and stay in her home through the HomeShare St. Croix program.

Ms. Soderberg’s generous spirit and exhaustive knowledge of legal research are legendary. They live on in the *Minnesota Legal Research Guide*, which she co-authored in 1985. This scholarly text is recognized as an indispensable tool for the Minnesota legal community.

She is survived by a niece and four nephews.

By Suzanne Thorpe, Law Library Associate Director for Faculty, Research, and Instructional Services

Law & Inequality Hosts Symposium on Family Values



Clockwise, from left: Prof. Catherine E. Smith, University of Denver; Prof. Holning S. Lau, University of North Carolina; and Prof. Judith T. Younger, Law School

> On April 9, 2010, the Law School's *Law & Inequality: A Journal of Theory & Practice* hosted a symposium entitled "Family Values: Law & the Modern American Family." The symposium brought together nationally recognized scholars, practicing attorneys, and advocacy organizations to discuss the present state of the law affecting nontraditional families in the United States. More than 150 people attended throughout the day, including attorneys obtaining CLE credit, webcast viewers, and law and undergraduate students. The program featured four panels exploring issues affecting non-traditional families and a keynote speech by Prof. Edward Stein of the Benjamin N. Cardozo School of Law.

After an introduction by Assistant Dean of Students Erin Keyes, Law School Prof. Judith T. Younger led the panel "Family Law Issues for Non-Traditional Families." Panelists included Prof. Thomas P. Gallanis of the University of Iowa discussing "The Flexible Family in Three Dimensions," Prof. Holning S. Lau of the University of North Carolina discussing "The Effects of Legally Recognizing Same-Sex Unions on Health and Well-Being," Prof. Catherine E. Smith of the University of Denver discussing

"Standing in the Shadows: The Rights of Children with Same-Sex Couples," and Prof. Marie Failinger of Hamline University discussing "Ophelia with Child: A Restorative Approach to Legal Decision-Making by Teen Mothers."

For the panel "Same Sex Marriage and Beyond," Law School Prof. Dale Carpenter led a discussion on issues related to same sex marriage and other non-traditional family configurations. Joining Prof. Carpenter were Prof. Edward Stein, who delivered the keynote address, "Looking Beyond Full Relationship Recognition for Couples Regardless of Sex: Abolition, Alternatives, and/or Functionalism"; Prof. Elizabeth M. Glazer of Hofstra Law School discussing "Standards and Deviations"; Jonathan Rauch, journalist and guest scholar at the Brookings Institution discussing "Red Families, Blue Families, Gay Families, and the Search for a New Normal"; and Prof. Eileen Scallen of the William Mitchell College of Law.

In "Immigration Issues Facing Non-Traditional Families," Howard S. (Sam) Myers III of Myers Thompson led a panel including Laura J. Danielson, Fredrikson & Byron; Angela Bortel, The Bortel Firm; and Aaron C.

Morris, Immigration Equality, in a discussion of the intricacies and problems that non-traditional families face in immigration law.

In the final panel, "State Initiatives, Legislation & Litigation," Minnesota State Representative Ryan Winkler led a discussion of the state of the law regarding non-traditional families in Minnesota, Iowa, and Wisconsin. The panel included Katie Belanger, Executive Director of Fair Wisconsin; Brad Clark, Campaign Director of One Iowa; and Phil Duran, Legal Director for Outfront Minnesota. The discussion examined the different legal situations faced by non-traditional families in each state (same-sex marriage in Iowa, legislative domestic partnerships with a constitutional amendment banning same-sex marriage and civil unions in Wisconsin, and neither in Minnesota) as well as strategies for change.

Prof. Younger offered concluding remarks, summarizing the day's discussions with her trademark candor and wit. *Law & Inequality* thanks everyone who attended, participated, and made this year's symposium possible and looks forward to next year.

By Aaron Welo ('10)

New Curriculum Selections in 2010

International Human Rights Clinic

> The new Human Rights Litigation and International Legal Advocacy Clinic, under the directorship of Prof. Jennifer M. Green, has joined the Law School's clinical program. It is being offered as a one-semester, four-credit course the spring 2010 semester, but beginning in the fall of 2010, it will be a two-semester, seven-credit course.

The new clinic gives students experience in human rights advocacy through direct participation in supervised clinical projects and provides skill-building exercises through classroom training. Direct experience includes advocacy on various human rights issues in such forums as the United Nations, the Inter-American human rights system, federal and state courts, and coalitions of nongovernmental human rights organizations.

In the classroom, students learn the core lawyering skills of interviewing, counseling, negotiation, and legal ethics in practice. They receive training in interview techniques for human rights documentation, the effects of post-traumatic stress syndrome, the effects on attorneys of secondary trauma, and types of oral and written human rights advocacy.

Capstone Courses

> An innovative capstone course in labor and employment law is being offered for the first time the spring 2010 semester, co-taught by Prof. Laura J. Cooper and Adjunct Prof. Karen G. Schanfield ('78), a shareholder at Fredrikson & Byron.

Students are learning how to integrate diverse areas of labor and employment law, developing practice skills, and addressing ethics and professionalism issues in a comprehensive simulation that replicates, as nearly as possible, what practicing attorneys would do in resolving workplace legal claims.

Cooper designed the simulation course with a national advisory panel from The Labor Law Group and the ABA Section of Labor and Employment Law to provide experience in the issues and skills that practicing attorneys consider most important for new labor and employment attorneys.

Thirteen student "attorneys" are representing a doctor, a nurse, a hospital, and a union. Andrea Kaufman ('85) is playing the role of the hospital's human resources director, and seven other people (an actor, a doctor, law students, and a law professor) are portraying

clients and potential witnesses. The attorneys obtain information from the role-players and then determine what legal claims and defenses to pursue and how to pursue them (in negotiation, arbitration, mediation, state or federal administrative or judicial forums).

During classroom sessions, Eric Cooperstein ('90), R. Ann Huntrods ('81), Douglas Micko ('99), Andrea Rubenstein ('77), and other local attorneys are sharing their expertise and offering students guidance in addressing the issues confronted in the simulation.

Another new spring 2010 capstone offering is **health law compliance**, led by Prof. Ralph Hall. Student teams are identifying legal issues and applying them toward practical solutions for questions faced by a fictional medical start-up company. The simulation offers experience with real-life workplace problems and ethical issues encountered in the practice of health law.

An **environmental law capstone course** was introduced in the fall of 2009, led by Prof. Alexandra Klass. It focuses on the cleanup, redevelopment, and litigation of brownfields and features guest speakers and simulations of community meetings and court proceedings.

> A program to help students prepare for the Law School Admissions Test

(LSAT) will be offered at the Law School from June 5 to Aug. 11, 2010. The class will meet once, and occasionally twice, a week and will be limited to 25 students.

The comprehensive workshop will cover all sections of the LSAT and the skills required to complete them. The program will include mentoring, assistance with applications and essays, and help with other questions. In addition, students will have the opportunity to hear relevant speakers, and post-program follow-up will be provided.

The LSAT Prep Program is sponsored by the Law School Office of Admissions.

For more information, contact Rachel J. Martínez, Associate Director of Admissions, at **612-626-1103** or **mart1130@umn.edu**.

LSAT Prep Program Offered This Summer



Sally Barringer Gordon



Dean Wippman, Sally Gordon, Kristine Erickson ('72), and Prof. Barbara Welke



Sally Barringer Gordon (far right) speaks with guests at reception following her Erickson Legal History lecture

Ronald A. and Kristine S. Erickson Legal History Lecture

> On March 10, 2010, Sarah (Sally)

Barringer Gordon, Arlin M. Adams Professor of Constitutional Law and Professor of History at the University of Pennsylvania, presented the Ronald A. and Kristine S. Erickson Legal History Lecture, entitled "The Spirit of the Law: Religion and the Constitution in Modern America."

Gordon's talk was based on her book of the same name, released in April 2010 by Harvard University Press. She described the wide-ranging effects of the U.S. Supreme Court's decision to extend the Constitution's religion clauses to all state and local governments in the mid-20th century. Religious groups and individuals turned to courts to protect their rights, while courts

struggled to determine the dividing line between religious and legislative issues and create sound constitutional standards. Controversies arose in all corners of society, involving education, incarceration, marriage, public funding, and more, bringing about some of the most contentious court battles of the time. Gordon's perspective on the Constitution through the lens of religious believers and dissenters brought both legal and religious history into everyday life.

Gordon joined the University of Pennsylvania Law School in 1994 and received her joint appointment with the Department of History in 1998. From 2000-02 she served as Associate Dean for Academic Affairs. She was appointed Arlin M. Adams Professor in 2006 and

has taught courses on church and state, property, American religious history, and legal history. Gordon received her J.D. in 1986 and her M.A.R. in 1987 from Yale. She clerked for the Hon. Arlin M. Adams, U.S. Third Circuit Court of Appeals, in 1986-87 and completed her Ph.D. in history at Princeton in 1995.

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 Lecture Series is named in recognition of their leadership and generosity.

Summer Legal Institute Returns in July

> Building on the success of its inaugural offering last year, the Law School and Just the Beginning Foundation (JTBF) are hosting a Twin Cities Summer Legal Institute from July 6-16, 2010. Part of JTBF's Pipeline Programming to support higher education goals for young persons from diverse backgrounds, the Institute introduces Minnesota high school students to the legal profession and its opportunities.

This year, about 40 "JTBF Scholars" will hear lectures and panel discussions,

learn basic legal reasoning and analysis, prepare mock trial oral arguments, and take field trips to law firms, courthouses, and government offices. JTBF Scholars take away experiences that are helpful and applicable in any college curriculum as well as skills, resources, and the confidence to pursue a career in law. At the end of the Summer Legal Institute program, parents attend a closing ceremony recognizing their children's accomplishments.

In addition to generous corporate sponsorships, the Summer Legal

Institute, which is free to students, will receive support this year from a grant developed and administered by the University's College Readiness Consortium to help students prepare for college and equip them to succeed.

JTBF was founded in 1992 in Chicago to preserve the rich experiences of judges and lawyers of color. Its focus has evolved to emphasize opportunities for young persons from diverse backgrounds.

Email lawdos@umn.edu for more information.

Ways to Give >

Class of 1969 Scholarship Fund

> Rallying round the theme of “Giving Back” to commemorate its 40th anniversary, the Class of 1969 has thus far contributed more than \$217,000 toward a scholarship fund at the Law School, surpassing all previous Law School class fundraising efforts. More than 40% of the class has already donated, and the Class Gift Committee hopes to increase the total before efforts conclude on June 30, 2010.

Amidst dinner, drinks, and catching-up conversation at last April’s class reunion, classmates realized that many of them had contributed greatly to their professions and communities, and also that their Law School years had provided opportunities and relationships that enriched and benefited their lives and careers. They decided to establish a scholarship fund to give back for the advantages they enjoyed from their Law School education.

As Class Gift Committee co-chairs Judy Oakes and Joe Dixon articulate, “Doing so would provide the benefits and opportunities that the Class of 1969 enjoyed and appreciated to the current generation and enable the tradition of giving back to continue.” Others on the Committee are Jeffrey Brooke, Charles Diessner, Gerald Duffy, James Erickson, Barry Feld, Larke Huntley, Bill Johnstone, Vance Opperman, Steve Rubin, Gerald Seck, Reginald Steer, Charles Swope, and Robert Weinstine.

The Class of 1969 Scholarship will be eligible for the President’s Scholarship Match Program, which matches the fund pay-out dollar for dollar, essentially doubling the impact of the gift.

To contribute, go to www.giving.umn.edu for online giving or mail gifts to Jill Seguin, Advancement Office, Suite 321, UMN Law School, 229 19th Ave. S., Minneapolis, MN 55406 (write “1969 Scholarship” in the memo line).

James H. Michael Scholarship Fund



James Michael (right) and his son, Jeff, at Annual Scholarship Dinner

> James Michael’s ('47) strong interest in advocating for human rights and promoting the rule of law date back to his service in World War II. He was a member of the 42nd “Rainbow” Infantry Division, best known for liberating prisoners at the Dachau concentration camp in April 1945. The experience stayed with him throughout his life.

In business, Michael carried the lessons of early legal training into his endeavors, whether that be managing buildings, constructing new buildings, or establishing successful businesses. The most familiar of his commercial enterprises is Michael Foods, a leading processor and distributor of egg and refrigerated potato products. “My father often reflected on his time at the Law School as a foundation for his varied business pursuits,” says his son, Jeff.

In January 2010, Michael found a way to both support human rights and recognize his alma mater by creating and endowing the James H. Michael Scholarship Fund at the Law School. It will provide financial assistance to Law School students, in particular students who share his interest in global human rights and international affairs.

At the annual Scholarship Recognition Dinner in March, Michael met the inaugural recipient of his scholarship, Matthew Webster ('11). Webster

developed a passion for immigrant rights while teaching in the Rio Grande Valley of Texas with Teach for America and decided to pursue a law degree and a career in human rights.

3M Gives Royalty-Bearing Patents



Raymond Eby ('98) and Michael Geise ('05)

> St. Paul-based 3M has more than 560 patents for its innovative products and technology. In February, through the efforts of Raymond Eby ('98), a manager in 3M’s Corporate Development Group, and Mike Geise ('05), Office of Intellectual Property counsel, the company made a gift of some of those royalty-bearing patents to the Law School and the University of Minnesota Office for Technology Commercialization (OTC).

The patents, with an estimated value of \$760,500, are expected to generate revenue approaching \$2 million over the next five years. Revenue will be divided between the Law School and the OTC, a unit of the University’s Office of the Vice President for Research that nurtures, protects, and licenses University-developed technologies.

“3M is very pleased to be able to make this gift, particularly to support the Law School’s important and innovative work on complex and fast-changing issues,” says Eby. “We believe that great legal scholarship and high-quality legal education are critical to sound policy and best practices for the future. Investing in legal excellence

and technology is vital to ensure Minnesota's role as a national leader in the years to come."

The newly established 3M Fund for Law, Science and Technology at the Law School will be used for various programs and initiatives in teaching and research.

Mentoring Program by Winthrop & Weinstine

> In January 2010, the Minneapolis firm of Winthrop & Weinstine undertook a pilot mentoring program, chaired by shareholder Clayton W. Chan ('00), to address minority Law School students' needs. The program kicked off with a reception at the firm's offices, where mentors and students met and discussed plans for personal and professional development. In future meetings, mentors will acquaint students with everyday aspects of the practice of law and introduce them to

ethical and professionalism issues that are sometimes confronted in practice.

The program paired 17 of the firm's experienced attorneys, who volunteered to act as mentors, with 17 Law School students. Students had been asked to write a personal ethics mission and identify specific lawyering experiences they would like to participate in or observe.

The new Winthrop & Weinstine Diversity Mentorship pilot was organized in partnership with the Law School and its Career and Professional Development Center through the efforts of Director Alan Haynes and Career Advisor Victor Massaglia. "We created this mentorship opportunity to offer a highly structured program that would take into consideration the strengths and interests of both the students and the attorneys," says Haynes. "This pilot program fits very well with some of the curriculum reform efforts emphasizing student appreciation of



Clayton W. Chan ('00), Alan Haynes, and Vic Massaglia

law, ethics, and professionalism."

Winthrop & Weinstine President Scott J. Dongoske comments, "We are so proud to be a part of this. I was a law student once [Harvard, '83] and remember how daunting the profession seemed. We hope to give these students a good launching point and help them to understand what is involved so they can fully prepare and be ready for the legal world."

Planned Gifts Increase Giving Value >

> Charitable giving need not always depend on what is in the checking account. Planned gifts can be arranged to allow even greater financial support for the Law School with less strain on the pocketbook than writing a check.

A gift made through an estate also can reduce estate taxes. The most common planned gift is a bequest from a will or revocable trust. Testamentary gifts also can be made from IRAs, 401(k)s, and other retirement accounts very easily by filling out a simple beneficiary designation form. Other planned giving options include charitable gift annuities and charitable remainder trusts, which can provide current income to donors with the remaining principal going to the Law

School after a specified term or the death of the donor.

Recently, several donors made significant bequest commitments to the Law School. Bob Owens ('69) decided to make an estate gift "primarily because I was so appreciative of the great legal education I got at the Law School and wanted to make sure those opportunities remain available for other people." Owens realizes that "more alumni need to step up to the plate" because of cutbacks in state funding. Giving through estate planning allows him, he says, "to leave a legacy in a way that will benefit the institution for, hopefully, years to come. It is a very easy way to make a significant gift."

Another donor, who recently made a large bequest commitment, says that

"by supporting the Law School, I feel like a participant in the important research and writing being done by faculty." The class of 1963 alum comments that "without maintaining a first-rank law school in Minnesota, the quality of legal work performed by Minnesota lawyers will suffer. Without generous giving to the Law School, it will be unable to get and retain the best faculty and attract the best students." As for tax benefits: "Because of the taxes saved by the [testamentary] gift from the IRA, there is much more money available to accomplish my philanthropic goals."

For information about planned gifts, contact Associate Director of Advancement Joe Thiegs ('99) at 612-626-5363 or thiegs@umn.edu.

Roundtable Takes Hard Look at Human Trafficking



Prof. Michele Goodwin leading discussion on human trafficking



Prof. Maria Grahn-Farley, Albany Law School, delivering address on trafficking and children

> Experts in human trafficking, international criminal law, international children's issues, victimized populations, and other human rights fields assembled at the Law School on April 2 for the 2010 International Roundtable on Human Trafficking, the first in a human trafficking series organized by Michele Bratcher Goodwin, Everett Fraser Professor of Law. Goodwin, convener of the round-table, also holds joint appointments at the University of Minnesota Medical School and School of Public Health and is a prolific author and researcher on such issues as reproductive law, medical tourism, organ transplantation, law and status, and socioeconomics in medicine.

Roundtable participants engaged students, scholars, legal practitioners, and community members in dynamic discussions about a variety of issues, including international drug and sex trafficking, trafficking of human tissues, and the dark side of adoption. Some participants also shared moving personal experiences. Luz E. Nagle, Stetson University College of Law, for example, told of surviving assassination attempts as a judge in Columbia, and David M. Smolin, Cumberland School of Law, described the painful discovery that his adoptive daughters had been trafficked—essentially stolen from their mother in India.

Legal practitioners who work with

trafficking victims and survivors in Minnesota, including Beatriz Menanteau from the Women's Human Rights Program of The Advocates for Human Rights and Linda Miller from Civil Society, highlighted obstacles to justice in local trafficking cases. In attendance were local women who had once been trafficked—a testament to their endurance and perseverance as well as a unique opportunity to put a face on human trafficking in Minnesota.

