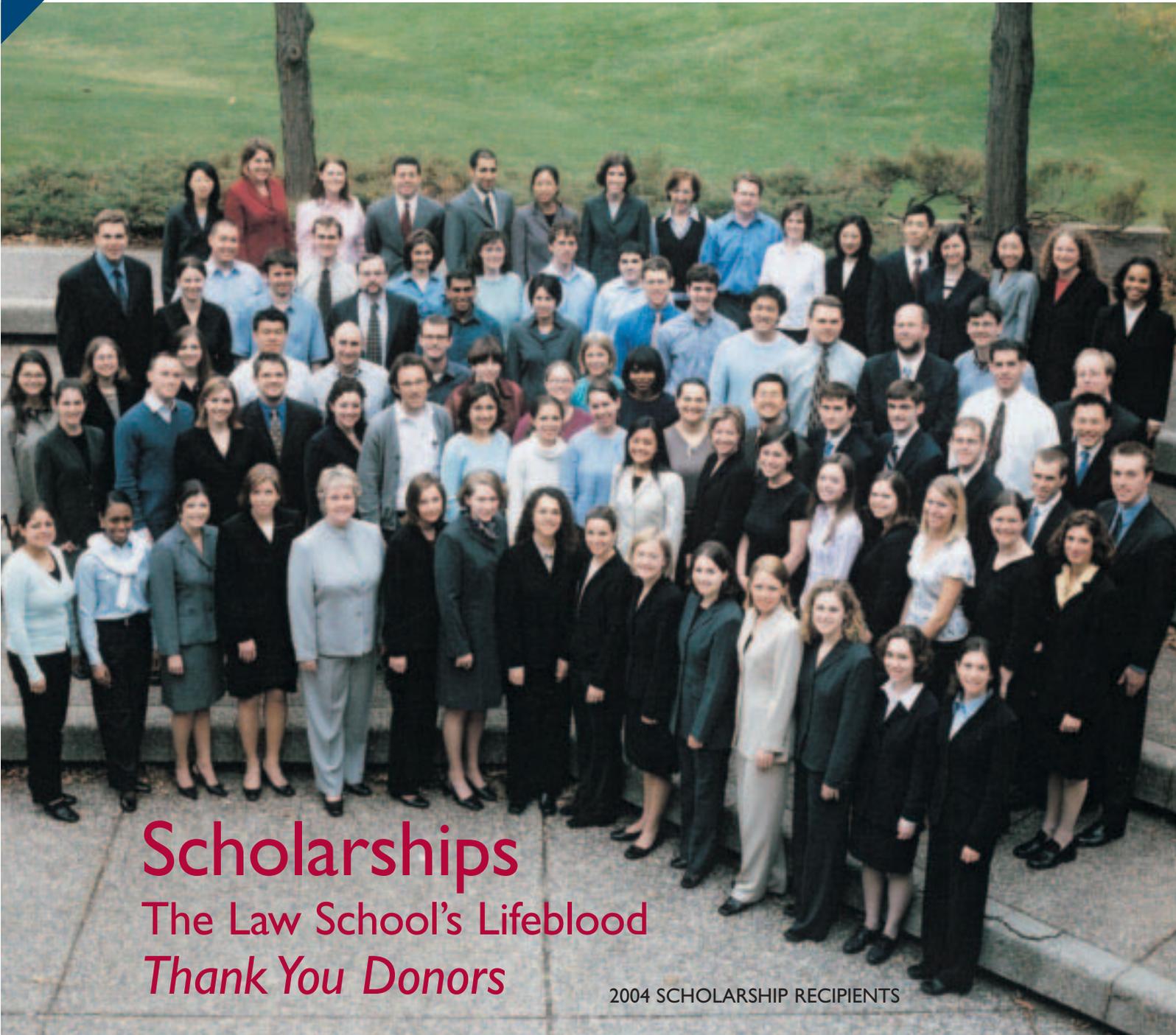


SPRING 2004

Law. Alumni News

UNIVERSITY OF MINNESOTA LAW SCHOOL



Scholarships

The Law School's Lifeblood

Thank You Donors

2004 SCHOLARSHIP RECIPIENTS

Law Alumni News

UNIVERSITY OF MINNESOTA LAW SCHOOL



Cover photo courtesy of Dan Kieffer. Not all scholarship recipients are pictured.

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▶ Dean's Perspective

As I approach the end of my second year as Dean of this wonderful Law School, I continue to reflect on the changes that have taken place since my first tenure as a member of the law faculty (1980–1982) some two decades ago under Bob Stein's leadership. Of course, the world has changed tremendously since I initially joined the faculty in 1980, and the Law School has changed as well. There are, however, some constants:

- Although some faces have changed, this continues to be a superb teaching and scholarly faculty. Although the legendary J.J. Cound, Leo Raskind, David Bryden, Bob Levy and others have attained emeritus status and no longer actively teach, we are still fortunate to have great teachers and scholars like Professors Ann Burkhart, Laura Cooper and Dan Gifford, all of whom were appointed or reappointed to endowed chairs/professorships in the Law School this academic year.
- Obviously the students have changed since 1980 (along with the hairstyles), yet we are still blessed with some of the brightest, nicest, and most hardworking students in the country. Indeed, the LSAT and UGPA statistics place our students among the top ten percent in the country, and that may understate their abilities.
- Our recently remodeled clinic space allows our world renowned clinic faculty (now totaling seven) to continue to operate at a high level and to provide most of our students with practical training that is integral to producing exceptional lawyers.
- Our law library, led by Kathleen Price in 1980 and expertly today by Associate Dean Joan Howland, continues to be ranked in the top 10 (actually 8th) and deservedly so, as it approaches the acquisition of its one millionth volume this fall.
- As I travel within the Twin Cities, the state, around the country, and beyond, I continue to be amazed at the loyalty and level of alumni support for this institution and the reverence and respect the Law School generates among non-graduates as well.



DEAN ALEX M. JOHNSON, JR.

Of course, there have been new challenges and we have weathered those changes successfully. As I have mentioned prominently in my visits with alumni and in previous columns, our state support has diminished to the point where only approximately ten percent of our budget next year will come from public funds. When our charges, taxes, and fees are taken into account, we will remit almost as much to the University as we will receive in state support.

In addition, although we are saddened to see valued and respected faculty members depart, we take solace and joy from welcoming new faculty members who will continue the tradition of scholarly excellence established by their predecessors.

What does all of this mean? The Law School, like any dynamic organization or entity, is not and cannot, become static. To do so, is to accept complacency and mediocrity. Like most organizations, the Law School must change with the times in order to maintain its prominence. However, we must remain committed to our core values of excellence in teaching and scholarship, our mission of integrating practice and theory in the pursuit of excellence, and the production of ethical lawyers. As long as we do so, we will maintain and improve our place in legal academe.

To persevere in this time of record budget deficits we are forced to adapt to a new reality in which the Law School will be supported through increased tuition (and we hope increased scholarships to offset the burden on students) along with increased alumni support.

And so, as I conclude my second year as your Dean, I look back with awe at the changes that have taken place, not only in the last two decades, but those that have taken place in the last two years. We have withstood a significant financial hit and yet have emerged a stronger and better Law School.

We here at the Law School are grateful for your past support and hope you will continue to partner with us to maintain and continue our tradition of excellence.

A handwritten signature in blue ink that reads "Alex M. Johnson, Jr." The signature is fluid and cursive.

Dean and William S. Pattee Professor of Law

Faculty FOCUS

Professor Ann M. Burkhart

Professor Ann M. Burkhart specializes in real estate law. One of her current topics of research is studying and analyzing the increasing nationalization and globalization of real estate law. “Property law traditionally has been the exclusive province of the states. But with the enormous growth of the secondary mortgage market, increasing pressure exists from the federal government and from the mortgage market for standardizations of law and mortgage lending practices,” says Burkhart. In the secondary mortgage market, the primary lender sells the loan, thereby generating more cash to make additional loans.

“Because the secondary mortgage market has been so successful at generating capital within this country, countries throughout the world are beginning to copy our methods,” adds Burkhart. “In fact, more than 40 countries around the world have enacted legislation within the past ten years to permit mortgage securitization.”

Burkhart has co-authored several books on real estate law, including *Fundamentals of Property Law*, the second edition of which was published in 2004. “I’m also working on articles concerning the duty to provide housing to the homeless and segregation in housing and education,” says Burkhart.