Sara Dillon, Suffolk University Law School, articulated the effects of sex trafficking on women and children. Maria Grahn-Farley, Albany Law School, argued for legal alternatives to current legislation that targets trafficking victims, and Song Richardson, DePaul University College of Law, led participants in crafting new definitions and ways of reconciling the language of trafficking.

Harriet A. Washington, author of the award-winning *Medical Apartheid: The Dark History of Medical Experimentation on Black Americans from Colonial Times to the Present*, made historical connections to the racially skewed medical demand for human tissues and current problems in medical research. In addition, Emma Christopher, Australian Research Fellow at the University of Sydney and Gilder Lehrman Fellow at Yale University, offered

a historical perspective of current human trafficking issues by tracing the effects of the transatlantic slave trade on modern-day African families.

The roundtable concluded with a discussion of troubling racial imagery—caricatured depictions of dark-skinned blacks with exaggerated eyes and lips and over-sexualized women—in a photo exhibit of items being sold to tourists in the Cuban marketplace.

The international human trafficking series intends to address what the Obama administration calls “the fight against human trafficking” (see www.state.gov/secretary/rm/2009a/06/125009.htm) by examining trafficking in its many manifestations. Members of the scientific committee involved with the series are Professors Song Richardson, DePaul University College of Law; Elizabeth Sussekind, Catholic University of Rio de Janeiro; Dorothy A. Brown, Emory University Law School; Glenn Cohen, Harvard Law School; Abbe Gluck, Columbia University Law School; and Mary Simmerling, Weill Cornell Medical College.

The next meeting will be in Brazil in May 2010, with Professor Goodwin leading a discussion on international organ trafficking issues. The series is supported, in part, by a grant from the Robina Foundation.

By Nicole Elsasser Watson ('11)



One of several photographs by Prof. Michele Goodwin capturing images of typical racialized craft items promoted widely to tourists in Cuba >

Conservative & Libertarian Legal Colloquium Held in April

> The second Minnesota

Conservative & Libertarian Legal Colloquium was held at the Law School on April 16, 2010. Entitled "Conservative and Libertarian Reactions to the First Year of the Obama Administration," the Colloquium featured a discussion by a panel of legal experts regarding the administration's successes and failures, from bank bailouts to health care. Participants also offered predictions for the future. Visiting panelists:

- Professor John McGinnis of Northwestern University School of Law, an expert in constitutional and international law and 1997 winner of the Paul M. Bator Award from the Federalist Society, given to an outstanding academic under 40

- Professor Jonathan Adler, Director of the Center for Business Law and Regulation at Case Western Reserve University School of Law
- Assistant Professor Joshua Wright of George Mason University School of Law, an antitrust and slotting allowances expert who holds a Ph.D. in economics

Panelists representing the Law School were Associate Professor Kristin E. Hickman; Professor Richard Painter, S. Walter Richey Professor of Corporate Law; and Professor David Stras, Vance K. Opperman Research Scholar and Co-Director of the Institute for Law and Politics. Dale Carpenter, Earl R. Larson Professor of Civil Rights and Civil Liberties Law,

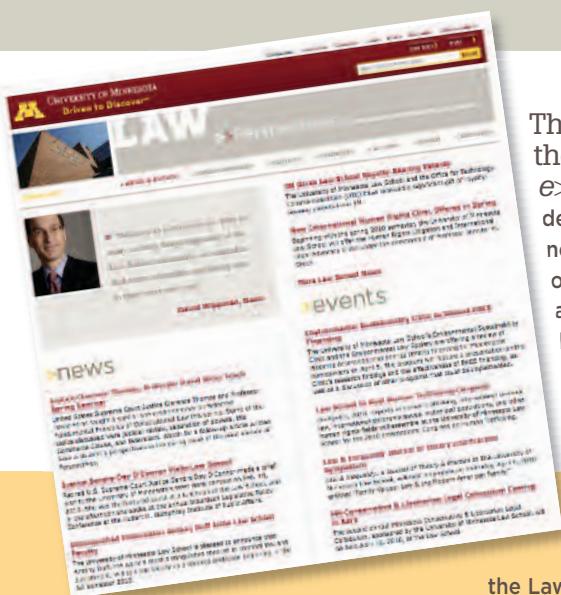


Prof. John McGinnis, Northwestern University School of Law

moderated the discussion.

The mission of the Colloquium, which is sponsored by the Law School, is to foster discussion of important legal issues among conservatives and libertarians. It was founded by Professors Carpenter and Stras in October 2008, and they serve as co-chairs along with Professor Hickman.

ANNOUNCING e>Perspectives



The first edition of the quarterly online *e>Perspectives*, debuted this spring. It contains news, announcements, CLE opportunities, exclusive stories, and many more Law School highlights. As it evolves, we ask for your feedback to make it a more valuable resource for you.

To view the newsletter, click on *e>Perspectives* on the Law School's home page or go to www.law.umn.edu/eperspectives/spring2010/news-and-events.html.

To receive an e-mail alert when the new issue is posted, or if you have suggestions or comments, write to e-Perspectives@umn.edu.

Minn. Supreme Court Holds Session at Law School

On March 2, 2010, 1Ls had the opportunity to hear attorneys present the argument in Minnesota Asbestos Litigation, Case No. A08-2222, before Minnesota Supreme Court justices.

The case focused on the lower-level courts' authority regarding prelitigation discovery and discovery not provided for in the Minnesota Rules of Civil Procedure. The one-hour special session was organized specifically for 1Ls and was followed by a Q&A period.

Minnesota Supreme Court participants were Chief Justice Eric J. Magnuson and Associate Justices G. Barry Anderson ('79), Paul H. Anderson ('68), Christopher J. Dietzen, Lorie S. Gildea, Helen M. Meyer, and Alan C. Page ('78). Among the justices' law clerks were Katherine Sewell ('08), Benjamin Weeks ('09), and Noreen Johnson ('09).

Participating attorneys were Robert E. Cattanach and Colin Wicker of Dorsey & Whitney, Daniel E. Hintz ('99) and Mark K. Peschel ('84) of Johnson & Lindberg, and Michael S. Polk, Michael R. Strom ('85), and Shawna M. Verheyen of Sieben Polk.

Article 1.All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

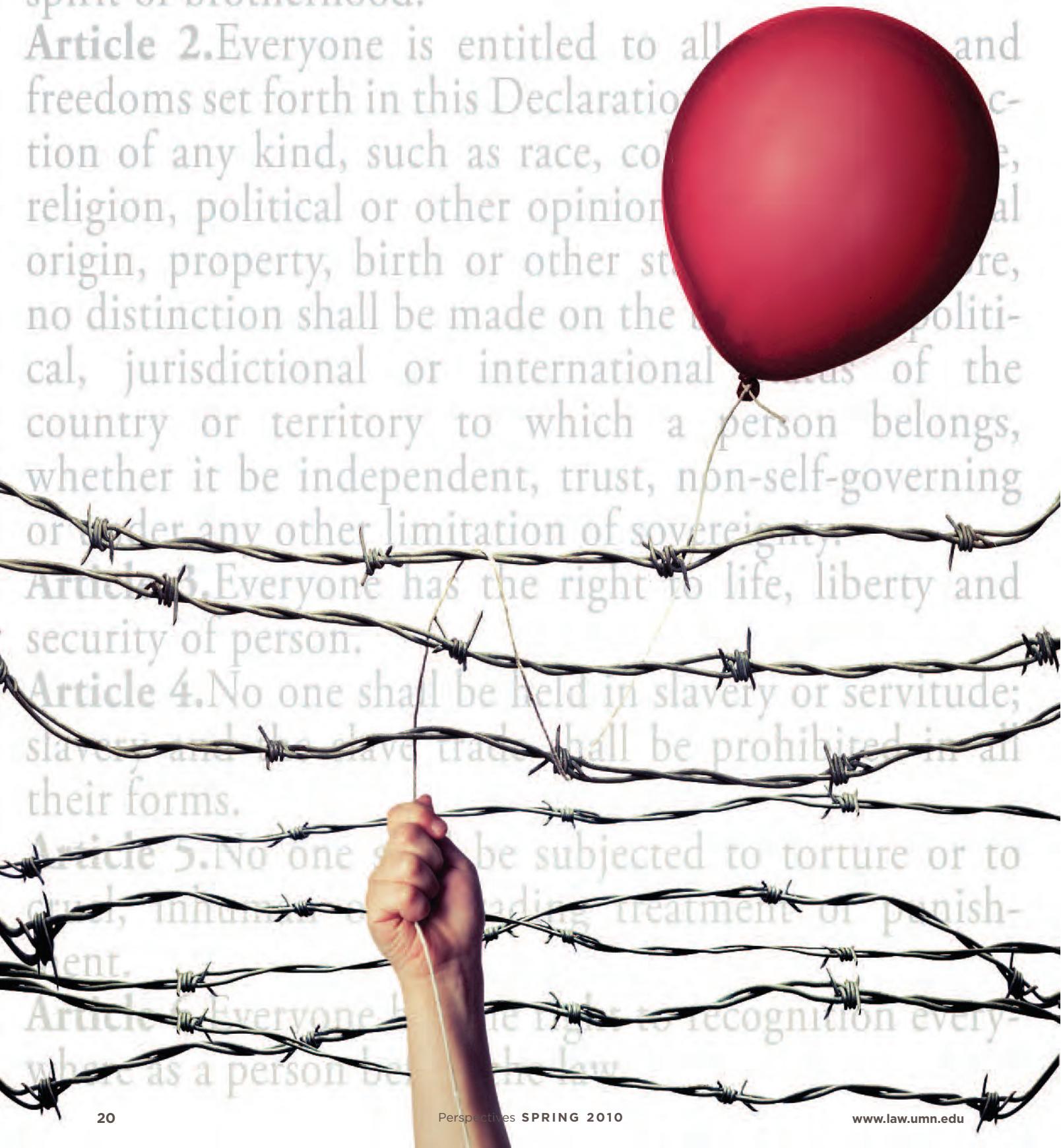
Article 2.Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or ethnic origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.Everyone has the right to life, liberty and security of person.

Article 4.No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5.No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.Everyone has the right to recognition everywhere as a person before the law.



Rights on Their Side

Alumni fight for human rights on U.S. and global fronts.

BY CATHY MADISON

In December 1988, 40 years after the Universal Declaration of Human Rights, the University of Minnesota Human Rights Center, housed in the Law School, set out to promote a culture of human rights and responsibilities and train advocates, professionals, and volunteers. Its accomplishments, including its library of more than 60,000 documents, are legion. But long before this highly visible symbol of the Law School's commitment to human rights took form, its graduates were carrying the torch in myriad ways: through political careers, military service, academic endeavors, and dedicated volunteer paths. Here are some of their stories.



Don Fraser (right) and Douglas Johnson (left), executive director, Center for Victims of Torture

> DON FRASER Class of 1948

"When we measure progress in human rights issues, we have to look at decades to see if there has been a change," says Don Fraser, former state senator, U.S. congressman, and the longest-serving mayor (1979-93) in Minneapolis history. "It's hard to measure. It's not rapid. It's incremental. It happens here and there, and then there are regressions."

After spending more than six decades shaping and implementing policy at city, state, and national legislative levels, Fraser has mastered the long view. The former U.S. representative from Minnesota's 5th District (1962-78) recounts a trip he took in the late '80s to Central America, where he visited anticommunist activist Jose Napoleon Duarte, then president of El Salvador.

"He said that when he used to come up to Washington, D.C., I was the only member of Congress who would see him," Fraser says. "The fact that we took an interest in human rights issues provided some folks from Third World countries a place where they could

come and tell their stories.”

It wasn’t always so. “When we first started, most people in the State Department thought of human rights issues as nuisance issues that got in the way of diplomacy,” he recalls. Eventually, “that attitude changed.”

Fraser’s passion for human rights surfaced early on when, as a two-term Minnesota state senator, he authored the Fair Housing Law to ban discrimination and actively supported civil rights legislation. But when he was elected to U.S. Congress and took a seat on the House Foreign Affairs Committee, he found no systematic exploration of these issues.

As chair of the Subcommittee on International Organizations and Movements, Fraser launched extensive hearings that highlighted our country’s unfortunate embrace of “governments which practice torture and unabashedly violate almost every human rights guarantee pronounced by the world community.” Fraser helped enact legislation that requires the State Department to monitor the human rights records of U.S. aid recipients and sets standards for providing U.S. military assistance to foreign countries.

“I can’t say they’ve been honored consistently, but at least they’ve been written into law,” Fraser says. The scope has broadened to include countries that do not receive aid. Today, every U.S. embassy has one political officer assigned to track human rights issues and report regularly to the State Department.

Over the years Fraser helped launch many initiatives, including a yearly U.S. and British parliamentary conference on human rights issues in Africa, but not all of them stick. His work with an international Christian democracy group to monitor Third World elections lasted only a few years. He calls it a “blip in the past,” yet more effort is being poured into monitoring elections today.

Recognizing and protecting women’s rights is one area in which he notes positive change. “The U.N. also appears to be playing a more active role in conflicts where repression and killing occur,” Fraser says. Although there are a lot of problems that haven’t been solved, “on a kind of fundamental basis, I think we continue to make progress,” he adds.



Sam Heins speaking at Outstanding Achievement Award reception this spring

> SAM HEINS Class of 1972

When Sam Heins attended law school, he took no courses dealing with international human rights issues; there were none. But his interest in amnesty led to a fortuitous connection with human rights expert and Law School Professor David Weissbrodt, then general counsel with Amnesty International.

“I called David in London, and we hatched some projects that Minnesota lawyers could do that would have human rights implications,” Heins says. The resulting organization, Minnesota Lawyers International Human Rights Committee (forerunner of Advocates for Human Rights), was formed in 1983. “After that, it was a hop, skip, jump to what became the Minnesota Protocol,” Heins recalls.

The same year the Committee was formed, Philippine opposition leader Benigno Aquino Jr. was assassinated minutes after stepping off a plane at the Manila airport. His body was whisked away and forensics evidence destroyed. The fledgling organization published a document detailing proper forensic procedures in politically motivated cases. The United Nations adopted what was dubbed the Minnesota Protocol and still uses it to document human rights abuses.

While Heins handles complex litigation, especially securities fraud and antitrust class actions, at Heins Mills &

Advocates for Human Rights today

Born in 1983 as the Minnesota Lawyers International Human Rights Committee, the Advocates for Human Rights is a thriving nonprofit organization with a 27-member board of directors and staff of 25. The Advocates have produced 75 reports documenting human rights practices in 25 countries, where the organization’s multifaceted work touches the lives of refugees, immigrants, ethnic and religious minorities, women, and children.

Founders include Sam Heins ('72), Don Fraser ('48), and Professor David Weissbrodt. Members include Second Minnesota District Judge Elena L. Ostby ('86), who also serves on the Equal Justice Committee of the Minnesota

Olson in Minneapolis, he also pursues a parallel career path in human rights. The Committee he shepherded, renamed the Advocates for Human Rights to reflect its expanded scope, has afforded numerous opportunities to see human rights challenges up close.

Heins recounts the story of a Romanian engineer whose wife defected to the United States while on a business trip to Minnesota. When her husband was arrested as retribution, the case attracted local support and prompted the Committee to send representatives to Bucharest to observe the trial. Just being in a totalitarian country took Heins aback.

"The government was really insane," he says. "Being physically present, observing what passed for a trial, was a pretty remarkable experience for a Minnesota lawyer."

Heins also visited Pakistan to observe Benazir Bhutto's 1990 unsuccessful election run. Witnessing the vast sea of people attending a rally, Heins was struck not only by the abject poverty evident in the "barely controlled mob scene" but also by the difficulty of communicating ideas to an illiterate public who would cast votes by marking symbols such as umbrellas or bicycles because they couldn't read candidates' names.

"It was all about chanting and whipping up a frenzy that presumably induced people to vote or not to vote," he says. "It was not a learned discourse. It was all pretty amazing."

In March the University's Board of Regents and Alumni Association honored Heins with its Outstanding Achievement Award for his significant accomplishments. But he credits the Committee for the positive results that contribute to human rights progress.

"People have been freed from prisons, rescued as refugees, and afforded rights they wouldn't have without the work of the Committee," he says. "It has had a concrete effect on lives and health. Its existence is very important because it has done a lot of good for a lot of people."



> JOHN HUTSON Class of 1972

Standing in the Oval Office on the second day of the current administration, John Hutson watched President Obama sign the executive order closing the Guantanamo Bay detention center. A career military officer who had long fought for basic rights he feared were slipping away, Hutson was awed by the experience.

"I was very sensitive to the historic context of what we were witnessing. We'd gotten derailed for a while, but I had a huge sense that the U.S. was getting back on track. It was very gratifying," he says.

It was also a fitting highlight of a career spent in the U.S. Navy—to his mind, the ultimate human rights organization. Commissioned in 1969 more to avoid the draft than to act on high-minded ideals, Hutson had been raised to respect human rights, but those issues weren't top of mind in law school. "I wasn't a crusader. I was just trying to get through the days and pass contracts and torts. I was young, naïve, and not thinking that far ahead."

But once he embarked on his global career, earning numerous distinguished service medals on his way to becoming a rear admiral and Judge Advocate General of the Navy, he realized that his mission was clearly linked to protecting the values inherent in the U.S. Constitution and Bill of Rights.

"The U.S. military is there to defend the rule of law

District Court. Board chair is Aviva Breen ('77), former Executive Director of the Minnesota Legislative Commission on the Economic Status of Women.

Alumni on staff include Emily Good ('03), Director of the Refugee & Immigrant Program; Michele Garnett McKenzie ('96), Director of Advocacy; Beatriz R. Menanteau ('03), staff attorney with the Women's Human Rights Program; Rosalyn S. Park ('02), Research Director; Deputy Director Jennifer Prestholdt ('96), Director of International Justice; Cheryl Thomas ('83), founding Director of the Women's Human Rights Program; and Laura Young ('05), staff attorney in the International Justice Program.



Alumni staffing Advocates for Human Rights (left to right): Cheryl Thomas ('83), Jennifer Prestholdt ('96), Rosalyn Park ('02), Michele Garnett McKenzie ('96), Emily Good ('03), Laura Young ('05), and Beatriz Menanteau ('03)

and human rights. That's the purpose of it," Hutson says. In the aftermath of 9/11, however, he found the changes in U.S. policy, including indefinite detentions and torture practices, deeply troubling.

"We were perpetrators of a lot of misbehavior that we'd fought wars to ensure didn't occur," he says. He remembers being interviewed by ABC-TV's Peter Jennings early on, before Abu Ghraib broke, and insisting that military personnel guaranteed detainees their rights under the Geneva Convention and refrained from engaging in any kind of misconduct.