Burkhart, who earned her law degree from the University of Illinois, joined the Law School faculty in 1982. She served as Associate Dean for Academic Affairs from 1989 to 1991. During the 2002–03 school year, she served as the



ANN M.
BURKHART

like best about the Law School is the world-class faculty, who are extraordinarily smart and collegial,” reflects Burkhart. “We have outstanding students who make the classroom a joy, and we have a dean with a vision for the future of the law school that will put us in excellent position for the years ahead.”

“Our law library and reference staff are the best in the country. The faculty’s and students’ achievements would be much less without their assistance,” says Burkhart. “And I’m glad that the law students can assist the community through our clinics, work with the legislature, and the work of our legal institutes, such as the Institute on Race & Poverty.”

Professor Laura J. Cooper

Twenty-five years ago, Professor Laura Cooper made history. In 1979, she became the first woman to ever receive tenure at the University of Minnesota Law School. Cooper first joined the University faculty in 1975. Cooper has been on sabbatical leave for 2003–2004, working

Julius E. Davis Professor of Law; Burkhart is currently the Curtis Bradbury Kellar Professor of Law. She’s stayed at Minnesota for a number of reasons.

“The thing I

on a host of projects connected to her primary interests of labor law and workplace dispute resolution.

In recent years, Cooper has noted some distinct trends in labor law. “There’s certainly an increased privatization of dispute resolution. The kinds of issues that were fought about in a courtroom are now largely resolved in a private setting. I think it’s quite an irreversible trend,” says Cooper. “The other main change is the de-emphasis on collective resolution of workplace disputes and an emphasis on individual resolution.” Cooper notes that labor law tends to be less abstract than other areas of legal scholarship: “People feel these issues very personally. Students bring to the classroom a lot of personal experience.”



LAURA J.
COOPER

Professor Cooper currently serves as Chair of the Labor Law Group, an international association of labor and employment law scholars, founded in 1953.

Approximately 50 law professors in the U.S., Canada, and Europe belong to the organization, which collaborates to publish textbooks on labor and employment law. She’s coeditor of the forthcoming *Labor Law Stories* and is updating her 2000 co-authored casebook, *ADR in the Workplace*. Cooper is the current J. Stewart and Mario Thomas McClendon Professor in Law

and Alternative Dispute Resolution. Cooper also works as a labor mediator and arbitrator.

Cooper, who earned her law degree at Indiana University at Bloomington, has enjoyed her career in Minnesota. “We have always had a supportive administration that understood that the way to create a great law school is to hire creative, energetic people and support them in their work. Cooper also praises the Law School’s facilities and its “superb library.”

Cooper has enjoyed the flexibility that teaching at Minnesota offers. “I like being able to think about presentation and materials in new kinds of ways. I like to try new things in the classroom, like role-playing or use of electronic resources,” says Cooper. “It is very rewarding to see bright students get it. It’s great to be part of that journey.”

Professor Donald G. Marshall

When Professor Donald Marshall joined the Law School in 1967, he never imagined that he would still be here 37 years later. He had been working in private practice in New Jersey when Dean William B. Lockhart recruited him to come west.

“I thought initially that I’d stay for two or three years,” recalls Marshall. “I found I loved teaching, so I was not going to return to practice. And my wife and I found that we loved Minnesota, so the two or three years have stretched into thirty-seven.” Marshall’s expertise is in torts and evidence, but he also teaches products liability, medical malpractice, insurance, and media law.

Today it seems that Marshall is busier than ever. Marshall published *Common Law Process of Torts* in 2003, co-authored with his colleague, Professor David S. Weissbrodt. Now he’s at work on two additional casebooks: one on products liability and the other on defamation and invasion of privacy. “When you get it all done, it’s a fair amount of work,” admits Marshall,



DONALD G. MARSHALL

who stresses that the books are primarily designed to serve as tools for teaching. Marshall is most at home in the classroom. He estimates that he has now taught more than 7500 students over the years. “I teach by the Socratic method. I go into the classroom and engage the students in conversation. I rarely lecture,” says Marshall. “I enjoy that interaction and think that interaction is the best vehicle for having the students learn the irreducible core of legal education.”