When Jennings asked him how he knew that no misconduct had occurred, Hutson recalls stating that he had served in the U.S. Navy for 28 years and knew that military personnel wouldn't act that way. "It wouldn't have occurred to me that our armed forces would be put in a position where they were allowed, encouraged, even ordered to do those kinds of things," he says.

Now retired from the Navy, Hutson is dean of Franklin Pierce Law Center, where he teaches national security law. He also makes speeches, participates in such organizations as Human Rights First, where he serves on the board, and is part of a group of about 50 military retirees who rely on their experience to question U.S. practices. "We have perspective and, quite honestly, a certain level of credibility because we've been 'in' and understand something of what's going on. Unless someone has served, they don't necessarily have the same emotional understanding that we do," he says.

Hutson worries that the United States has changed, just as war itself has changed. "We're fighting an enemy that knows no bounds, that will commit suicide in order to achieve its goals, and who doesn't want the war to end," he says. And when we play by the same rules, we end up in a place that makes us wonder how we got there. "Those are the times when things are hard, and when we, as a country, have to hold on even more tightly to the things that made us great in the first place."



> JOHANNA BOND Class of 1996

Women's rights law intrigued Johanna E. Bond from the beginning of law school, and she assumed she'd work for

legal aid or domestic women's rights organizations. But the summer after her second year, two opportunities shifted her vision and determined her career path.

The first was the 1995 Fourth World Conference on Women in Beijing, where she spent a month working on both the NGO side and as a U.N. official. She calls it a "transformative moment for me, the incredible experience of feeling that I was part of that process."

That same summer, funded by the MacArthur Foundation, she did domestic violence work with a human rights center in Cambodia. She had done similar work as a volunteer in Minnesota, accompanying police on domestic violence calls, and knew how to help women in crisis. But she discovered that despite many parallels, domestic violence cases in the U.S. differed distinctly from those in Cambodia due to cultural differences, such as the absence of police and lack of infrastructure in Cambodia.

"One of the things I learned fairly early is that you can't simply transplant solutions to another social context," Bond says. "The basic parameters were the same in the sense that Cambodian women were facing violence because of patriarchy and lack of power within familial relationships. But the dynamics and the way the violence plays out vary considerably, and the kinds of recourse also vary significantly. It was an important lesson."

An associate professor at Washington and Lee University School of Law since 2008, Bond has spent her teaching career sharing those lessons. Her research and publications, including her edited book, *Voices of African Women: Women's Rights in Ghana, Uganda, and Tanzania*, deal with trafficking and other global issues ranging from maternal mortality in Mexico to domestic violence in Nepal and Macedonia, to sexual harassment in Poland and Bulgaria.

Whenever possible, she accompanies small groups of students to countries such as Namibia and Tanzania, where they spend up to two weeks gathering data, conducting interviews, and writing reports that analyze how the country fulfills its obligations under international human rights law.

"Because of the transformative experience I had early in my career, I want to re-create that for the students. In my mind, it's a very different experience than sitting in a classroom and reading a textbook. They need to see what it looks like on the ground," she says. While she believes strongly in its pedagogical value, she also acknowledges that field work is a huge challenge as well as an expensive way to teach, requiring her to cobble together funding from various sources. Yet informal surveys conducted at various conferences over the years show that lawyers who do human rights work almost invariably had a chance to go abroad during law school.

"It's the field work that draws people in. I really believe it's what makes them committed to the vision of human rights around the world. To go and see the challenges that others face in terms of funding and repressive governments is very inspiring," Bond says. "I have a real sense that we're creating something valuable."



> UTTAM DAS (2009-10 Humphrey Fellow)

As a young student in Bangladesh with a love for writing, Dr. Uttam Kumar Das set his sights on a journalism career. But his family saw his budding passion for helping others and thought law was the better choice. "My father belongs to an older generation. He might not have any idea of the areas of law, but he knew that with a law degree I could at least help people from my community," Das says.

So he changed course and earned a Ph.D. in law and human rights from the University of Rajshahi, Bangladesh, as well as an LL.M. with honors. He worked with human rights organizations at the grass-roots level and focused on human trafficking, analyzing the laws and policies of Bangladesh and Nepal. He also worked as the National Protection (Legal) Officer in Bangladesh for the U.N. High Commissioner for Refugees for four years, and spent two years with the International Organization for Migration, directing training programs for lawyers and law students, police and military forces, and immigration officials.

Already licensed to practice as an advocate (attorney) in the Supreme Court of Bangladesh, he wanted to broaden his global knowledge, which led to his current affiliation with the Human Rights Center as a Humphrey Fellow. "Human trafficking has lots of dimensions, one of which is labor trafficking. Many people from poor countries are brought to this country and exploited. I wanted to study how laws and policies are administered by human rights organizations here," says Das, who is also pursuing an LL.M. "It gives me the opportunity to share my ideas."

His expanding interests include other crimes against humanity, such as genocide. And since writing remains close to his heart, he was pleased when a column he wrote for the *Minnesota Daily* won first place in the Associated Collegiate Press's Best of the Midwest competition.

But his soul is still in Bangladesh, where he plans to return, carrying with him new connections to a vast network. "My primary identity is as an advocate," he says. "But at the same time I will be able to do human rights training in my country and beyond my country. I will be writing articles and look forward to future correspondence and future networking. You need a base to start anything, and Bangladesh will be my base."

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



Lucie Bendova Viersma Class of 1988

Growing up in Czechoslovakia and encouraged by supportive parents, Lucie Viersma developed an early interest in human rights. The political science major and Advocates for Human Rights intern focused on international law and human rights in Law School. She writes from Geneva, where she works in Transitional Justice for the Rule of Law and Democracy Unit, U.N. Office of the High Commissioner for Human Rights (OHCHR).

Q. How did law school propel your interest?

Assisting Professor David Weissbrodt with research for two years broadened my knowledge about the U.N. human rights system. After graduating, I worked with the U.N. peace-keeping mission in Bosnia and Herzegovina for four years, initially with the judicial system assessment program and then with the human rights component, before joining OHCHR in 2002.

Q. What are your current challenges at OHCHR?

Upon arrival, I was tasked to help finalize the Principles and Guidelines on the Right to a Remedy and Reparation for Victims, which had been under consideration for 25 years! Finally adopted in 2005, they have been instrumental in placing the rights of victims at the center of judicial and non-judicial accountability processes. Now we're developing operational tools and guidance to assist in implementation. I was fortunate to contribute to significant developments in law and practice in this area, although challenges remain in implementation on the ground. The OHCHR continues to advocate for the rights and interests of victims often excluded from the decision-making processes.

Q. What accomplishments please you so far, and what are your goals?

For the past four years, I've been responsible for OHCHR's transitional justice work, for which we've been designated the lead entity within the U.N. We assist countries emerging from conflict or repressive rule to address past violations (through investigations and prosecutions, truth-seeking processes, reparations, and institutional reform), often in a context of broken institutions, exhausted resources, and diminished security. Finding a transitional justice response which respects the national context but also complies with international standards and obligations is the challenge. For example, states find it tempting to establish a truth commission, but TRCs do not replace the need for prosecutions.

My proudest achievement so far is probably my work with the legal research team of the International Commission of Inquiry on Darfur in 2004, which led the Security Council to refer the situation to the International Criminal Court. I consider it a great luxury to do what I like to do while also being the mom of two little girls. My goal: to be the next Secretary-General.

Coming to the Aid of the Band

On the shores of Lake Mille Lacs, legal aid office serves Ojibwe community.

By Karen K. Hansen

"We think you should apply at Wal-Mart." Those stinging words set Rjay Brunkow ('04) on a path through the legal system and into the profession. Brunkow's path to that point had been rocky. After flunking out of college, he worked construction for eight years—until he fell off a roof and severely injured his shoulder in January 1998. His employer required "100% medical clearance," which Brunkow would never achieve, despite reconstructive surgery and intensive rehabilitation. Shocked by his employer's dismissive attitude, Brunkow researched work-related injuries, hired an attorney, and won an agreement from his former employer to pay his wages while he attended college.



Rjay Brunkow ('04), Solicitor General, Mille Lacs Band of Ojibwe

Applying, achieving

South Dakota State University's "academic amnesty" policy wiped out Brunkow's earlier poor GPA, but it also eliminated all credit for classes he'd taken. Still, Brunkow says, "The opportunity to start over was perfect for me. I had a lot more motivation this time." And he knew he wanted to pursue law.

After earning a bachelor's degree in business economics, Brunkow was determined to go to the best law school within driving distance of his family. That was at

the University of Minnesota. A member of the Turtle Mountain Band of Chippewa Indians, he received a scholarship from the Minnesota American Indian Bar Association, which he later served as treasurer.

Brunkow got his J.D. in May 2004 and took an investment banking job with Wells Fargo, hoping to gain experience that would carry over into the practice of law. As Relationship Manager for the Midwest Region, he helped Indian tribes finance government infrastructure, gaming facilities, and construction projects.

In November 2006, he accepted the position of Deputy Solicitor General for the Mille Lacs Band of Ojibwe in Onamia, Minn. He was sworn in as Solicitor General in May 2007 and now advises and represents the band in federal, state, and tribal courts and oversees the Department of Public Safety, the Tribal Police Department, and the newly formed Band Member Legal Aid (BMLA).

"Here's a guy that had a choice of all kinds of things to do, and he is giving back to broader service in Indian country," comments Emeritus Clinical Professor Maury Landsman.

Coordinating, consulting

When Brunkow took over the Department of Justice, it had contracts with outside agencies to provide criminal defense and civil legal services to band members. "Almost on a weekly basis we would get band members complaining about the performance of the agencies," he recalls. Convinced the Department could provide better service at lower costs, the former banker did a cost-benefit analysis, comparing the external agencies' fees with the expense of establishing in-house legal services. He also considered non-financial problems, "including attorneys not showing up in court and attorneys turning down band members' files."

Although the numbers made sense, his proposed structure—having both prosecution and criminal defense lawyers function under the Department—was fraught with

potential conflicts of interest, both real and perceived. Brunkow, who had stayed in touch with Law School students and faculty, consulted Professor Landsman and Clinical Professor Stephen Simon ('71) about ethical concerns and structuring BMLA in house.

Landsman suggested he contact the Lawyers Professional Responsibility Board, and there Brunkow received both support and specific suggestions, including "don't share office space, make sure you have file integrity, and make sure you're not directing people on both sides of a case." Patrick Burns in the Office of Professional Responsibility referred Brunkow to Minnesota case law that laid out justification for the proposed structure.

Getting from "no" to "go"

But change comes hard, even when the need and the numbers are compelling. "The biggest challenge was trying to convince elected officials that we could do it better and they would be happy with the level of service," recalls Brunkow. "They'd tried a few different ways in the past. The first time we brought the idea up, it was a flat out 'no.' But I'm fortunate to have an elected body that was willing to work with me."

BMLA officially opened on Oct. 1, 2009. Its staff of five lawyers, a paralegal, and two assistants helps with civil legal issues such as child support, divorce, orders of protection, and probate, and defends members accused of violating band law and those facing trial in state and federal court.

Brunkow favors hiring "bright, motivated attorneys who have three to four years of relevant experience and are eager to learn." Among them are Law School alumni Mary Mullen ('06), a BMLA attorney, and Barbara Cole ('05) and Nichole Johnson ('07), both deputy solicitors general.

From balancing act to balancing books

Steve Christie of the St. Paul City Attorney's Office sat second chair to give Brunkow a chance to try a case from start to finish when he was an eager-to-learn intern. Brunkow won. "I thought he was a fair, conscientious prosecutor who would weigh the value of each case," Christie recalls. "Sometimes that called for tough action, and sometimes it called for compassionate breaks."

Brunkow has become accustomed to balancing action and compassion. In April 2007, while he was still Deputy Solicitor General, suspected misuse of tribal funds emerged, and for two years, his time was consumed by a criminal investigation of the tribe's then chief executive, Melanie Benjamin. He worked with the FBI, a Twin Cities law firm hired by the tribe, and the U.S. Bureau of Indian Affairs. He's still dealing with the case but says, "I'm glad the investigation is over, and I'm glad I survived it."

Now he's turned to investigating BMLA finances. Based on a quarterly budget review, Brunkow believes the office will be under budget and will have provided services at a lower cost than the prior contracts. What's more, he says, band members' complaints "have completely stopped. We've been really pleased with the performance of the attorneys in that office."



Staff of Office of the Solicitor General (OSG) and Mille Lacs Band Legal Aid (BMLA), gathered at the Government Center (left to right): Front row: Rjay Brunkow ('04), solicitor general; Nicole Johnson ('07), deputy solicitor general; Claire Boyd, administrative assistant, BMLA; and Jericho Fisher, administrative assistant, BMLA. Back row: Jennifer Kern, paralegal, BMLA; Heidi Halverson, paralegal, OSG; Christopher Sailors, managing attorney, BMLA; Stephanie Shook, attorney, BMLA; Barbara Cole ('05), deputy solicitor general; and Erik Parsons, administrative assistant, OSG. Not shown: BMLA attorneys Mary Mullen ('06), Shauna Coons, and Andrea Braun

Accessibility, attitude, assistance

Separate from the Government Center, "that office" is located in a formerly dilapidated building that the band had rehabilitated, and its legal work is kept confidential, including from Brunkow. "To watch the building come together is almost symbolic of watching the program come together," says BMLA Managing Attorney Christopher Sailors. And not only is the result a "gorgeous office," he continues, "We're right here on the reservation. The accessibility is a huge thing."

Attitude is huge, too. "We're not going to win every single case, but we're going to treat our clients with utmost respect, whether it's returning calls or going the extra mile," Sailors says. "We all love what we're doing."

The BMLA staff, like all band employees, attended detailed orientation about the culture and history of the band. "When you understand where they've been and where they're going," Sailors comments, "it makes you cognizant that you're representing a proud community, and you're a reflection of the community."

In 2008, one of Brunkow's deputies was in Crow Wing County Court and observed a 15-year-old Mille Lacs Band member standing alone as the judge read serious charges against him. When the judge asked what he wanted to do, the boy said, "I don't know what I'm supposed to do." His contracted lawyer hadn't shown up. "To his credit," Brunkow recounts, "my deputy stepped in and tried to help and let the kid know what was happening to him. But we couldn't represent this child."

That was the final nail in the coffin of the old model. Brunkow concludes, "We owed it to the band members to do better."

By Karen K. Hansen, a Minneapolis-based freelance writer/photographer and clarinetist

> Faculty Pers



Prof. Brett McDonnell (front row, second from left) and Dean David Wippman (front row, seventh from left) with honorees attending adjunct professor appreciation reception this spring



Prof. Michael Tonry speaks with prospective students during April preview days

Faculty Awards, Grants, and News



Professor Nancy Cook was named a fellow of the 2009 National Institute for Teaching Ethics and Professionalism

at its conference in November 2009. In conjunction with the fellowship, she presented "Images of the Professional in Popular Culture" at the conference.



Professor Prentiss Cox ('90) testified as an expert witness at a hearing entitled "Aggressive Sales Tactics on the Internet and Their Impact on American

Consumers" before the full U.S. Senate Committee on Commerce, Science, and Transportation on Nov. 17, 2009. His article on preacquired account marketing is forthcoming in the *Harvard Journal on Legislation*.

Also, Cox appeared in a documentary entitled "House of Cards: The Collapse of a Financial Giant and its Canadian Connection," aired on the Canadian Broadcasting Company program The Fifth Estate on Jan. 15, 2010. He described the workings of First Alliance Mortgage Co., an early adopter of subprime mortgage lending.

Professor Jennie Green saw successful outcomes in two cases she worked on for several years as a senior staff attorney at the Center for Constitutional Rights before coming



to Minnesota. In November 2009, the U.S. District Court in the Southern District of Florida ruled that claims brought by relatives of Bolivians killed by the Bolivian army against former President Gonzalo Daniel Sanchez de Lozada Sanchez Bustamante and former Defense Minister Jose Carlos Sanchez Berzain are viable and can proceed. In December, the Second Circuit Court of Appeals upheld a \$19 million judgment against former Haitian leader Emmanuel "Toto" Constant for rape, other torture, killings, and crimes against humanity in a lawsuit filed by three Haitian women terrorized by paramilitary forces under Constant's command.

pective



Professors Greg Shaffer, Bert Kritzer, and Carol Chomsky following Kritzer's chair in law and public policy appointment lecture



Prof. Fred Morrison (left) chats with Dean David Wippman before introducing him at his William S. Pattee Chair in Law Appointment lecture



Panelists at Experiential Renaissance Roundtable on education programs at Law School in April 2010



Professor Kristin Hickman's article, "Chevron's Domain," co-authored with Thomas Merrill and

published in the *Georgetown Law Journal* (Vol. 89, 2001), was cited by the U.S. Court of Appeals for the Tenth Circuit in *Carpio v. Holder*, No. 08-9536 (10th Cir. Jan. 12, 2010) in support of its conclusion that a decision by the Bureau of Immigration Affairs did not carry the force and effect of law and was not entitled to Chevron deference.



Affiliated Professor Jane E. Kirtley, a professor of media ethics and law at the School of Journalism and Mass Communication, was spotlighted

in volume 8, issue 1, of the Practising Law Institute's e-newsletter "All-Star Briefing." She was mentioned for her research on pending federal data privacy legislation, pros and cons of a developing technology called "deep packet inspection," and laws on encryption of personal information enacted in Massachusetts and Nevada.



Professor Alexandra B. Klass was promoted to full professor in December 2009. She joined the Law School's environmental law faculty in the fall of 2006 after two years at William Mitchell. Before that, she was a partner with Dorsey & Whitney for several years, specializing in environmental and land use cases. Currently, she is on the Governing Council of the Minnesota State Bar

Association's Environmental and Natural Resources Section.



Affiliated Professor Bernard M. Levinson, Professor and Berman Family Chair of Jewish

Studies and Hebrew Bible, was named a College of Liberal Arts Scholar on the basis of accomplishments in scholarship, teaching, and service, and the promise of further achievement.

In addition, he was awarded a competitive, refereed Henry Luce Senior Fellowship in Religious Studies at the National Humanities Center, Research Triangle Park, N.C., for the 2010-11 academic year. He hopes to complete his book on religion and law in antiquity, *Revelation and Redaction: The Role of Intellectual Models in Biblical Studies*, during the fellowship.



Professor Stephen Meili explained international and domestic policies on immigration and the rights of migrants on a panel at the University of Iowa in celebration of the 10th anniversary of its Center for Human Rights in November 2009.