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Marshall is most at home in the classroom. He estimates that he has now

Professor Marshall was selected Teacher of the Year in both 1971 and 1979. He received the Stanley V. Kinyon Teaching and Counseling Award in 1983, 1989, 1991, and 1995. In 1995, Marshall was honored as the first Law Alumni Distinguished Teacher.

“In my view, there is no more important professional endeavor than the practice of law,” says Professor Marshall. “In our legal system, it is the lawyer practicing diligently, competently, and ethically who more than any other single individual makes law work. To help students prepare themselves for fulfillment of that role and responsibility is an honor for the law teacher. It is also an opportunity to live grandly.” ♦

By Burl Gilyard. Gilyard is a Minneapolis-based freelance writer and a 1992 graduate of the University of Minnesota.



Joseph T. O’Neill (’56), from O’Neill, Grills & O’Neill, Legislative Process Seminar instructor, invited Senator Norm Coleman to the Law School to participate in one of his classes during spring semester. This photo was taken during a tour of the building. Pictured are (l to r) Joe O’Neill, Associate Dean Joan Howland, Senator Norm Coleman and Dean Alex Johnson.

Faculty R&D

Research and Development



Dan Burk spoke at the 2003 Taipei Science & Technology Law Forum. Professor Burk's host was Ta-Chou Huang, who is both an LL.M. and J.D. alumnus of the University of Minnesota Law School, now working for the Institute for Information Industry Science & Technology Center in Taipei.

BEVERLY BALOS

Professor Balos presented a paper at the Saint Louis University Public Law Review Symposium on Domestic Violence and the Law: Theory, Policy & Practice entitled "A Man's Home is His Castle: How the Law Shelters Domestic Violence and Sexual Harassment." She also participated in a Conference on Sexual Trafficking of Women and Girls, sponsored by The College of St. Catherine, and presented a paper entitled "International Human Rights Documents and the Treatment of Trafficking of Women." Professor Balos is a member of the Steering Committee of the Sheila Wellstone Institute. The Institute is committed to serving as a clearinghouse for domestic violence related work and to sponsoring the development of information, research and evaluation of programs and approaches to domestic violence as well as developing appropriate public policy recommendations. In that capacity, Professor Balos participated in planning the initial conference sponsored by the Institute that focused on Domestic Violence, Children and the Courts.

STEPHEN F. BEFORT

Professor Befort continues to be active on a number of projects relating to labor and employment law. He recently published a second edition of his *Employment Law and Practice* book with West Group, as well as an article entitled "Reasonable Accommodation and Reassignment Under the Americans with Disabilities Act: Answers, Questions, and Suggested Solutions After *U.S. Airways, Inc. v. Barnett*," which was published in the *Arizona Law Review*. He also completed work on two other forthcoming law review articles: "A New Voice for the Workplace: A Proposal for an American Works Councils Act," which will appear in the *Missouri Law Review*; and "Accommodation at Work: Lessons from the Americans

with Disabilities Act and Possibilities for Alleviating the American Worker Time Crunch," which will appear in the *Cornell Journal of Law & Public Policy*. In addition, Professor Befort has published a professional education article entitled "Advanced Supreme Court Update," a paper that he presented at the Minnesota State Bar's 2003 Labor and Employment Law Institute. Professor Befort has been appointed as the Secretary of the Labor and Employment Section of the American Bar Association. In that capacity, he authored a column for the Section Newsletter entitled "A Glimpse at the Supreme Court's Docket: Court Looks at ADEA and ADA Cases," and presented a paper entitled "At the Cutting Edge of Labor Law Preemption: A Critique of Chamber of Commerce v. Lockyer," at the mid-winter meeting of the Development of the Law Under the NLRA Committee. Professor Befort currently serves as the Law School's Associate Dean for Academic Affairs.

BRIAN BIX

Professor Bix presented "Background Rules, Incompleteness and Intervention" as a Comment at the "Freedom from Contract" conference held at the University of Wisconsin Law School, and participated in a panel discussion on "Federalism and Marriage" at the St. Thomas Law School. He is one of five co-editors of *Family Law: Cases, Text, Problems*, the fourth edition of which is forthcoming from LexisNexis.

DAN L. BURK

Professor Burk recently returned from a semester visit at the University of California, Berkeley where he taught Fall semester courses on Patent Law and on Introduction to Intellectual Property. While visiting at UC Berkeley, Professor Burk presented a faculty workshop on "DNA Rules: Legal Implications of Biological 'Lock-out'

Systems” a paper forthcoming in the *California Law Review*; he also presented this work at a seminar in the Department of Agricultural Economics. Professor Burk also presented his work on “Open Source Genomics” as part of a public lecture series sponsored by the Berkeley Center for Law and Technology. In June, prior to beginning his visit at Berkeley, Professor Burk spoke at the University of Chicago on “Intellectual Property and the Firm”; this work is forthcoming in the *University of Chicago Law Review*. During the Fall Professor Burk also visited Taiwan where he spoke on “Infrastructure for Rights Management Systems” at the 2003 Taipei Science and Technology Law Forum organized by the Science and Technology Law Center of the Taiwan Information Industry Institute. In October, Professor Burk traveled to Toronto, Canada, to speak on “Feminism and Copyright in Digital Media” at the Annual Conference of the Association of Internet Researchers; this work will appear in the edited collection *Intellectual Property Rights in a Networked World*. In November he presented at Cornell Law School a Faculty workshop on his research regarding “Policy Levers in Patent Law,” co-authored with Professor Mark Lemley of UC Berkeley. This paper has since been published in the *Virginia Law Review*. In November, Professor Burk together with Professor Lemley presented “Biotechnology’s Uncertainty Principle” at the Law, Technology and the Arts Symposium on the “Past, Present, and Future of the Federal Circuit” held at Case Western Reserve University School of Law. Professor Burk began 2004 with a visit to the University Cattolica del Sacre Cuore in Piacenza, Italy, where he taught an intensive three day course on Cyberlaw. In February Professor Burk presented “DNA Rules: Legal Implications of Biological ‘Lock-Out’ Systems” at the Intellectual Property Symposium sponsored by Loyola University of Chicago and ITT Chicago-Kent. He then traveled to Sapporo, Japan, where he spoke on “Fair Use Infrastructure for Copyright Management Systems” at the conference on “Establishing the Principles of Intellectual Property Policy” at Faculty of Law at Hokkaido University. During March

he spoke at a University of Arizona Intellectual Property Symposium program in Phoenix, Arizona on “Biotechnology in the Federal Circuit,” and traveled to the University of Tilburg in the Netherlands, where he presented an intensive course on “Patents, Technology, and Society,” and also presented an Honors lecture as part of the Tilburg Law Lectures.

BRAD CLARY

Professor Clary will become President of the Association of Legal Writing Directors in August, 2004. He continues to serve on the Communication Skills Committee of the American Bar Association Section of Legal Education. In June 2004, he completed a three-year term on the governing council of the Minnesota State Bar Association Appellate Practice Section. Professor Clary, Associate Dean Sharon Reich Paulsen and Michael Vanselow completed the second edition of their *Advocacy on Appeal* text, published by Thomson/West in April, 2004.

LAURA J. COOPER

Professor Cooper has been on sabbatical leave for the 2003–2004 academic year, working on three books that will be published in 2005. They include a textbook on workplace dispute resolution, a book of classroom role-playing exercises on workplace arbitration and mediation, and a collection of historical essays about the most significant labor law decisions. Her suggested techniques for teaching Civil Procedure will be included in the forthcoming book, *Teaching the Law School Curriculum*. Foundation Press has selected her set of hundreds of PowerPoint slides for teaching Labor Law for distribution to professors nationally. Professor Cooper is being honored in March 2004 by the Legal Aid Society of Minneapolis for twenty-four years of service as a member of the Society’s Board of Directors, including two years as its President.

BARRY FELD

Professor Feld published several law review and criminology articles and a book chapter during the 2003–2004 academic year, including: “Race and

Ann M. Burkhart was appointed to the Curtis Bradbury Kellar Chair in Law and she presented her inaugural lecture entitled “The Twenty-First Century Real Estate Lawyer” on March 9, 2004. Professor Burkhart is an expert in the area of real estate law. She teaches property law, real estate finance and development, land use planning, and comparative property law.