Professor Perry Moriearty testified before the Minnesota Senate Judiciary Committee on Jan. 28, 2010, in support of a bill to reform aspects of the state's juvenile justice system. Her testimony focused on racial disproportionality in juvenile detention.



Professor Fred Morrison was re-appointed to a five-year term as a member of the Kuratorium of the Max Planck Institute on International Law. Also, he has been serving in an interim position on the University

Senate Committee on Finance and Planning and has been asked to serve a regular four-year term when the interim post expires.



Professor Fionnuala Ní Aoláin was elected to a three-year term on the Executive Council of the American Society of International Law at the society's annual meeting in Washington, D.C.



Professor Daniel Schwarcz testified at a public hearing of the National Association of Insurance Commissioners (NAIC) in Denver on readability standards and use of plain language in insurance policies. In his role as a funded NAIC consumer representative, Schwarcz recommended that state regulators make an organized commitment to collaborate with industry and consumer representatives to rethink and redesign policies, which currently lack consistency, structural logic, and clarity.



Professor Robert A. Stein ('61) was selected to receive the 2009 Outstanding Service to the Profession Award from *Minnesota Lawyer*, given to individuals who have worked consistently over the years to enhance the legal profession and the lives of those it serves. Stein was honored for the leadership roles he has taken throughout his career, including dean of the Law School, executive director of the American Bar Association, and president of the Uniform Law Commission.



Professor David Stras was promoted to full professor in December 2009. He joined the faculty in 2004 and teaches criminal law, federal courts and jurisdiction, and constitutional law. As Vance K. Opperman Research Scholar, he is focusing his studies on the federal judiciary and the U.S. Supreme Court. He is co-director of the Institute for Law and Politics and an affiliated professor in the Department of Political Science.

FACULTY WORKS IN PROGRESS Spring 2010 >

Lectures on work in progress at the Law School and at other institutions are presented on Thursdays from 12:15 p.m. to 1:15 p.m. in Room 385. They are open to the public but require an RSVP to Stephanie McCauley at 612-625-9037 or mccau061@umn.edu.

January

- 21 **Professor Fionnuala Ní Aoláin**
University of Minnesota Law School
Gender and Post-Conflict Societies
- 28 **Professor Allan Erbsen**
University of Minnesota Law School
Impersonal Jurisdiction

February

- 4 **Professor Erica Lee**
University of Minnesota Department of History
Guarding the Gate: The Life and Business of the Angel Island Immigration Station, 1910-1940

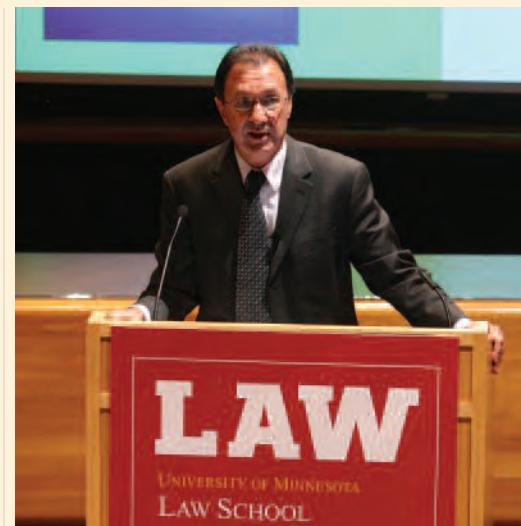
The Gray, Plant, Moaty, Moaty & Bennett Professorship in Law Reappointment Lecture

> On Nov. 3, 2009, Stephen F.

Befort ('74) commemorated his reappointment to the Gray, Plant, Moaty, Moaty & Bennett Professorship in Law, which he has held since 2003, with the lecture, "Bringing the American Employment Relationship Back Into Balance." The nationally recognized expert in labor and employment law joined the faculty in 1982 after serving as a Minnesota Special Assistant Attorney General and Principal Assistant Ramsey County Attorney. A labor arbitrator on both federal and state rosters, he directed the Law School's Clinic Program from 1982-2003 and was Associate Dean for Academic Affairs from 2000-04. Among his six books and more than 60 articles and chapters on employment law is the recently released *Invisible Hands, Invisible Objectives: Bringing Workplace Law and Public Policy into Focus* co-authored with John W. Budd, on which Befort based his lecture.

Current U.S. labor and employment law is a patchwork of regulations that do not fit together well, Befort said. Doctrinal consistency is lacking, regulation and enforcement exist in a con-

fusing maze, and the main employment relationship objectives—efficiency, equity, and voice—are out of balance. Efficiency (enhanced productivity and administrative ease) is strong, but in comparison, equity (fair and balanced outcomes) and voice (ability to communicate wants and needs) are weak and declining. Equity shortfalls include a rise in "contingent" employees not covered by workplace regulations and increasing hours worked by full-time employees. Voice has declined with decreased union membership and lack of alternative participatory channels. Befort recommended a pluralistic, balanced approach to reform, including some enhanced government regulation to equalize employer-employee power. Among his suggestions were expanded family medical leave, a framework for discussing modified work schedules, extended protections to cover contingent workers, measures to stabilize retirement security, an American Employment Termination Act, and a revised Employee Free Voice Act. Historically, U.S. labor and employment law has undergone meaningful reform only in the face of a crisis, Befort



Stephen F. Befort ('74)

said, and "bringing the American workplace back into balance will continue to be an ongoing challenge for our social order."

The Gray, Plant, Moaty, Moaty & Bennett Professorship in Law in honor of John W. Moaty was established through a generous gift from the Gray, Plant, Moaty, Moaty & Bennett Foundation. The firm has been engaged in the practice of law continuously since its founding in 1866 by Charles Woods. Growing from Mr. Woods' solo practice, the firm now has more than 160 lawyers representing clients nationwide. Gray, Plant, Moaty, Moaty & Bennett, P.A., a Minneapolis firm, offers a full range of legal services.

- 11 Professors Claire Hill and Richard Painter**
University of Minnesota Law School
Berle's Vision Beyond Shareholder Interests: Why Investment Bankers Should Have (Some) Personal Liability
- 18 Professor Greg Shaffer**
University of Minnesota Law School
Transnational Legal Process Revisited
- 25 Professor Cheryl Boudreau**
UC Davis Department of Political Science
Making Talk Cheap (and Problems Easy): How Legal and Political Institutions Can Facilitate Consensus

March

- 4 Professor Janice Nadler**
Northwestern University
Perceptions of Fairness
- 25 Professor Daniel Gifford**
University of Minnesota Law School
Antitrust Aspects of Loyalty and Bundled Rebates in Europe and the United States

April

- 1 Professor Jessica Silbey**
Suffolk University Law School
Rules for Innovation: Intellectual Property Law, Norms, and Culture

- 15 Professor John Mikhail**
Georgetown University Law Center
Unreasonable Risk: A Formal Analysis of Common Law Negligence
- 22 Professor Anupam Chander**
UC Davis School of Law (visiting at University of Chicago Law School)
The Electronic Silk Road

Marvin J. Sonosky Chair in Law and Public Policy

Appointment Lecture



Herbert Kritzer

> On Feb. 9, 2010, **Herbert Kritzer** delivered the Marvin J. Sonosky Chair in Law and Public Policy appointment lecture, entitled "Lawyers in the Mist: Deep Hanging Out With a Much Criticized Species." He joined the Law School faculty July 1, 2009, and is an adjunct professor in the Department of Political Science.

Kritzer described the style of his research on the work of lawyers, explaining that the term "deep hanging out" is used largely by anthropologists to refer to a process of observing and participating in a culture to come to understand what members do and why. "Observation as a form of social science research is by no means new," he said, but it has been used rarely in legal and political science studies. In his research, he came to see that observation is at the core of understanding the processes at work. Along with semistructured interviews, observation is the foundation of his research, supplemented with quantitative data to reinforce the patterns he thinks he is seeing.

Kritzer described a 14-week study at a law firm, where he took on paralegal duties to minimize disruption and become part of the group. This allowed him to see the routine, systematic activities that, when questioned about their work, subjects typically overlook, remembering instead the unusual events. Processes cannot be reconstructed: They have to be observed, he said. "I am to lawyers as Dian Fossey was to gorillas. I study them in their natural habitat: their offices."

The Marvin J. Sonosky Chair in Law and Public Policy was made possible through the generosity of Marvin and Shirley Sonosky. The late Marvin Sonosky ('32) was a distinguished attorney in Washington, D.C. He successfully represented Native American tribes in their efforts to obtain fair and equitable treatment from the federal government. Most notable was his successful representation of the Sioux Nation in its long legal struggle to win compensation for the government's seizure of the Black Hills in 1877. This lecture, inaugurated in 1984, is dedicated to Mr. Sonosky's memory.

FACULTY BOOK PUBLICATIONS

2009

Professor Stephen F. Befort and affiliated faculty member **Professor John W. Budd** co-authored *Invisible Hands, Invisible Objectives: Bringing Workplace Law and Public Policy Into Focus* (Stanford U. Press).

Professor Brian Bix completed the fifth edition of *Jurisprudence: Theory and Context* (Thomas Reuters).

Professor Ann M. Burkhardt and co-authors Grant S. Nelson, Dale A. Whitman, and R. Wilson Freyermuth completed the eighth edition of *Real Estate Transfer, Finance, and Development* in the American Casebook Series (West).

Professor Carol Chomsky and co-authors Christina L. Kunz, Linda J. Rusch, and Elizabeth R. Schiltz published the 2009 edition of *Selected Commercial Statutes* (West).

Professor Prentiss Cox edited and contributed to the second edition of *Consumer Fraud and Deceptive Trade Practice Regulation in Minnesota* (Minnesota CLE, 2009).

Professor Barry C. Feld ('69) completed the third edition of *Cases and Materials on Juvenile Justice Administration* and its accompanying teacher's manual for the American Casebook Series (West).

Professor Richard S. Frase and **Provost E. Thomas Sullivan** published *Proportionality Principles in American Law: Controlling Excessive Government Actions* (Oxford U. Press).

Professor Michele Bratcher Goodwin and co-authors Sandra Jackson and Fassil Demissie published *Imagining, Writing, (Re)Reading the Black Body* (U. of South Africa Press).

Professor Fionnuala D. Ní Aoláin and **Professor David Weissbrodt** co-authored the fourth edition of *International Human Rights: Law, Policy, and Process* (LexisNexis) and, together with **Professor Mary Rumsey**, created the accompanying resource, *Selected International Human Rights Instruments and Bibliography for Research on International Human Rights* (LexisNexis).

Professor Myron Orfield and co-author Thomas Luce, Director of Research at the Institute on Race and Poverty, published *Region: Planning the Future of the Twin Cities* (U. of Minnesota Press).

Professor Richard W. Painter published *Getting the Government America Deserves: How Ethics Reform Can Make a Difference* (Oxford U. Press).

Professor Francesco Parisi and co-author Vincy Fon published *The Economics of Lawmaking* (Oxford U. Press). Also, Parisi and Robert

The William S. Pattee Chair in Law Appointment Lecture

> On Feb. 16, 2010, David Wippman commemorated his appointment to the William S. Pattee Chair in Law with the lecture "The Politics of the Law of War." Wippman, who became Dean of the Law School on July 1, 2008, is a recognized authority in international law and served as a director in the National Security Council's Office of Multilateral and Humanitarian Affairs. He joined the Law School from Cornell University, where he was Vice Provost for International Relations and a professor and associate dean in its law school. Previously, he practiced international law for nine years in Washington, D.C.

War might seem like a complete breakdown of law but is actually heavily regulated, Wippman explained. U.S. military operations must comply with both domestic and international law, and some groups take a keen interest in spotting and publishing any violations, in a practice that is sometimes labeled "lawfare." Increasing legalization of the conduct of war is "driven in part by a reduced tolerance for civilian casualties, both here and abroad," Wippman said. He summarized the criteria for an armed conflict bound by the laws of war, then described three

recent trends that have blurred the boundaries: the changing nature of war since America's "war on terrorism" began, the transformative effects of technology on how war is fought, and the increasing civilization of war.

In light of these trends, Wippman said, the law of war needs revision "to address sporadic, high-intensity, low-frequency, and high-threat activities like transnational terrorism." For example, fighting Al-Qaeda presents an analytical challenge because it involves periodic conflict with a loosely organized, transnational network under circumstances that sometimes do and sometimes do not suffice to trigger application of the law of war. Technology now enables new accuracy in striking targets, but what constitutes a legal target remains in question. The rules governing conduct of private contractors, who outnumber members of the military in some locations, are also inadequately specified.

Developing a Protocol III to the Geneva Conventions might be the obvious means to clarify these issues, Wippman said, but that's unlikely to happen anytime soon. Instead, many states, courts, academics, and other experts are weighing



David Wippman

in on these questions with their own answers. "Collectively, this transnational, judicial, and quasi-judicial dialogue may eventually converge around some common understandings on these issues," Wippman said. "This is a process that's slow, fragmented, contested, and uncertain. But for now, it's all we've got."

The William S. Pattee Chair in Law was created to honor William S. Pattee, the first dean of the University of Minnesota Law School, who served from 1888 to 1911, by his grandchildren and their spouses, the late Pattee Evenson and Flavis Evenson, and Isabel and Vincent Fryer.

Cooter co-edited and contributed to *Recent Developments in Law and Economics* and *Legal Institutions and Economic Development*, both in the International Library of Critical Writings in Economics series (Edward Elgar).

Professor Gregory Shaffer and co-author Mark Pollack published *When Cooperation Fails: The International Law and Politics of Genetically Modified Foods* (Oxford U. Press).

Professor David Stras and co-authors Arthur D. Hellman and Lauren K. Robel completed the second edition of *Federal Courts: Cases and Materials on Judicial Federalism and the Lawyering Process* (LexisNexis Matthew Bender).

Provost E. Thomas Sullivan and Jeffrey L. Harrison completed the fifth edition of *Understanding Antitrust and its Economic Implications* (LexisNexis).



2010

Professor John Borrows published *Canada's Indigenous Constitution and Drawing Out Law: A Spirit's Guide* (U. Toronto Press).

Professor Michele Bratcher Goodwin edited and contributed to *Baby Markets: Money and the New Politics of Creating Families* (Cambridge U. Press).

Professor Barbara Young Welke published *Law and the Borders of Belonging in the Long Nineteenth Century* (Cambridge U. Press).

New 2010 Faculty Member >

Criminal law expert Antony Duff joins faculty

> **Antony Duff, a distinguished** criminal law researcher and philosopher, will join the Law School faculty as a tenured professor beginning fall semester 2010. He comes to Minnesota from the Department of Philosophy, University of Stirling, Scotland.

Duff is widely recognized for his influential writings on criminal law theory, among them *Intention, Agency, and Criminal Liability* (Blackwell, 1990); *Criminal Attempts* (Oxford, 1996); and *Answering for Crime: Responsibility and Liability in the Criminal Law* (Hart, 2009). He is also a leading scholar in punishment theory and philosophy and has written such landmark books as *Trials and Punishments* (Cambridge, 1986) and *Punishment, Communication, and Community* (Oxford, 2001).

At Stirling, Duff and colleagues recently completed a three-year interdisciplinary project examining the nature, function, and normative underpinnings of the criminal trial, funded by the U.K.'s Arts and Humanities Research Council (AHRC). The project produced the three-volume book series *The Trial on Trial* (Hart 2004, 2006, 2007). In 2008, the AHRC also funded a four-year follow-up project on criminalization.

Duff joined Stirling in 1970 following graduate work at the University of Oxford and a year of teaching at the University of Washington, Seattle. He has taught philosophy of law, moral philosophy, philosophy of action, and themes in Aristotle's ethics.

He is founding co-editor of the journal *Criminal Law and Philosophy* and of the Oxford University Press book series *Studies in Penal Theory and Philosophy*. He is a member of the AHRC



Antony Duff delivering Law School's 2009 Dewey Lecture on the Philosophy of Law

Peer Review College, and he chaired the philosophy sub-panel of the 2008 Research Assessment Exercise of the Higher Education Funding Councils, which fund British universities.

PUBLIC LAW WORKSHOPS Spring 2010 >

In these workshops, nationally recognized scholars and Law School faculty members present their work in progress on public law topics. All workshops are open to Minnesota faculty and students enrolled in the affiliated seminar. All are held in Room 471 and, unless otherwise indicated, at 3:35-5:30 p.m. (www.law.umn.edu/faculty/publiclaw.html).

February

- 4 Professor Stephanos Bibas
University of Pennsylvania Law School
Assembly-Line Criminal Justice
- 11 Professor Brad Karkkainen
University of Minnesota Law School
The Paradox of Public Use
- 18 Professor Olatunde Johnson
Columbia Law School
Stimulus and Civil Rights
- 22 Professor M. Elizabeth Magill
University of Virginia School of Law
Allocating Power Within Agencies
12:15-1:15 p.m.

March

- 11 Professor Alison D. Morantz
Stanford Law School
Opting Out of Workers' Compensation in Texas: A Survey of Large, Multi-State Nonsubscribers
- 22 Professor Leti Volpp
UC Berkeley School of Law
Notions of Space in Immigration Law
12:15-1:15 p.m.

25 Professor Dale Carpenter

University of Minnesota Law School
Flagrant Conduct: The Story of Lawrence v. Texas

April

- 1 Professor Gregory Shaffer
University of Minnesota Law School
Who Decides? A Comparative Institutional Approach to International Trade Law and Dispute Settlement
- 8 Professor Jeannie Suk
Harvard Law School
The Trajectory of Trauma: Bodies and Minds of Abortion Discourse
- 12 Professor Nicholas Parrillo
Yale Law School
Tax Administration for Profit: Its Rise and Fall in American States and Localities, c. 1860-1940
12:15-1:15 p.m.

Faculty in the Community

Urban Affairs Task Force



Professor Myron Orfield has been working with the Washington, D.C.-based Office of Urban Affairs which, along with

the Department of Housing and Urban Development, Environmental Protection Agency, and Department of Transportation, created a task force to encourage sustainable communities. Orfield and other professors have been advising the task force.

Its goals are to reduce racial and economic segregation by encouraging affordable housing and access to local jobs for low-income people. It also seeks to cluster jobs and help metropolitan areas connect with local transit. Thus far, it has helped create the Livable Communities Act and achieve significant reforms in the Surface Transportation Act.

Orfield also has been working on several housing bills and the Waxman-Markey Bill, aimed at achieving energy independence and a clean-energy economy.

Women's Group Visits Libya



Marsha Freeman, Director of the International Women's Rights Action Watch at the Human Rights Center,

was part of a delegation of U.S. women representing different sectors of civil society who visited Libya's Al-Fateh University, Tripoli, in January 2010. Al-Fateh's President and other University officers welcomed the group, which met with faculty from various humanities and applied science departments and research centers.