On March 2, 2004, Professor Daniel J. Gifford delivered “Innovation Policies in the United States, Canada, and the European Union: A Look at Some Applications of Patent, Copyright and Competition Laws” on the occasion of his reappointment to the Robins, Kaplan, Miller & Ciresi Professorship of Law. Professor Gifford is a recognized expert on antitrust law and administrative law. He teaches courses in the areas of administrative law, antitrust law, and unfair competition.

the Changing Jurisprudence of Juvenile Justice: A Tale in Two Part, 1950–2000,” in *Our Children, Other People’s Children*, 2004; “The Politics of Race and Juvenile Justice: The ‘Due Process Revolution’ and the Conservative Reaction,” in *Justice Quarterly*, 2003; “The Constitutional Tension Between Apprendi and McKeiver: Sentence Enhancements Based on Delinquency Convictions and the Quality of Justice in Juvenile Courts,” in *Wake Forest Law Review*, 2003; and “Race, Politics, and Juvenile Justice: The Warren Court and the Conservative ‘Backlash,’” in *Minnesota Law Review* (May, 2003). In addition, his article “Adult Crime, Juvenile Time” appeared in the *Philadelphia Inquirer* on March 14, 2004. His recent speeches include Distinguished Lecture Series, “Race, Politics, and Juvenile Justice,” College of Criminal Justice, Eastern Kentucky University, Richmond, Kentucky in February, 2004; “Competence, Culpability and Capital Punishment,” University of Houston Law School Colloquium, Houston, Texas, in January, 2004; “Competence, Culpability, and Capital Punishment: Implications of Atkins for Executing Juveniles,” American Society of Criminology, Denver, Colorado, in November, 2003; and “Competence, Culpability, and Capital Punishment: Implications of Atkins for Executing Juveniles,” “The Constitutional Tension Between Apprendi and McKeiver: Using Delinquency Convictions to Enhance Criminal Sentences and the Quality of Justice in Juvenile Courts,” and Plenary Speaker, “Race, Politics, and Juvenile Justice,” at American Bar Association Juvenile Defenders Leadership Summit, Baltimore, Maryland, in October, 2003. He was interviewed several times on Minnesota Public Radio and quoted in stories appearing in the *Washington Post*, *New York Times*, *International Herald Tribune*, *St. Louis Post-Dispatch*, *Houston Chronicle*, *St. Paul Pioneer Press*, and *Minneapolis Star-Tribune*, among others.

RICHARD S. FRASE

Professor Frase’s article, entitled “Legal and Extralegal Determinants of Inter-County Differences in Prison Use,” co-authored with criminologist Robert Weidner, was published in the

Criminal Justice Policy Review. Professor Frase’s essay on punishment theory, entitled “Limiting Retributivism,” appeared as a chapter in *The Future of Imprisonment*, edited by Michael Tonry. He also reviewed two recent books on comparative criminal justice. His review of *The Japanese Way of Justice: Prosecuting Crime in Japan*, by David T. Johnson, was published by the Criminal Law Bulletin. His essay reviewing *Harsh Justice: Criminal Punishments and the Widening Divide Between America and Europe*, by James Q. Whitman, appears in the *George Washington International Law Review*. In May 2003 Professor Frase participated in a meeting of the American Law Institute members consultative group for the project to revise the Model Penal Code sentencing and corrections provisions. In November he submitted a statement and gave testimony to the American Bar Association’s “Justice Kennedy Commission,” which is examining the pressing sentencing and corrections issues identified by the Justice in his speech at the 2003 ABA annual meeting. Also in November Professor Frase presented a paper, co-authored with criminologist Robert Weidner, analyzing variations in felony sentencing practices in a sample of large urban counties, at the 2003 annual meeting of the American Society of Criminology.

DANIEL J. GIFFORD

Professor Gifford (together with his co-author, Professor Robert T. Kudrle of the Humphrey Institute of Public Affairs) recently published an article entitled “European Union Competition Law and Policy: How Much Latitude for Convergence with the United States?” in the *Antitrust Bulletin*. He and Professor Kudrle had previously presented that paper at a Conference on Global Competition held at the Law School in honor of Dean Emeritus E. Thomas Sullivan. Professor Gifford was recently reappointed to the Robins, Kaplan, Miller & Ciresi Professorship. At that time he delivered his reappointment lecture “Government Policy Towards Innovation in the United States, Canada, and the European Union as Manifested in Patent, Copyright and Competition Laws.” He also recently presented a paper to the law faculty entitled “How do the Social

Benefits and Costs of the Patent System Stack Up in Pharmaceuticals?" In June, Professor Gifford will present a paper entitled "Imprecision and Unpredictability in Competition Laws" to an International Conference on Industrial Organization in Chalkidiki, Greece. He has recently joined the Sedona Conference Working Group on the Role of Economics in Antitrust Law. He is currently involved in research on the economics of the patent system, on the newly emerging conceptions of monopolization and on comparative assessments of the antitrust and intellectual property laws of the United States and the European Union.

OREN GROSS

Professor Gross was appointed as the Vance K. Opperman Research Scholar. He recently completed three articles: "Is Torture Warranted?: Pragmatic Absolutism and Official Disobedience" forthcoming in *Minnesota Law Review*; "The Prohibition on Torture and the Limits of the Law" (a chapter in a book on torture to be published by Oxford University Press); and "Providing for the Unexpected: Constitutional Emergency Provisions" in *Israel YB Human Rights*. In December 2003 he presented a paper "Counter-Terrorism and Law: Historical and Comparative Lessons" at the Miller Center of Public Affairs, University of Virginia, in a workshop on "Civil Liberties In Times of Stress: The American Patriot Act, Its Precedents, and Their Consequences." In January 2004 he presented a paper on the prohibition of torture in a conference organized by the Journal of Law and Inequality at the University of Minnesota. In February he participated in the highly prestigious Brennan Center Jorde Symposium at the University of California at Berkeley. In March he presented a paper in the Georgetown University Law Center Constitutional Law Colloquium. He was also invited to speak in conferences in Spain, Israel, and Canada. During Spring 2004, Professor Gross ran the Law School's faculty Works-In-Progress seminar. He made several media appearances, most recently on PBS' program of *Religion & Ethics*, discussing ethical issues related to use of torture against suspected terrorists.

MAURY S. LANDSMAN

Professor Landsman has completed his research on the moral judgment in law students. It was published this spring in the *South Texas Law Review*. Professor Landsman is continuing his research on judicial responses to witness bias in the courtroom. He will begin an empirical study of Minnesota judges this summer. As Director of Clinics and Skills, Professor Landsman is continuing his review of the current programs and examining ways to expand and improve existing courses. Professor Landsman was a participant in a panel on "Ethics Issues for Labor and Employment Lawyers" for the Labor and Employment Law Institute, Minnesota CLE. He presented two sessions at the University of Minnesota Law School's Super CLE Week XXIV: "What's New in the Regulation of Lawyers" and "Dealing with Bias in the Courtroom."

JOHN H. MATHESON

Professor Matheson will teach a Business Finance course to 110 Lithuanian law students in the summer of 2004 at Vytautas Magnus University School of Law in Kaunas, Lithuania. He is co-Director for the Kommerstad Center for Business Law and Entrepreneurship, a major portion of which is the Minnesota Multi-Profession Business Law Clinic, where University of Minnesota Law School students have the opportunity to do transactional legal work. This representation typically (but not exclusively) involves start-up business. The students involved work under the guidance of an attorney and with an accountant. Professor Matheson also directs the Law School's Continuing Legal Education Programs, which this past year included Super CLE Week XXIV (five full day programs) and the Twenty-Fifth Annual Summer Program of Continuing Legal Education Seminars (ten full day programs). He published an article, "The Limitations of Limited Liability: Lessons for Entrepreneurs (And Their Attorneys)," in the *Minnesota Journal of Business Law & Entrepreneurship*, which can be accessed at <http://kommerstad.org/journal/v2n1/matheson.html>.

Joan Howland was awarded the 2003 Spirit of Law Librarianship Award. Associate Dean Howland was recognized for her work with the Native American community. Her efforts to expand opportunities for Native Americans in librarianship and law has taken place on many fronts and she has served on numerous AALL, ALA and Lama committees dedicated to diversity. She has been active in organizations and committees that emphasize opportunities for Native Americans. Associate Dean Howland also serves as faculty adviser to the American Indian Law Student Association and has mentored many of its members.