Al-Fateh was the first stop in the delegation's tour, organized as a peer-to-peer exchange to open a dialogue between Americans and Libyans on

matters of common concern, including experiences of working women and, particularly, issues on which the University women are working. The President gave each guest keepsakes bearing the University's logo.

The delegates also visited the national eye hospital (directed and staffed predominantly by women), the Minister of Social Affairs, the Director of Women's Affairs, and the capitol building, where the Director of Foreign Relations unexpectedly greeted them. The trip was arranged by Brown Lloyd James, a communications firm with an office in Libya.

Media Cite Hill & Painter

Professors Claire Hill and Richard Painter have garnered considerable attention for suggesting that investment bank executives take some personal liability for losses in their article "Berle's Vision Beyond Shareholder Interest: Why Investment Bankers Should Have (Some) Personal Liability," forthcoming in the *Seattle University Law Review*.

In the *New York Times Deal* Professor blog of Dec. 4, 2009, their proposal was praised "because it mimics the partnership structure and ties investment



Professors Claire Hill and Richard Painter

bankers to the firm, giving them real responsibility for its future." A few days later, a bNet Financial Services blogger wrote that "Two University of Minnesota law professors have a neat—and commonsensical—way to treat Wall Street for its gambling addiction."

In naming Hill and Painter among "The Shape Shifters of 2009" in her *StreetWise* column at *Portfolio.com*, business writer Suzanne McGee commented: "Easily one of the smartest ideas in the whole pesky debate over Wall Street compensation plans is one that originated more than a thousand miles away from Wall Street itself, with two University of Minnesota law professors."

New Titles, New Roles

Professor Brett McDonnell, the Law School's Associate Dean for Academic Affairs since 2007, is ending his service in that role on June 30, 2010. In the coming year, he will be on sabbatical, working on various writing projects. After considering the Law School's evolving strategic goals and other needs, Dean David Wippman asked two faculty members to assume new responsibilities when McDonnell's term ends.

Alexandra Klass will be the new Associate Dean for Academic Affairs and will handle the traditional responsibilities of the role (e.g., curriculum and teaching issues) plus assist in strategic plan implementation and alumni engagement. **Fionnuala Ní Aoláin** will be the new



Brett McDonnell



Alexandra Klass



Fionnuala Ní Aoláin

Associate Dean for Research and Planning and will manage parts of the previous position of associate dean for research and faculty development and also work with the Dean on strategic planning, grant development, and fundraising.

"Brett has done a phenomenal job as Associate Dean," says Wippman. "We all owe him a great deal."

> Student Per



Class of 2012 members at reception for 1Ls hosted by Dorsey & Whitney (left to right): Dana Bartocci, Joline Price, Jenna Nand, Shardé Thomas, and Melissa Muro Lamere



LL.M. Class of 2010 students during outside-the-classroom portion of orientation program last fall



Kimberly Shigeoka ('11) enjoys herself at recent Labor Law reception

Student Profiles

GRZEGORZ LEWOCKI 2009-10 HUMPHREY FELLOW



> When Grzegorz Lewocki was a child, his father read many books to him, including a series about the travels of a Polish boy named Tomek Wilmowski to faraway lands. "For me, it was like a beginning," says Lewocki, 33, a native of Siedlce in

eastern Poland. "I was feeling I need to see this."

Accordingly, on graduating from secondary school in 1996, Lewocki grabbed a backpack and headed for Turkey by land. Over the next four years he ventured, mostly alone, to the United States, Tunisia, Kenya, Uganda, Tanzania, India, Bangladesh, and Nepal. There was also a 4,735-mile journey from Moscow to Beijing via the Trans-Siberian Railway. "This was like food for a hungry person," says Lewocki, who to date has visited 67 countries.

During that time, Lewocki also managed to complete a law degree at Poland's University of Bialystok. In 2001, he landed a job with the Polish government, writing environmental and infrastructure regulations. When that wasn't challenging enough, he began studying human rights law at the nongovernmental Helsinki Foundation for Human Rights.

That led him to Ukraine to

observe the historic Orange Revolution elections of 2004, in which hundreds of thousands of people flocked to Kiev's Independence Square to demand true democracy. More observation missions followed, including trips to Yemen, Sierra Leone, Palestine to witness the election of Hamas in 2006, and Kenya to see the violent elections in 2007.

This spring has Lewocki watching a much less dramatic vote. After winning a Humphrey fellowship, he is serving as a Commissioner on the University of Minnesota All Campus Election Commission. "I like it," he says. "I get to share my experience and learn about the logistics of setting up an election."

Lewocki's favorite Law School courses are on international human rights and foreign relations, but he's also investigating subjects that will be helpful when he returns home. In his current Polish government job,

spective



Eugene Kim ('10) and Evan Palenschat ('12) exchange malpractice ball ticket proceeds



Greta Rudolph ('12) and Sara Koehring ('12) at Scholarship Dinner



1st Lt. Mathew Keller ('11), deployed last spring with 204th Area Support Medical Company out of Cottage Grove, Minn., serves as Officer in Charge, Level I Troop Medical Clinic, Camp Bucca, Iraq, until July 2010, providing medical care to members of the service, contractors, State Department officials, and Iraqi nationals



Allan Williams ('12); Cornell Moore, a partner at Dorsey & Whitney; and Sam Meersman ('12) at reception the firm hosted for 1Ls

he's part of a team responsible for cooperation with the European Court of Human Rights in Strasbourg, France, prison reform, and crisis management, so he's spending time in Minnesota touring prisons and quizzing local leaders on their response to the I-35W bridge collapse. "I want to go back and share my knowledge and experience," he says.

SARA RIGAZIO

LL.M. CLASS OF 2010

> For her doctoral thesis, Sara

Rigazio explored the nuances of U.S. and European antitrust law. These days, the 31-year-old Italian is enhancing her international legal studies as an LL.M. student at the Law School.

"The program is very hard," she says between sips of cappuccino at a Minneapolis coffee shop. "It's fast. It's not in my original language. Sometimes it's overwhelming." At Italian universities, classes are large, which often prevents discussions between students and professors. Not



at the Law School, where students are expected to arrive ready to debate the topic of the day. "I've never read so much," she says. "You have to always be prepared. It's a good thing. I like it."

After leaving her hometown of La Spezia, located on the Ligurian Sea, Rigazio earned a political science degree at the University of Pisa. "In Italy, the political science degree is very similar to the law degree," she says. Her studies at the University of Pisa

focused on antitrust law.

In working on her Ph.D. at the University of Palermo, Rigazio further researched and analyzed the subject, resulting in her doctoral thesis, "Antitrust and Professions: The Sports Agent." She conducted part of her Ph.D. research at New York University, and although she found the environment intellectually stimulating, the city left her cold. "It's very big, so sometimes you feel very small," she says.

In contrast, Minnesota has warmed her heart, despite its sometimes harsh weather. "It's a great place," Rigazio says. "'Minnesota Nice' is really true."

When she's not reading, studying, or in the classroom, Rigazio can often be found in the Hennepin County Juvenile Justice Center observing child protection and adoption cases. She hopes the experience will help her get a job as a professor with a specialty in family law, a longtime interest of hers.

"Right now in Italy, there are not many possibilities," she says. "I don't know if my plan is going to work, but I hope so."

CAMERON WOOD

CLASS OF 2010



> **When Cameron Wood found** that he had the credits to graduate from Wheaton College a semester early, a trip to Beijing was soon in the works. Before coming home a few months later, he had fallen in love—with Chinese culture.

At home for the summer, Wood wasn't sure what to do next, so he tutored high school students and tried to find a way to return to China. Soon he'd landed an internship with ZY & Partners in Beijing. During a seven-month stint, he helped Chinese lawyers, most of them already capable writers of English, improve their speaking skills, and he worked on his Mandarin.

That taste of law convinced him that it would offer limitless opportunities, so Wood dusted off his college LSAT scores and zipped off applications. The Law School was a natural choice for the Minnesota native, and his experiences have exceeded his expectations.

"It's a rigorous school," he says, "but it's the people I've met and the activities I've been involved in that have kept my sanity the last three years." Among those sanity-saving activities: He has shot hoops in the Law School Basketball Association, stared down friends in Thursday night poker parties, and performed in Theatre of the Relatively Talented musical productions, this year as the impish Puck in "A Midsemester Night's Dream."

But Wood also has a serious side. As a 1L, he nabbed legal writing honors. As a 3L, he's a managing editor on the *Minnesota Law Review* staff. He worked

for Cleary Gottlieb Steen & Hamilton in its Hong Kong office as a summer associate, verifying the accuracy of corporate contracts, and after graduation this spring, he plans to work in the firm's New York office. He cites accounting finance, investment banking, securities regulation, and MBA concepts as Law School courses that have been especially helpful in preparing him.

The informal, cultural education he has received in his travels also has enlightened him. During a business dinner in Kuala Lumpur, Wood excitedly watched *guanxi* in action, a concept that is common throughout Asia and emphasizes the importance of personal relationships. "It was a light bulb moment for me," he says.

JEREMY HARRELL

CLASS OF 2011



> **For years, Jeremy Harrell wrote** about people's dreams, ambitions, accomplishments, and failures. He'd done it as a journalist for a small Wisconsin newspaper, a theater critic for an alternative weekly, and a business reporter for Thompson Reuters. Then, one day, he didn't want to do it anymore. "I was tired of writing about other people doing stuff," he says.

As managing editor at Reuters *Buyouts* magazine, Harrell, 35, supervised journalists in New York and San Francisco, and reported on private equity deals. The strategic aspects of the world he was covering propelled him to change careers. "I could be doing what I was writing about," he says.

He chose the Law School for

several reasons. The Virginia native had attended Carleton College as an undergraduate and enjoyed it.

"Minneapolis seemed like a hip place. I liked the bands from here," he says, referring to The Replacements and others. Since his wife is from Wisconsin, returning to the Midwest to study law seemed like a natural.

The 2L plans to practice transactional law. Among the courses he has taken so far are corporate, advanced corporate, and bankruptcy law. "It was a little bit of a leap of faith," he says. "So far, I seem to be doing OK."

The analytical skills Harrell honed in a decade of journalism have helped him in studying law, which he says consists of "lots of reading and writing, gathering of facts, and marshalling of arguments into telling a story." After his first year at the Law School, he was a summer clerk at Ameriprise Financial and, in writing briefs on statutory research, put to use the journalist's code: Get the most important facts near the top. "If it's good, get it up high," he says. "You're writing for busy professionals." This summer he plans to apply his skills during an internship at Faegre & Benson.

As for written opinions coming from the U.S. Supreme Court bench, Harrell has no doubts. "Hands down, the best writer is [Justice Antonin] Scalia," he says. "As a reader, you do not wonder what his point is." Then the former reporter lets go of the last vestiges of his former career, objectivity, adding, "I never agree with him."

CATHERINE O'CONNOR

CLASS OF 2012

> **After watching her defense**

attorney father argue a case in court, 8-year-old Catherine O'Connor wrote, "My Dad yells at people for a living." That misguided perception prompted her father to drag O'Connor to the courtroom again and again, until she matured enough to understand what his job was really about.

In high school, O'Connor spent summers answering phones in her father's small legal office. "People would come in really scared and really nervous," she says. "He helped calm them down." And he didn't always worry whether they could pay. When



her father died several years ago, dozens of former clients attended the funeral. O'Connor was impressed by the turnout. "He did things for the right reasons," she says.

The 1L student has that same passion to serve. As an undergraduate at George Washington University, she tutored children and volunteered at an animal shelter. But that wasn't enough, so before graduation, she joined the U.S. Marine Corps Reserves and served a tour of duty in Iraq. She enjoys the military's ethnic, religious, and geographic diversity. "The one thing we have in common is our love of the United States," she says, "and we want to give back to it."

After returning from active duty, O'Connor landed a job as a public policy analyst at a Washington, D.C., lobbying firm and finished her B.A. in political science while working full time. The long hours prepared her for life at the Law School.

International law and criminal law were among her favorite courses this year, but she's not sure what the future holds. One possibility is working as a military attorney in the Judge Advocate General's Corps. For now, she's busy setting up a new student organization at the Law School, the Armed Forces Association. She hopes the group will be a way for military supporters to talk, listen to speakers, and work on veteran and military-related legal projects.

"I like helping people," she says, referring to both the student group and her future profession. "This is a good way to do that."

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

STUDENT GROUP ACTIVITIES



Lawyers, judges, and students from across the country attended the annual convention of the Midwest Region of the **National Black Law Students Association** (NBLSA) held Feb. 17-21, 2010, in the Minneapolis Marquette Hotel (www.law.umn.edu/news/blsa-conf-1-4-2010.html). The Frederick Douglass Moot Court and the Thurgood Marshall

Mock Trial competitions—the hallmark of the NBLSA—also were held, with finals taking place in the U.S. Courthouse in downtown Minneapolis.

Jjais A. Forde ('10), president of the University of Minnesota's BLSA, was the convention coordinator and organized the sessions and speakers, recruited judges for the moot court competitions, designed breakouts sessions, and more. The event was an unqualified success, says Law School Professor Michele Goodwin, who was among the distinguished members of the local legal community plus visitors from Washington, D.C., Michigan, St. Louis, and other Midwest states who served as moot court competition judges. "Ms. Forde deserves recognition for making the University of Minnesota shine," Goodwin says, adding that attendees "were incredibly impressed by the sophistication of the meeting and the seamless flow of the conference."

Allen James ('12) was elected treasurer for the Midwest Region of the BLSA.

The Women's Law Student Association (WLSA) held two service events at the Law School recently that were very successful, according to the organization's Community Service Coordinator Elizabeth Karan ('11).

In February, the group organized a Match for Haiti Drive and not only gathered donations of \$893 from faculty, staff, and students, it matched all donations. The total of \$1,786 went to the Red Cross for relief efforts in Haiti.

In March the WLSA, in cooperation with the Memorial Blood Center, organized a blood drive, in which 41 people participated, some of them giving double red cell units. "Because blood can be broken down into three components—plasma, platelets, and red blood cells—the 41 whole blood and 6 double red cell units collected at the University of Minnesota Law School drive can be used to save 129 lives," says Brian F. Googins, Memorial Blood Center College and University Recruiter. The Memorial Blood Center supplies blood and blood components to more than 30 hospital partners throughout Minnesota and northwestern Wisconsin.

The student chapter of the **Minnesota Justice Foundation** (MJF) organized a silent auction again this year, with online bidding taking place through eBay the week of March 22-28, 2010. All proceeds go to support the MJF public interest clerkship program.

More than 100 items were auctioned off, including gift cards, memberships, and tickets to see the Twins, Timberwolves, Acme Comedy Company, and St. Paul Chamber Orchestra. Faculty members donated generously. Some gave items and some gave services (e.g., drafting of a will) to be auctioned. Five paid for dinner and 10 paid for lunch with the winning bidder.

Professor Carpenter's dinner was the highest-selling faculty donation, narrowly beating out Professor Cribari's. Lunch with Professor Morearty received the most student bids. The half-off BARBRI certificate was the highest-selling item. In all, the silent auction raised \$5,300, according to event coordinator Suriza Khong ('11).

Combined with other fundraising efforts, including the Professor Talent Show, Bowl for Justice, and pledges from students, the MJF student chapter raised \$16,000 for the public interest clerkship program. The program gives students an opportunity to design their own clerkship and work with a public service organization for a summer, and it provides the organization with the valuable services of a clerk it otherwise would not be able to afford.

Student News >

ARTICLES FEATURED AND PUBLISHED

A primer by
Nicholas J. Dudley ('10) on nanotechnology and its possible effects on

product liability and risk management entitled "Sweat the Small Stuff" was published as a four-part series in the Nanotort Law Blog in February (www.nanotortlaw.com/nanoblog/blog.aspx?entry=47).

The articles described the economic impact and real and potential dangers of nanotechnology, suggested a strategy for striking a balance between security and obstruction in regulation, and discussed specific legal problems and tactics for responding to them.

The Nanotort Law Blog is written by Ronald C. Wernette Jr., a partner at Bowman and Brooke who focuses on product liability, toxic exposure, and other personal injury defense.

"Defogging the Cloud: Applying Fourth Amendment Principles to Evolving Privacy

Expectations in Cloud Computing" by **David A. Couillard** ('10) was reviewed by James Urquhart in his Jan. 17, 2010, CNET News blog. He called the article, published in the June 2009 edition of the *Minnesota Law Review*, "a concise but thorough outline of where we stand with respect to the application of Fourth Amendment law to Internet computing."

Cloud computing has had little analysis, Urquhart said. He called Couillard's suggested strategy of treating digital assets on third-party sites as stored physical assets rather than as transactions "highly logical." Urquhart is

a member of the CNET Blog Network, a market manager at Cisco Systems, and a field technologist focusing on cloud computing and virtualization.

Couillard was asked to condense his article for publication in *Ars Technica*, which specializes in introducing and reviewing technology trends (<http://arstechnica.com>).

Last September, the Oregon Court of Appeals cited Couillard's article in a dissent in *State v. Bellar*, 217 P.3d 1094, 1111, 231 Or. App. 80, 110 (No. 050230673, A129493).

"Comparative Effectiveness and Personalized Medicine Frame the U.S. Health Care Debate"

by **Lauren B. Beach** was published in the Students Corner column of the January/February 2010 issue of *Update*. The article discusses comparative effectiveness research and the U.S. government's newly released definition of comparative effectiveness. *Update* is a Food and Drug Law Institute publication featuring articles on regulatory and industry issues in the food and drug field.

Beach thanks her law independent study advisor Professor Ralph Hall and her Ph.D. advisor Dr. Louis Mansky for reviewing the article prior to submission. She expects to complete her joint degree in 2013.

WRITING AWARDED

Theresa Stadheim ('10) took first place in the ABA Section of Antitrust Law's Annual Student Writing Competition for

2009-10. In addition to a \$2,000 cash prize, she received an expenses-paid trip to the Antitrust Section's meeting in Washington, D.C., in April 2010 to receive her award.

She won the competition for her law review article "Rambus, N-Data, and the FTC: Creating Efficient Incentives in Patent Holders and Optimizing Consumer Welfare in Standards-Setting Organizations," which was published in the *Albany Law Journal of Science & Technology*, Vol. 19, No. 2, 2009. The article also won last year's grand prize for a second-year student in the Ninth Annual Intellectual Property Writing Competition sponsored by Foley & Lardner.

MOOT COURT HAPPENINGS

At the **ABA National Negotiation Competition**, held Feb. 4-7, 2010, in Orlando, Fla., **Emily Van Vliet** ('10) (above, right) and **Danielle Bailey** ('11) (above, left) advanced to the semi-finals, scoring fourth overall in the national tournament. They were fifth-ranked because of the tournament brackets.

This year's national competition topics were employment law and arbitration fairness, and in the three rounds of negotiation, the team acted as counsel for a business owner who had fired an employee.

Also at the national competition, Van Vliet and Bailey received a trophy for placing first at the ABA Regional Negotiation Competition at Drake University in November. Student coaches

Bobby Mir ('12) and Ben Tozer ('12) and faculty adviser Mary Alton accompanied the team to Orlando.

The overall winner in this year's competition was a team from Boston University, who will participate in an international competition in Melbourne, Australia, in July. The field of competitors for this challenging event starts with more than 200 teams from more than 100 law schools.



The Civil Rights Moot Court team, composed of 3Ls Dana Boraas, Anthea Dexter-Cooper, Ann Entwistle, and Sara Seeger, advanced to the semi-finals in the National Religious Freedom Moot Court competition held Feb. 5-6, 2010, in Washington, D.C. The respondent team—Dana Boraas (above, middle) and Ann Entwistle (above, left)—won the Best Brief Award. The competition was inaugurated by and hosted by George Washington University. This year's problem dealt with the Establishment and Free Exercise clauses of the First Amendment and religious accommodations under Title VII, focusing on regulation of activities and dress of a police officer by a local police department. In addition to their appellate advocacy skills, team members demonstrated their problem-solving skills by getting home after the record-setting storms, dubbed "snowpocalypse," shut down the city.

Mark K. Thompson (above, right) of Dudley and Smith and Jody A. Ward-Rannow ('06) of Ford & Harrison were team advisors.

NEW STUDENT GROUPS

The Animal Law Society (ALS/SALDF) has been re-formed and is now affiliated with the Animal Legal Defense Fund. The group strives to increase awareness and support of animal law issues among members of the University of Minnesota legal community. By creating relationships with other graduate and undergraduate programs at the University and with other local law school animal law organizations, the group plans to become involved with the Minnesota animal law community and hopes to engage in fundraising and volunteer activities related to animal law.

ALS/SALDF has periodic meetings and brings in guest speakers on various animal law issues. Membership is open to all interested persons. For more information, contact Chelsa Beaver ('12), Shannon Mitchell ('12), Amy Pikovsky ('12), Katie Stephens ('12), or Jessamyn Tonry ('12) at als@umn.edu.

The Armed Forces Association, starting up this semester, will be composed of law students who have prior military service, are on active or reserve duty, are interested in becoming military judge advocates, or otherwise want to support our troops, past and present. The group will sponsor speakers on issues of concern to the military community, encourage pro bono work on veteran and military-related issues, and generally serve as a place to get together to share information and resources on issues of national security, international law, and public policy.

Membership is open to all interested persons; no past or present tie to the military is required. For more information, contact Catherine O'Conner ('12) at oconn531@umn.edu.

The Interfaith Law League was formed in the fall of 2009 to engage people of all faiths and philosophies in authentic dialog in a positive, nonconfrontational atmosphere; to promote tolerance and

unity by offering a forum where students with differing beliefs can support and teach each other; to raise awareness of any conflicts that arise pertaining to religion and law studies; and to provide support to students of faith as they enter the legal profession. The group was created to fill a need at the Law School, which has several religious groups but none that explores the commonalities of belief and values held by different faiths. In collaboration with other religious groups at the Law School, the Interfaith Law League will bring in guest speakers to address various issues surrounding religious tolerance in a pluralistic society. The group plans to engage with the Twin Cities community to participate in outreach projects organized by various faith organizations.

The group will meet monthly to learn about the various faiths, traditions, and practices. All are welcome to attend. Membership will consist of attendance at meetings and activities. For more information, contact Sarah Stanley ('12) at stan0589@umn.edu.

STUDENT JOURNALS

The newly elected student editors, all members of the class of 2011, are:

- *The ABA Journal of Labor & Employment Law*, Volume 26: Editor-in-Chief, Tyler Wiese
- *Law and Inequality: A Journal of Theory and Practice*, Volume XXIX: Editor-in-Chief, Nick Lienesch; Executive Editor, Mikka Gee Conway
- *Minnesota Journal of International Law*, Volume 20: Co-Editors-in-Chief, Christopher Luehr and Jonathan Moler; Executive Editor, Steven Kinsella
- *Minnesota Journal of Law, Science & Technology*, Volume 12: Editor-in-Chief, Christian Krautkramer; Executive Editor, Eric Taubel
- *Minnesota Law Review*, Volume 95: Editor-in-Chief, Reed Schuster

Student News >

LEADERSHIP AWARDS

Law School students **Lauren Beach** and **Jennifer Cornell** were selected as this year's recipients of the Mary A. McEvoy Award for Public Engagement and Leadership, the first Law School students to receive the honor. The McEvoy award is given annually to one graduate and one professional student for contributions beyond the norm in scholarship, research, and community concerns. It is governed by the University's Graduate and Professional Student Assembly and includes a \$1,000 scholarship.

Beach, the graduate student recipient, is a student in the University's Joint Degree Program in Law, Health & the Life Sciences. In addition to her J.D. studies, she is pursuing a Ph.D. in the Department of Molecular, Cellular and Developmental Biology & Genetics, for which she is currently researching HIV treatments and antiviral drug resistance. She expects to have completed both degrees by 2013.

Beach's interests in health and science policy and in under-represented groups have led her to become a vigorous advocate for the concerns and

needs of bisexuals. She is Executive Director of the Bisexual Orientation Project; treasurer of the Law School's GLBTA student organization, OutLaw; a member of the Minnesota GLBTA Campus Alliance; a volunteer for the Minnesota Justice Foundation, and more. Her work on and off campus has exemplified her leadership toward increasing respect and understanding within a larger goal of diversity.

Cornell ('10) is this year's McEvoy award student recipient in the professional category. She is Editor-in-Chief of *Law and Inequality: A Journal of Theory and Practice* and has a master's degree in labor policy and public management from the Humphrey Institute.

Cornell's commitment to community service dates back to her years with the Minneapolis Fire Department. During her 1994-2008 tenure, she served as a firefighter, acting battalion chief, and a fire investigator, and she wrote several key programs and policies for the department. Among them were the pregnancy-leave policy and programs for conducting and examining employee disciplinary review procedures for labor litigation avoidance.



Lauren Beach (J.D./Ph.D. '13) and Jennifer Cornell ('10)

Beach and Cornell also received the 2010 University of Minnesota President's Student Leadership & Service Award from the Student Unions & Activities committee of the Office for Student Affairs. The honor recognizes students whose leadership and service contributions have made a significant impact on the educational experience and the sense of community on campus.

They will receive both awards at the President's Awards Banquet on May 3.

By Pamela Tabar, a freelance writer and communications assistant based in Cleveland

How to calm students before final exams:



give them ice cream
from Sebastian Joe's...



something to climb on...



and a place to bounce.

The Law School's stress-release week featured a carnival, massage therapy, pet therapy, take-a-friend-to-lunch coupons, and a coinciding Earth Day celebration.



Love and law conquer all in eighth annual original production

T.O.R.T.
March 5th & 6th



TORT Tames Eternal Struggle in 'Midsemester Night's Dream'

> The Law School's Theatre of the Relatively Talentless (TORT)

Relatively Talentless (TORT) drew appreciative crowds to its eighth annual musical, "A Midsemester Night's Dream," on March 5 and 6 at downtown Minneapolis' Pantages Theatre. Total ticket sales topped last year's sales, say producers Michael Pangborn ('10) and Anthea Dexter-Cooper ('10).

Set in the mystical law library, the production followed a wild night for three intersecting groups of law students: some all-powerful 3Ls with competing legal viewpoints, the four love-entangled 1Ls they decide to help, and the TORT crew working to find leading characters and launch the show "Evil Dean III" to save Mondale Hall from foreclosure and takeover by a certain downtown law school.

Like all TORT productions, "A Midsemester Night's Dream," was written, performed, directed, and produced entirely by Law School students. More than 90 actors, singers, dancers, band members, and behind-the-scenes crew members brought to the stage

such timeless compositions as "Ugliest Girl in the Bar," "What's This," and "500 Briefs."

Law School Dean David Wippman; Professors Dale Carpenter, Brad Clary, Prentiss Cox, Stephen J. Cribari, and Judith T. Younger; and Career Advisor Vic Massaglia played themselves in the production.

Former Vice President Walter F. Mondale ('56), Judge Ann D. Montgomery, and Minnesota Supreme Court Justices G. Barry Anderson ('79), Christopher J. Dietzen, and Helen M. Meyer accepted the invitation traditionally extended to prominent members of the legal community to play cameo roles.

Cast and crew of the 2010 TORT production send their sincere thanks to corporate sponsors Leonard, Street and Deinard P.A.; Dorsey & Whitney L.L.P.; Faegre & Benson L.L.P.; Fredrikson & Byron P.A.; Gray Plant Mooty P.A.; Lindquist & Vennum P.L.L.P.; Shumaker & Sieffert P.A.; All Star Sportswear; Felhaber Larson Fenlon & Vogt P.A.; and the University of Minnesota Bookstore.

Additional support was provided by grants from the Graduate and Professional Student Assembly Social Event Fund, Student Activities Administration, and Coco-Cola Activity Initiative.

Producers Pangborn and Dexter-Cooper extend special thanks to Steve Olson and the Pantages Theatre crew; the Law Council; Dean Wippman and the Law School; Assistant Dean of Students Erin Keyes; Student Organization Director Amber Fox; the Career & Professional Development Center; and the admissions, communications, advancement, and information technology offices.

Next year's offering is already forming in the imaginations of producers Chris Walker ('11) and Brad Hammer ('12) and the rest of the newly elected Board. Information about TORT productions and purchasing a DVD is available at www.lawschoolmusical.com.

By Mike Pangborn ('10)

> Alumni Pers



Chris Yetka ('93) of Lindquist & Vennum
at reception hosted by the firm for 1Ls



Attendees at joint meeting of Board of Visitors and Law Alumni Board, now merged into Board of Advisors

Alumni Profiles

JAMES PLASMAN CLASS OF 1976



> The Marshall Islands keep calling

James Plasman, and answering the call has been ideal for someone who likes doing things in unique ways. The Law School's Legal Assistance to Minnesota

Prisoners program set the stage, he says, "for my zigzaggy path in and out of the law, working in the public interest."

After two years as a public defender in Alaska, Plasman had no trouble convincing his fiancé to move with him to the Marshall Islands in 1979. He served as the government's public defender, then joined the Ministry of Internal Affairs and trekked across some 750,000 square miles of ocean on freighter "field trip ships" to assist local governments writing constitutions.

The couple returned to Alaska to start a family, and Plasman worked in private practice and with a state representative before joining the Department of Community and Regional Affairs. He served local governments and native communities in rural Alaska and became deputy director of the department's Municipal and Regional Assistance Division.

In 1990, the Marshall Islands' Nuclear Claims Tribunal was being reconstituted amidst political turmoil, and Plasman answered the call to adjudicate compensation claims for residents whose health and lands had been damaged by U.S. nuclear testing between 1946 and 1958. After Plasman joined a mediation and arbitration firm in Wisconsin, the Marshall Islands Tribunal kept calling on him for part-time work, so in 2006 he returned full-time to chair the Tribunal.

Appointed an associate justice of the High Court in 2008, Plasman rules on the "standard stuff," but within a unique context. The government is parliamentary, the body of law follows the U.S. model, and land rights are based on matrilineal descent. Plasman explains, "The customary land law is an oral tradition, and because it's a small, new country, we are faced

pective



Minnesota Supreme Court Associate Justice Alan Page ('78) and former U.S. Supreme Court Justice Sandra Day O'Connor at luncheon during her visit to Law School in February



Bruce ('80) and Tracy Mooty at Annual Scholarship Dinner



Stacy Bettison ('99) speaks to Prof. Jennie Green's Human Rights Litigation and International Advocacy Clinic about media relations

with novel questions of law.”

Career zigzagging aside, Plasman’s life is straightforwardly traditional. A tennis player, he’s been married for 30 years and has three sons with college degrees and jobs.

TIMOTHY KUCK

CLASS OF 1983

> “The most fun I had in my life” is not how most people describe taking the Bar and CPA exams within three months of each other. But Tim Kuck says, “It was really one of the greatest experiences, because I took all the stuff I’d learned and got it all together. It was a great intellectual exercise.”

During college, Kuck found debits and credits “intriguing,” so once he decided on law school instead of business school, he never even thought about practicing anything other than



business law. As a partner at Popham Haik in Minneapolis, he worked on mergers and acquisitions, corporate finance, and general corporate law from 1984 to 1991. He then compounded his finance and legal interests

with executive positions at G&K Services, First Data Corporation/First Health, and Employee Benefit Plans Inc.

Since 2004, Kuck has served Universal Hospital Services (UHS) as executive vice president and chief operating officer. He and his colleagues work with healthcare providers facing simultaneous challenges of capital availability, reimbursement rates, and cost and efficiency pressures. Never far from the numbers and laws affecting UHS’s clients, Kuck calls their challenges “opportunities to provide solutions” and adds, “if it’s not challenging, it’s not for me.”

Kuck derives the most satisfaction from making a difference in people’s development and success, individually and in teams. “Law gets down to how people are interacting,” he explains. With 1,500 people reporting to his

UHS division, Kuck spends a lot of time interacting. He draws on “analytical skills and strategic thinking” established during law school, “where you’re not just looking at the next thing but at relationships, decision trees, consequences.” He prefers to challenge people to think about options and alternatives rather than tell them what to do.

Although he runs and reads, Kuck still likes interacting off duty. He enjoys spending most of his time with his wife and children, people at church and his country club, and “going out with the boys.”

CLAIRE HARKRIDER TOPP

CLASS OF 1992



> Claire Topp got an advanced teaching degree expecting to become Commissioner of Education. Then she enrolled in a dual Humphrey Institute/Law School program expecting to focus on public policy. “Much to my surprise, I really liked law and didn’t like public policy,” she recalls. “Law school gives you a very structured, linear way to think about things. I try to be a really practical lawyer.”

After working in educational law, Topp joined Dorsey & Whitney in Minneapolis in 1992. She wasn’t sure she’d like working at such a large firm but was captivated by the “excellent, talented lawyers and clients who have very cutting-edge issues” and has been there for 18 years. “I never expected I would have so much fun and be doing so much diverse work,” she says.

The diversity began with health-care law. Dorsey & Whitney invested in

training Topp, and she admired the attorneys in the small health group who, like her, valued family and community as much as law. She’s now a partner in the group.

Topp is also chair of the non-profit and tax exempt organizations group, which serves foundations, charities, philanthropists, trade associations, and publicly traded companies establishing private foundations. In another practice area, she helps standards-developing organizations navigate patent and antitrust matters and does “a bunch of things I never thought I’d do.”

Topp’s nonprofit experience and priorities go far beyond Dorsey & Whitney’s walls. As a board member for Friends of the Orphans, she does pro bono work, raises money, and visits the orphanages in Central America that the organization supports. “Being involved with the children in orphanages has been a real drive for me,” says Topp, who takes her two children along “to open their eyes.” She is also incoming chair of Community Health Charities Minnesota and served six years on the board of the Charities Review Council.

Reflecting on her earlier expectations and her current work, paid and unpaid, she says, “I didn’t have a plan. It was really an evolution.”

ALI McELROY

CLASS OF 2004

> It's all working out at Snap

Fitness for Ali McElroy, a runner and tennis player who was named the franchise corporation’s first, and sole, in-house counsel in 2009. “I never imagined I’d have the opportunity to start a law department at this stage in my career,” she says.

Consciously or not, she’d been setting the stage since 2005, working on international business transactions, franchise and distribution law, mergers and acquisitions, and international corporate counseling at Faegre & Benson in Minneapolis. She did some work for Snap Fitness as outside counsel, and now she’s providing insider input on processes and systems and business opportunities.

McElroy is excited about being a generalist: “Today a lot of law is



focused on specializing. In house, the difference is really being in tune with what’s going on with the business and working on a wide variety of legal matters.” She uses the knowledge of franchise law she gained from private practice to keep Snap Fitness in good shape at home and abroad. Founded in 2004, the company has 1,100 locations in the United States, Australia, Canada, India, and Mexico, with more in the works.

Initially reluctant to follow in the footsteps of a family of lawyers, McElroy was inspired by her attorney father’s work ethic even as he faced cancer, and by her Belgian mother’s strength as a young widow raising a family. The Law School’s international programs attracted McElroy, who had studied in France and Russia. As a law student, she studied international law in Greece for a summer and experienced a different legal system in Lyon, France, for a semester. Working with asylum clients through the Law School’s immigration clinic and clerking for former Minnesota Supreme Court Chief Justice Kathleen Blatz further fueled her commitment to justice.

Traveling with her brother as he makes documentary films, McElroy has become involved in Haiti with orphanages, economic development, and a new university. In northern Uganda she has observed economic development projects for women and displaced farmers. “I’m a bit of an idealist at heart,” she says.

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

Law School Board of Visitors and Alumni Board Merge

> After a full year of consultation and planning, the Law School's two longstanding boards, the Board of Visitors and the Law Alumni Board, have voted to merge to form the Board of Advisors. The newly created board is expected to be fully constituted, with an active working committee structure later this spring, and begins its life with 34 active members retained from the two former boards. Kristine Erickson ('72) will serve as chair.

"Merging the two boards will result in a more focused, active, and engaged board," says Dean David Wippman. "This will help us draw on the wisdom and talents of our alumni to advance the Law School at a pivotal moment in the School's history. I expect to work closely with the Board on strategic planning, student recruitment and placement, alumni engagement, and fundraising."

Exploration of a merger began at the April 2009 joint meeting. The two former boards had a combined semi-annual meeting schedule and shared similar purposes, serving in an advisory capacity to the Dean with no formal policy-making role. The new Board of Advisors will serve in a similar



Jan Conlin ('88), Dean Wippman, and Kristine Erickson ('72)

capacity. Its mission statement describes its role as that of "aiding and supporting the Dean, faculty and staff in strategic planning, policy decisions and resource development."

The Board of Advisors will include Executive, Governance/Nominating, Development, Alumni Relations and Community Engagement, and Academic Engagement standing committees. "The committee structure allows for concrete action items on specific projects," says Jan Conlin ('88), President of the former Board of

Visitors. "By including nonboard members on those committees, we expect more meaningful engagement with the Law School by a broader group of individuals."

The merger process was led by a core group of members from each of the former boards, including Jan Conlin, David Eldred ('02), Kristine Erickson, Phil Garon ('72), Patrice Halbach ('80), Joan Humes ('90), Harvey Kaplan ('64), Jeannine Lee ('81), Marshall Lichty ('02), Thor Lundgren ('74), and Judy Oakes ('69).

Join the *Partners at Work* Challenge >

This is the 3rd year of the University of Minnesota Law School's *Partners at Work* challenge. The *Partners at Work* challenge is a friendly competition to increase alumni participation at local, national, and international organizations who employ 5 or more University of Minnesota Law School alumni. The challenge currently has over 30 participating law firms and corporations, and includes over 900 alumni. Even in last year's challenging economy, participation from these firms and corporations increased from 48% to 56%.

Thank you very much to those participating for your generosity and commitment to supporting the excellence and mission of the University of Minnesota Law School.

If you'd like to learn more, please contact Evan Johnson at 612-625-6584 or evanj@umn.edu.

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	Zimmerman Reed

Fellowship Helps Graduates Take Learning Into the Field

> In mid-August of 2009 Nick Manthey ('09) left for Quito, Ecuador, to conduct research and assist five attorneys who had formed a nonprofit organization to develop a curriculum for teaching mediation and arbitration. The opportunity was part of the Law School Robina Post-Graduate Fellowship program, which offers graduates an opportunity to do public policy research for nonprofit organizations, assist public defender offices, or assist judges while adding real-life experience to their resumes.

Manthey speaks fondly of his time in Ecuador. "One thing I would say is

the most meaningful work involves "opportunities where you are able to help others," he says. "I found this was true of my work in Ecuador. The people I worked with were both warm and kind, and it was a great experience trying to help a small, dedicated group of lawyers change the legal system in a country of 13 million people."



Nick Manthey ('09)

the legal system in a country of 13 million people."

The fellowship's first year

The Law School's new Program on Law, Public Policy, and Society, which is backed by a grant from the Robina Foundation, funded a majority of the 37 fellowships awarded to graduates in the program's first, says Alan Haynes, director of the Career and Professional Development Center (CPDC). In return for a \$5,000 stipend, fellows provide 400 hours of service to the partner organization.

The fellows chosen exhibited a desire to "make a difference on a larger scale" with organizations and "would

be good representatives of the Law School," says Dana Bartocci, CPDC employer relations coordinator. Fellows either found an organization to work with or selected one from a list the Law School had established, Bartocci explains.

Many of the partnering groups have limited funding and staff available for public policy research. The fellows are able to gain experience and references while helping an organization, Bartocci says. Fellows "have a chance to reach out and help a community while improving their credentials," Haynes adds.

The Post-Graduate program follows in the footsteps of the Robina summer fellowship program, begun last year, which offers Law School students internships in the community while still attending school, Bartocci says. The Law School hopes to continue a similar program this summer, she says. The Minneapolis-based Robina Foundation funded most of the Post-Graduate fellowships. The foundation, the brain-child of well-known philanthropist and alum James H. Binger ('41), is a contributor to other Law School programs.

Filling important needs

By all accounts, Post-Graduate fellows were treated as attorneys and did not spend their time copying documents, fetching coffee, or answering phones. They got started nearly the moment they arrived making serious contributions to their organizations.

Consider Mark Torma ('09) and Josh Feneis ('09), who used their fellowships to contribute to the Volunteer Lawyers Network (VLN), a nonprofit organization offering legal services to people in poverty who face civil issues, such as housing, bankruptcy, debt collection, and family problems. Torma provided policy advice on several issues,

while Feneis offered hands-on legal advice at a VLN clinic inside the Hennepin County Government Center.

Torma did a great deal of research on organizations similar to VLN in an effort to formulate a more efficient process for providing legal services to people facing bankruptcy. VLN needed a "new model" for working with those clients, he says.

His proposal for changing the VLN process, which has been adopted, included having nonlawyer volunteers help clients collect the necessary documentation before their court date. The new process has cut the time required to manage a bankruptcy case by as much as 50% and reduced "the time and stress" of getting "mundane paperwork" in order before hearings and trials, he says.

Torma also suggested allowing VLN to serve clients with slightly higher incomes—up to 200% of the poverty level. To meet the increased workflow, VLN would have to stanch the flow of clients returning again and again as their "judgment-proof" status changed, he explains.

Clients without jobs are judgment-proof and not liable for their debts. But when they get jobs, their creditors have a right to ask for payment, Torma explains. Such clients revisit VLN repeatedly as they lose and get jobs. The solution Torma arrived at was for VLN to have judgment-proof clients go through the bankruptcy procedure so they would not cycle through VLN's system time and again. Making that change means those clients "would not be back for years rather than months," says Torma.



Mark Torma ('09)

"It was a really great experience to be out in the community connecting with people. It was a lot more beneficial than a job search done from my laptop, and it opened up a new career possibility in public policy work."—Ellen Maxfield ('09)

Feneis arrived at VLN after Torma, starting in January of this year. He spent much of his time at the Government Center clinic, offering legal advice in 15- to 20-minute increments to help clients understand, for example, the impact of a default judgment or how to fight for the return of a security deposit. He used his remaining fellowship time at VLN to develop volunteer attorney clinics. "I spent a lot of time learning about the process and procedure of the system and how the law really affects people," he says.

Ellen Maxfield ('09) used her Post-Graduate Fellowship to work at the United Way of Central Ohio in Columbus, her hometown. In 2010 she researched pending Ohio legislation that would have an impact on United Way, drafted legislative testimony for board members and volunteers in an effort to support a school wellness bill, and reignedited the agency's dormant public policy newsletter.

Maxfield has been astonished by how quickly the United Way put her talents to work on top-line issues and in representing it at meetings. Within a month of joining the agency, she made a presentation before nearly 80 people involved with the Ohio Workforce Coalition. "I've been incredibly impressed by the work and the autonomy and the possibilities the United Way of Central Ohio gave

me," she says.

Manthey taught English at a local Quito school in 2004 and traveled widely in Central and South America. When he returned to Quito last summer to work at the human rights organization DECIDE Corporación de Estudios, he lived with a group of young people from around the world who worked in various agencies.

Ecuador's new constitution, adopted in 2008, had an overarching goal of reforming and modernizing the nation's legal system, and one objective was creation of an alternative dispute process. Manthey helped build a framework for a program to teach professors at Ecuador's 18 law schools how to integrate mediation and arbitration classes into the curriculum. In addition, he created a structure that will allow law schools to provide low-cost legal services based on models found in the Law School and at the Minnesota Justice Foundation (MJF).

Moreover, he created a Web site for the organization featuring its publications and then put to use his grant-writing skills in two ways. He translated several lengthy grants applications and identified potential financial donors to DECIDE.

Having conducted grant research for a Hennepin County judge who created a special co-parenting court for divorcing couples, Manthey had a good idea of how to find foundations willing to fund new legal projects. "I ended up using Google to find quite a few potential donors" for the non-profit, he says. Some money DECIDE hopes to raise would be dedicated to establishing a partnership with the MJF, he points out.

The value of the experience

Torma, who found a position at the Autism Advocacy and Law Center in

Edina, Minn., during his fellowship, says the VLN project "gave me a chance to research in a field I'm deeply interested in, and it gave me a chance to meet the local bench and bar. I had a chance to meet with a lot of different people, and the work, to my mind, was very meaningful."

For at least one recipient, the fellowship turned out to be a conversation starter. During an interview with a judge for a clerkship in Todd County, Feneis pointed out that he had worked with VLN on a Robina Post-Graduate Fellowship. The judge, Jay D. Carlson, wound up hiring him. "I brought up what I had been doing the last couple of months and he was suddenly interested," says Feneis. "I believe it helped me get the job."

Maxfield's experience may have changed her outlook on nonprofit organizations. At one time, she aspired to a position with a large law firm, but now she has broadened her search to include nonprofits. "It was a really great experience to be out in the community connecting with people," she says. "It was a lot more beneficial than a job search done from my laptop, and it opened up a new career possibility in public policy work."

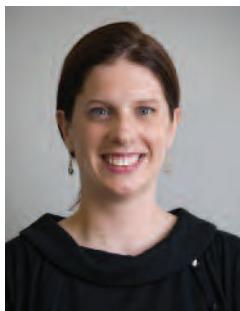
After his time in Ecuador, Manthey toured Columbia with a friend before returning to Minnesota to clerk for Hennepin County Judge Bruce Peterson. Manthey stays in touch with the attorneys he assisted in Quito and hopes to establish a connection between them and the MJF.

"I really love Quito," he says. "It's a center of business, nonprofit, and legal activity in South America and I knew it would be a great place to work to make a difference during my fellowship."

By Frank Jossi, a freelance writer based in St. Paul, Minn.



Josh Feneis ('09)



Ellen Maxfield ('09)

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June 12, 2010

\$225 per seminar, or purchase a \$795 SuperPass and SAVE!
SuperPass users can take up to 7 courses (excluding June 12),
pay only \$75 for each course over 7 (excluding June 12),
and add the highly-regarded Krogh program on June 12 for only \$125!

The University of Minnesota Law School Presents the 31st Annual Summer Program of
Continuing Legal Education Seminars

Monday, May 31**Accounting and Finance for Lawyers**

8:30-4:30 with Edward S. Adams

Tuesday, June 1**Administrative Law Review and Update**

8:30-4:30 with Kristin E. Hickman

Wednesday, June 2**Understanding the Current State of the Law in
Trademarks, Copyright and Related Areas of
Intellectual Property**

8:30-4:30 with Daniel J. Gifford

Thursday, June 3**Contracts for the International Sale of Goods**

8:30-4:30 with Oren Gross

Friday, June 4**New Perspectives on Liability and Responsibility
in the Wake of the Financial Crisis**

8:30-4:30 with Claire A. Hill

Saturday, June 5**The Ethical Implications of Representing
Individuals With Mental Disabilities (morning) and
Overcoming Internal and External Bias in
Representing Individuals With Mental
Disabilities (afternoon)**

9:00-3:00 with Carl M. Warren

Monday, June 7**The Constitution in a Conservative Court: Two
Decades and Counting**

8:30-4:30 with Dale Carpenter

Tuesday, June 8**Selected Topics in Unfair Competition and
Business Torts**

8:30-4:30 with Thomas F. Cotter

Wednesday, June 9**Hot Topics in Contracts and Commercial Law**

8:30-4:30 with Brian Bix

Thursday, June 10**Securities Litigation in the Post-Meltdown
World**

8:30-4:30 with Richard W. Painter

Friday, June 11**Consumer Financial Services Regulation:
Updates From a Rapidly Changing World**

8:30-4:30 with Prentiss Cox

Saturday, June 12**Integrity: Good People, Bad Choices and Life
Lessons From the White House**

9:00-12:15 with Egil (Bud) Krogh

FOR MORE INFORMATION:**VISIT www.law.umn.edu/cle/2010, OR CALL (612) 625-6674, OR EMAIL iscl@umn.edu**

CLE credit: 6.5 general credits have been requested for each course except June 5 (3 ethics credits, morning; 2 bias credits, afternoon) and June 12 (3 ethics credits). Credit has been applied for in Wisconsin.

Location: All courses are held at the Law School, Walter F. Mondale Hall, subplaza level, 229 19th Ave. S., West Bank campus of the University of Minnesota, Minneapolis, 55455.

Parking and directions: For information, go to www.law.umn.edu/contact/directions.html.

Refunds: If notice of cancellation is received in writing on or before May 21, 2010, refunds will be made, minus a \$75 processing charge. No refunds will be given for cancellation after May 21, 2010.

Annual Scholarship Dinner

*McNamara Alumni Center,
March 9, 2010*



1



2



5



3



4



7



6

> The Law School's 2010 Scholarship Recognition Dinner program included a testimonial from student scholarship recipient Forrest Tahdooahnippah ('10) and remarks by Bruce Mooty ('80) from the perspective of a scholarship founder and donor. Also, Judy Oakes and Joe Dixon, Class of 1969, shared the success of fundraising efforts for a class scholarship.

1. Lois Lindquist, David R. Brink ('47), Sandra Stein, Robert A. Stein ('61), and Avis Lindquist

2. Walter Mondale ('56), Matthew Webster ('11), and Jeff Michael

3. Mike Galvin Jr. ('57) and David Brink ('47)

4. Bruce Mooty ('80)

5. Chouhei Mullin, Frances Galvin, and Mike Galvin Jr. ('57)

6. Judy Oakes ('69) and Joe Dixon ('69)

7. Walter Mondale ('56), Catherine O'Connor ('12), David Doty ('61), and Mary Doty

Class Notes

News About Your Classmates and Colleagues

1955

Clinton Schroeder, a longtime principal with Gray Plant Mooty, Minneapolis, received the Marty Baskerville Philanthropy Award from the Minneapolis Rotary Community Service Foundation for his significant contributions through leadership and participation in numerous community and charitable organizations.

1968

Robert M.A. Johnson is retiring as Anoka County Attorney at the end of 2010. He joined the office as chief deputy county attorney in 1974 and has held the office of county attorney since 1982. After retirement, he plans to continue serving in advisory roles in public policy organizations.

Harry S. (Terry) Martin is the interim director of the Tarlton Law Library and the Jamail Center for Legal Research and a visiting professor, University of Texas School of Law, Austin.

1971

Harold Berk was appointed the tax credit columnist for the *CCH Journal of Passthrough Entities*. He wrote "Treasury is the New Investor: 1602 Grants in Lieu of Low-Income Housing Tax Credits" in the Sept.-Oct. 2009 issue and is now working on an article on renewable energy tax credits and grants.

David R. Ornstein retired as city attorney for Bloomington, Minn., after serving the city for 36 years and overseeing developments that include the Mall of America, IKEA, and Bloomington Central Station. He received the 2002 Public Attorney Award of Excellence from the Minnesota Bar Association and the 2001 Distinguished Public Service Award from the International Municipal Lawyers Association.

1973

Robert Bannerman is serving as the Commercial Counselor at the U.S. Embassy in Rome.

1977

James Strother of Wells Fargo & Co. in San Francisco received the lifetime achievement award in the Best Bay Area Corporate Counsel awards presented by the *San Francisco Business Times* and the *Silicon Valley/San Jose Business Journal*.

1978

Tim Brausen was awarded the 2009 Edward J. Flahavan Award by St. Paul-based CommonBond Communities in recognition of his work to ensure access to affordable housing for economically disadvantaged people.

1979

Nancy Gores was elected 2010 chair of the St. Louis Park, Minn., School Board, on which she has served in various capacities since 2004. She is a litigation attorney with Stilp, Robinson and Grove.

Gary Fuchs has joined Hellmuth & Johnson, Eden Prairie, Minn., as a partner in the real estate practice group. He has more than 30 years of experience in the areas of real estate, construction, and civil litigation.

1980

Scott DeLisi was nominated by President Obama last November and confirmed by the U.S. Senate in March for the position of Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Nepal.

Sandra H. Johnson was appointed city attorney for Bloomington, Minn., replacing retiring city attorney David R. Ornstein ('71). She has been with the city attorney's office for 19 years, is president of the Minnesota Association of City Attorneys, and is a member of the Minnesota Criminal Justice Task Force.

1982

Richard T. Ostlund of Anthony Ostlund Baer & Louwagie received the 2009 Attorney of the Year award from *Minnesota Lawyer* for securing a \$73 million recovery in a case of financial self-dealing by a residential-complex developer.

Bonnie E. Raquet was appointed to the 14-member Thrivent Financial for Lutherans Board of Directors and serves on the board's governance and investments committees, employing her expertise in government relations, media relations, communications, brand management, marketing services, and corporate social responsibility. She currently works at Cargill Inc. as a Corporate Vice President, Corporate Affairs.

1983

Joan Bibelhausen received the 2009 Attorney of the Year award from *Minnesota Lawyer* for her leadership in assisting lawyers with stress and life-balance issues as Executive Director of Minnesota Lawyers Concerned for Lawyers.

Mary Vasaly, a partner at Maslon Edelman Borman & Brand, is the first recipient of the Steven A. Pihlaja Justice Partner Award, created to recognize efforts to improve the justice system or support Minnesota's Fourth Judicial District. She was honored for her work to secure funding for legal services to the disadvantaged during her 2008-09 presidency of the Hennepin County Bar Association. She is also a

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, 2010. Submit your news via our Web site at <http://www.law.umn.edu/alumni/updates.html>, via email at lawalum@umn.edu, or via mail to the Office of Advancement, Suite 321, University of Minnesota Law School, 229 19th Ave. S., Minneapolis, MN 55455. We look forward to hearing from you, and thanks for keeping in touch!

founding member of The Infinity Project, dedicated to advancing gender diversity on the Eighth Circuit Court bench, which received a \$170,000 two-year grant from the Open Society in November 2009 to support its mission.

1986

John F. Docherty received the 2009 Attorney of the Year award from *Minnesota Lawyer* for his role as Assistant U.S. Attorney in prosecuting the largest fraud case in Minnesota history, the Tom Petters case.

1989

Randall Kahnke is co-editor and a contributing author for *The Secrets to Winning Trade Secret Cases* (Thomson West, 2009). He is head of the business litigation practice at Faegre & Benson and has been recognized as a leading litigator in *Best Lawyers in America*, *Super Lawyers*, and *Chambers USA*.

1990

Gerald Robinson recently ended four years at the New Jersey office of Boies, Schiller & Flexner, where he developed expertise representing whistleblowers in *qui tam* actions under federal and state False Claims Acts. Upon returning to Minnesota, he helped pass the Minnesota False Claims Act in May 2009. He recently joined Hellmuth & Johnson, Eden Prairie, Minn., as chair of its false claims act practice group and currently focuses his practice on representing whistleblowers and other fraud recovery actions.

Pieter Teeuwissen has been appointed city attorney for Jackson, Mississippi; elected chair of the Mississippi Board of Bar Admissions; and selected to serve on the Diversity Committee of the National Conference of Bar Examiners.

1991



Meredith McQuaid is one of four international education leaders across the country who will join the board of directors of NAFSA, the world's largest nonprofit professional association dedicated to international education. The membership of nearly 10,000 represents all 50 states and more than 150 countries. The board of directors guides NAFSA through a strategic plan of broad goals, with specific objectives assigned to committees and task forces. As Associate Vice President and Dean for International Programs at the University of Minnesota, McQuaid promotes the global dimensions of teaching and research. Previously, she served in international programming positions at the Law School, where she managed its programs in China, expanded its international exchange programs, and increased its population of international students.

1992

Angela Lageson was named Senior Vice President, General Counsel, and Secretary at Pentair, Minneapolis. She has been with the company for seven years, previously as Assistant General Counsel and Assistant Secretary, and has provided legal support to all of the company's global business units.

Kevin Wolf was confirmed as Assistant Secretary of Commerce for Export Administration by the U.S. Senate in February 2010. The post falls within the Commerce Department's Bureau of Industry and Security, which is responsible for export control, treaty compliance, and strategic technology.

1993

Timothy C. Rank received the 2009 Attorney of the Year award from *Minnesota Lawyer* for his role as Assistant U.S. Attorney in prosecuting the largest fraud case in Minnesota history, the Tom Petters case.

1995

Jeff Bureau recently accepted a position as counsel in the general counsel's office at Ameriprise Financial Services, Minneapolis. He was previously a contract attorney at Wells Fargo Bank.

1996

Brian Johnsrud recently opened the Silicon Valley office of Curley & Mullen, an employment law boutique with offices in New York City and Philadelphia. He continues to practice employment and labor law on behalf of management.



Patrick Lee-O'Halloran joined Hammargren & Meyer, bringing more than a decade of litigation experience in complex construction law and surety matters.

1997

James Lamm has been elected a Fellow in the American College of Trust and Estate Counsel.

1999

Benjamin Warpeha has accepted a position with Schleck & Associates at its Plymouth, Minn., office. He will continue in his practice areas of criminal

defense, restraining orders, and related litigation. He also has a practice in collections and civil litigation.

2000

Stacy Marsh is Assistant Vice President of the Employment Counsel at Pacific Life Insurance Company.

2001

Rachel Brass was named a partner at Gibson, Dunn & Crutcher in San Francisco. Her practice focuses on domestic and international antitrust and competition law and appellate litigation.

Sarah Link Schultz was elected to the partnership at the international law firm of Akin Gump Strauss Hauer & Feld.

Judy Yi was promoted to shareholder at Polsinelli Shughart. She also was named president of the Asian American Bar Association of Kansas City.

2002

Peter C. Furrer joined Von Briesen & Roper as a member of the litigation and risk management group, where he focuses on commercial disputes and general litigation matters. He represents clients in arbitrations, mediations, and state, federal, and appellate courts and has presented oral arguments before the Seventh Circuit Court of Appeals.

2003

Melanie Kleiss Boerger has joined the engineering firm Kleiss Gears Inc. as interim CEO.

2005

Joshua I. Welle has become a partner at Olson and Welle (formerly known as Olson & Price), a law firm representing public construction contractors in Minnesota, Iowa, North and South Dakota, and Nebraska.

2006

Laura Schultz joined Tuttle & Bergeson, where she will practice in the areas of family, civil, and criminal law.

2007

Calvin Ding is working at the Shanghai and Houston offices of Greenberg Traurig. His practice covers mergers and acquisitions, venture capital/private equity, and international trade.

Stephanie Johnson joined the U.S. Department of Agriculture's Office of the General Counsel as an attorney-advisor in the Conservation and Environment Division. Her work focuses on Clean Water Act and Clean Air Act issues.

2008

Shaheen Karolia joined the corporate and finance group at Baker & McKenzie in Toronto.

João Medeiros is a law clerk for Judge Ann L. Carrott in Minnesota's Seventh Judicial District.

2009

Josh Feneis joined Volunteer Lawyers Network (VLN) on a postgraduate clinics attorney fellowship in December 2009. He is helping improve accessibility of VLN resources, supporting high-quality brief services, and conducting site visits and evaluations of services at various clinics.

Anne Hoyt Taff joined Volunteer Lawyers Network (VLN) as an AmeriCorps VISTA attorney in December 2009. She represents clients in consumer and bankruptcy cases and is working on a VLN-Minnesota Justice Foundation joint project to expand consumer-related clinics and programs and bankruptcy services across the state.



Eric J. Van Schyndle joined Quarles & Brady in its Milwaukee office, where he works in the commercial litigation group.

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EMPLOYERS: attract the best and brightest applicants—**UNIVERSITY OF MINNESOTA LAW SCHOOL**
STUDENTS AND GRADUATES—by listing your job openings with the Law School's Career and Professional Development Center. We invite law firms, corporations, government organizations, academic institutions, nonprofit organizations, and businesses looking for dedicated, ambitious employees to post your job listings at www.law.umn.edu/careers/postajob.html.

Alternatively, you may print out a job listing form located at:
www.law.umn.edu/careers/jobs.html.

Complete and return it by fax to **(612) 626-7720** or by mail to:
CPDC, 96 Walter F. Mondale Hall
229 19th Ave. S.
Minneapolis, MN 55455

Please feel free to contact us at **(612) 625-1866** or cpdc@umn.edu.



> Alumni Tributes

RUSSELL W. LINDQUIST

CLASS OF 1945



Avis and Russell W. Lindquist

Russell W. Lindquist, an alumnus and long-time friend of the Law School, passed away Jan. 24, 2010, at age 88 in Minnetonka, Minn. A dedicated supporter of the Law School, he and his wife established the Avis and Russell Lindquist Scholarship in 2004 to assist students in financial need.

In 1948, Dorsey & Whitney recruited Lindquist specifically to develop a real estate department at the firm. His ensuing achievements are legendary. He and firm lawyers were involved in many of the area's most significant real estate transactions of the time, including development of the Southdale Shopping Center and building of the Metropolitan Stadium and the IDS Center. After putting together the Baker and Northstar blocks in downtown Minneapolis, Lindquist was the legal force behind creation of the skyway system that today links virtually the entire downtown.

Lindquist formally retired as a partner with Dorsey & Whitney in 1988, but he continued his close relationships through frequent attendance at partner meetings and volunteer activities. "Russ was an engaging and humble visionary, who had a twinkle in his eye and a kind word of support for all," said Managing Partner Marianne Short in a company-wide email. "We are stronger because of his contributions and will miss him dearly."

He is survived by his wife, Avis Enstad Lindquist; sons Brian and Mark Lindquist; daughter Jill Hanson; stepsons Bruce and Paul Enstad; and several grandchildren.

LESLIE C. GULBRANDSON

CLASS OF 1952

Leslie C. Gulbrandson passed away Oct. 3, 2009, at age 86 in Tucson, Ariz., his residence since retiring as Justice of the Supreme Court of Montana. He was born in Montana and was part of the state's legal system his entire professional life.

Gulbrandson was a combat pilot in World War II and received a Distinguished Flying Cross, Purple Heart, and five Air Medals for his service. He then completed his legal education at the Law School and returned to Montana to work as a county attorney in Glendive. In 1960, he became a district court judge.

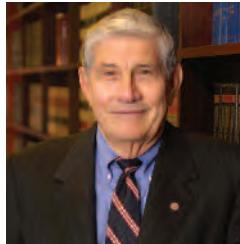
During his 22 years as the sole judge for Montana's seventh district, he became known as a law-and-order trial judge. When he ran for election to Montana's Supreme Court in 1982, a Washington state newspaper noted his reputation as "one of the state's toughest judges in criminal cases." Gulbrandson responded that "consistent" would be more accurate.

He won the election and served as a Montana Supreme Court Justice from 1982 until his retirement in 1989.

Gulbrandson is survived by his wife, Billie, Tucson; stepchildren Stephen Gulbrandson, Billings, Mont.; Julie Lewis, Calama, Chile; and Craig Wagner, Glendive; and two grandchildren.

RUSSELL M. BENNETT

CLASS OF 1952



Russell Bennett, a dedicated friend of the University, died of cancer at his home in Excelsior, Minn., on April 7, 2010, at age 80. "No volunteer in the history of the Foundation had a greater impact

on our organization and the University than Russ," said President and CEO of the University of Minnesota Foundation Steven L. Goldstein in an email announcement to staff.

Bennett joined the Foundation board in 1982 and leaves a legacy of service and commitment. He chaired the 1985-88 capital campaign, which raised \$365 million, topping the public university record, and the 2003 campaign, which raised \$1.7 billion. The Foundation established the Russell M. and Elizabeth M. Bennett Chair in Excellence to honor the couple's exceptional service, Goldstein said.

After serving as a trial officer in the U.S. Navy, Bennett joined what would become Gray, Plant, Mooty, Mooty and Bennett in 1954. He practiced corporate and estate planning law there for the next 55 years, becoming a partner in 1961. His name was added to the firm's title in 1977.

He served as legal counsel for the Hearing Industries Association (HIA) from 1955-93 and always had a big smile "and an even bigger heart," said Carole Rogin, HIA's Executive Director. "Despite the fact that his illustrious law career took him way beyond the HIA board table, he stayed with us and guided HIA through the most challenging, developmental years of the industry."

Serving others was a way of life for Bennett, and he generously supported the United Way, American Red Cross, Blake School, and many other organizations and was a trustee at Deephaven's Church of St. Therese for 30 years. An active alumnus, he "often talked about how important the University was to his life," Goldstein said, and in 2001 the University awarded Bennett an honorary doctorate. An avid sailor, he crossed the Atlantic solo at age 70 in a trimaran he designed.

Bennett is survived by his wife of 58 years; daughters Mary B. Carlton, Chanhassen, Minn., and Robin B. Schoenwetter, Plymouth, Minn.; three grandchildren; three siblings, a step-brother, and many other relatives.

> In Memoriam

CLASS OF 1938

Marion M. Hurley

Sept. 15, 2009

Pasadena, Calif.

CLASS OF 1940

Lester A. Druck

Nov. 6, 2009

Madison, Wisc.

CLASS OF 1941

Howard M. Kohn

March 13, 2009

St. Louis, Mo.

James Pomush

Dec. 30, 2009

Circle Pines, Minn.

CLASS OF 1945

Russell W. Lindquist

Jan. 24, 2010

Minnetonka, Minn.

Clayton O. Rost Jr.

Oct. 19, 2009

San Francisco, Calif.

Merle Lightner Saunders

Dec. 19, 2009

Portland, Ore.

CLASS OF 1946

Donald C. Levin Sr.

Oct. 19, 2009

North Oaks, Minn.

CLASS OF 1947

Elwood M. Graham

Oct. 12, 2009

Ocean Springs, Miss.

CLASS OF 1948

Robert E. Fauss

June 21, 2009

Dallas, Tex.

Edward M. Glennon

May 3, 2009

Minneapolis, Minn.

Vernon A. Nolte

March 8, 2009

Fairmont, Minn.

CLASS OF 1949

Robert G. Hull

May 30, 2009

Cottonwood, Ariz.

John G. Kressel Jr.

Jan. 23, 2010

Edina, Minn.

Gerald R. Walsh

Nov. 18, 2009

Federal Way, Wash.

CLASS OF 1950

James Dorfman

May 20, 2009

St. Paul, Minn.

John M. Hayes

Oct. 24, 2009

Georgetown, Del.

John A. McHugh

Dec. 12, 2009

Edina, Minn.

John E. Wasche

April 20, 2009

Robbinsdale, Minn.

CLASS OF 1951

Dewey H. Gruening

Dec. 9, 2009

Yuba City, Calif.

John E. Keefe

Sept. 1, 2009

Hutchinson, Minn.

Maynard O. Panser

Jan. 16, 2010

Brooklyn Center, Minn.

CLASS OF 1952

Russell M. Bennett

April 7, 2010

Excelsior, Minn.

Leslie C. Gulbrandson

Oct. 3, 2009

Tucson, Ariz.

William P. Lines

Nov. 11, 2009

Milaca, Minn.

CLASS OF 1953

Robert F. Eaton Jr.

Dec. 26, 2009

Duluth, Minn.

Edward J. Foley

Dec. 30, 2009

Pacific Grove, Calif.

Richard E. Grunert

Feb. 11, 2010

Morganton, Ga.

CLASS OF 1954

Michael Bolen

Jan. 21, 2010

Edina, Minn.

CLASS OF 1955

Frederick S. Barkman

Sept. 27, 2009

Bellevue, Wash.

CLASS OF 1956

Lawrence J. Vaubel

Aug. 19, 2009

Minneapolis, Minn.

CLASS OF 1958

William B. McCallum

Aug. 28, 2009

Phoenix, Ariz.

Paul D. Tierney

July 18, 2009

Minneapolis, Minn.

CLASS OF 1959

Thornton P. Anderson

March 20, 2009

Minneapolis, Minn.

CLASS OF 1961

John F. Bannigan Jr.

Dec. 4, 2009

St. Paul, Minn.

Robert W. Boyd

April 3, 2009

Duluth, Minn.

David R. Von Holtum

Sept. 18, 2009

Worthington, Minn.

CLASS OF 1962

Robert N. Roningen

Jan. 4, 2010

Duluth, Minn.

CLASS OF 1963

Donald J. Sorensen

April 5, 2009

Eden Prairie, Minn.

CLASS OF 1966

William W. Garrison

July 28, 2009

Bemidji, Minn.

Ebert D. Olson

March 18, 2009

Naples, Fla.

CLASS OF 1967

Ernest W. Collins Jr.

Nov. 21, 2009

Redwood City, Calif.

CLASS OF 1970

David J. Alleman

Sept. 23, 2009

Winona, Minn.

Marvin G. Lind

April 30, 2009

Minneapolis, Minn.

CLASS OF 1973

Nancy M. Scranton

July 21, 2009

Freemon, Ohio

CLASS OF 1974

Richard A. Nelson

March 28, 2009

Eden Prairie, Minn.

CLASS OF 1982

Lorraine S. Clugg

March 2, 2009

Minnetonka, Minn.

CLASS OF 1986

Nicholas A. Champlin

June 25, 2009

Alameda, Calif.

CLASS OF 2002

Sandra L. Yue

Feb. 4, 2010

Minneapolis, Minn.

CLASS OF 2003

Jennifer L. Dekarske

Dec. 19, 2009

St. Paul, Minn.

Partners in Excellence Annual Fund Update



James L. Chosy ('89) and Julie Knox Chosy ('90)

> FRASER SCHOLARS

James Annenberg La Vea	Samuel D. Heins
James J. Bender	Richard M. Ihrig
Michael V. Ciresi	Gregory P. Joseph
Jan Conlin & Eugene Goetz	K. Thor Lundgren
William T. Dolan	Dennis M. Mathisen
David S. Doty	J. Stewart McClendon
Stanley Efron	James H. Michael
Matthew K. Entenza	Bruce W. Moaty
Gerald H. Friedell	John W. Moaty
James T. Hale	Vance K. Opperman

> DEAN'S CIRCLE

Michael J. Adams	Ronald M. Mankoff
Frank R. Berman	Russell V. Michaletz
Christopher J. Chaput	Thomas J. Moore
James & Julianne Chosy	Daniel R. Pennie
Joseph M. Finley	Curtis L. Roy
Philip S. Garon	Allen I. Saeks
John C. Goetz	Robert J. Schroeder
Jay H. Grant	Ronald J. Schutz
John F. Hartmann	Michael R. Sieben
Gary J. Haugen	David J. Steingart
Thomas R Hood	Tony J. Tanke
William A. Johnstone Jr.	George J. Tichy II
Duane E. Joseph	Robert R. Weinstine
David & Martha Kadue	Rodger D. Young

Dear Friends and Fellow Alumni:

As National Co-Chairs of this year's *Partners in Excellence* annual fund drive, we are pleased that many of you have chosen to benefit the Law School with your generosity through gifts to the Law School Fund. In this time of varied economic challenges, you have recognized the importance of contributing to the Law School, particularly in light of rapidly dwindling state support. We thank all of you who have given so far and wish to specially acknowledge the generosity of this year's Fraser Scholars and Dean's Circle donors (through April 15, 2010).

Clearly, this is a critical time in the Law School's history, and its continued excellence absolutely depends on investment from each of us as alumni. We feel extremely fortunate to have had the opportunity to attend the Law School. In addition to rigorous training, the Law School afforded us the opportunity to develop relationships that have endured and enriched our lives, both professionally and personally, with many exceptional people. Moreover, we are inspired by the positive things happening now under Dean David Wippman and are confident that with adequate financial support, he can lead the Law School to its ambitious goals of not only maintaining but improving and strengthening its reputation of excellence.

Your sustaining gift to the annual fund each year is a vitally important resource. For example, a gift of \$5,000—whether from one person or several people combined—is equivalent to the annual payout from an endowment of more than \$111,000. We know there are many worthy causes requiring your attention, but as alumni of the Law School, we have a special responsibility. Please join your fellow alumni and friends in stewardship of the Law School by renewing your support with a gift of any amount by June 30.

Thank you again for your generosity.

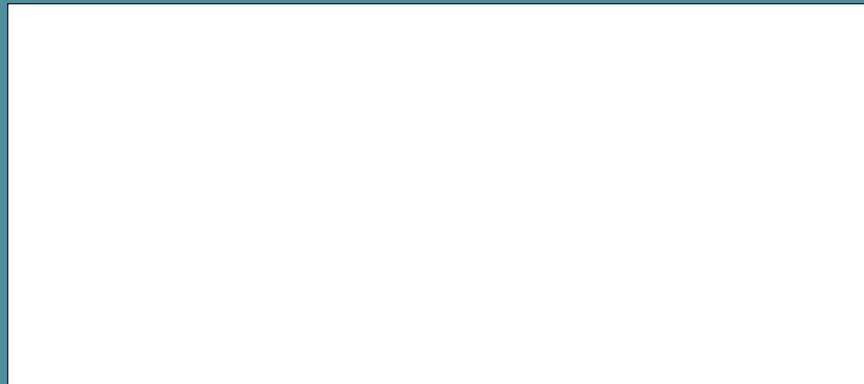
Sincerely,

James L. Chosy ('89) and Julie Knox Chosy ('90)
2010 National Co-Chairs,
Partners in Excellence Annual Fund

UNIVERSITY OF MINNESOTA LAW SCHOOL

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SPRING ALUMNI
WEEKEND *save the date* JUNE 4–5, 2010

CELEBRATE THE LAW SCHOOL AND ITS ALUMNI IN A WEEKEND
OF ACTIVITIES FOR THE WHOLE LAW SCHOOL COMMUNITY:

Friday, June 4: All-Alumni Cocktail Reception

Saturday, June 5: Alumni Breakfast & CLE

SPECIAL REUNION EVENTS WILL BE HELD FOR THE CLASSES OF:
Pre-1960, 1960, 1970, 1975, 1980, 1985, 1990, 2000, and 2005

FOR MORE INFORMATION, PLEASE CONTACT EVAN P. JOHNSON,
Alumni Relations & Annual Giving Program Officer
612.625.6584 or evanj@umn.edu

Spring Alumni Weekend is about coming back to celebrate your years at the Law School and the friendships you formed here. Those of you with class reunions in 2010 are encouraged to "participate in something great" by making a special increased gift or pledge to the Law School this year.

WWW.COMMUNITY.LAW.UMN.EDU/SAW