Pictured are Richard Leiter, Director and Professor Schmid Law Library, University of Nebraska College of Law; Associate Dean Joan Howland; and Barbara Bintliff, Nicholas Rosenbaum Professor of Law and Director of the Law Library, University of Colorado School of Law.



George Mundstock, Dorsey & Whitney Professor in Law, left the Law School at the end of fall semester 2003. He rejoined the University of Miami School of Law faculty, where he had taught for 15 years prior to joining the faculty at Minnesota. Professor Mundstock was a Visiting Professor at Minnesota during the 2000-01 academic year and joined the faculty in 2001. He taught tax I & II, taxation of business organizations, partnership tax, international tax, and accounting for lawyers.

Best wishes to you George.

FRED MORRISON

Professor Morrison continues to be active in issues relating to international law. In January he delivered a paper on "International Law: An Anchor in Shifting Sands," to a conference sponsored by the Law School's *Journal of Law and Inequality*. In early April in cooperation with the University's Center for Austrian Studies, he organized the first joint colloquium between legal scholars of the University of Minnesota and those at two major Austrian universities, the University of Vienna and the University of Graz. He spoke on United States attitudes toward the International Criminal Court. Later in April he presented a paper to a conference in Chicago examining possibilities for the constitutional future of Kosovo. Professor Morrison also serves as chair of the University's Benefits Advisory Committee and as a member of the working group that manages the health insurance for all University employees.

MYRON ORFIELD

Professor Orfield over the last year with the support of the Charles Stewart Mott and Kelloggs Foundations completed a major study of racial and fiscal inequality, transportation and land use trends in Michigan. This report was instrumental in the passage of land use reform legislation in Michigan. Professor Orfield worked on similar studies in Connecticut and New Jersey with the support of the Ford Foundation, the Fund for New Jersey, and the Greater Hartford Foundation. Professor Orfield's scholarship was reported on in papers throughout the nation including the *New York Times*, the *Atlanta Constitution*, and the *Washington Post*. He has also been a guest on NPR's *Talk of the Nation*.

GREGG POLSKY

Professor Polsky recently finished work on three law review articles. One, titled "Employment Discrimination Remedies and Tax Gross Ups," was co-authored with Stephen Befort and will be published in October in the *Iowa Law Review*. The other two were recently published: "Ca Treasury Overrule the Supreme Court?" in the

Boston University Law Review and "The Contingent Attorney's Fee Tax Trap: Ethical, Fiduciary Duty, and Malpractice Implications" in the *Virginia Tax Review*. In January, Professor Polsky presented the *Boston University Law Review* article at the American Bar Association Tax Section's Midyear Meeting in Kissimmee, Florida in connection with his participation as a panelist in a program titled "The Case of the Too Generous Regulations." In June, Professor Polsky and a co-author filed an amicus brief in the upcoming United States Supreme Court tax case of *U.S. v. Banks* (No. 03-892).

KATHRYN SEDO

Professor Sedo is the director of the Tax Clinic. Students in the clinic represent taxpayers who have controversies with the IRS (and the State of Minnesota). In 2004, the clinic students represented 119 low income taxpayers. The Tax Clinic was recently awarded a grant of \$85,000 from the IRS for 2004. Professor Sedo is currently the chair of the Tax Section of the Minnesota State Bar Association. She is co-author of the Tax Notes column in Bench and Bar of Minnesota. Last fall she served on the planning committee for MN CLE's Annual Tax Institute. She gave a presentation at the Tax Institute on "Recent Developments in Innocent Spouse Law." Professor Sedo also spoke at the AALS Clinical Teacher's Conference in May 2004 on organization and operation of tax clinics.

E. THOMAS SULLIVAN

Professor Sullivan has published "Global Trade Law: Present at the Creation," which was published by *Minnesota Journal of Global Trade* this year, as a tribute to the late Professor Robert Hudec. He continues to work on a new edition to his treatise, *Private Antitrust Actions* with Professor Doug Floyd of BYU Law School, which will be published in the fall of 2004. He also is writing, with Professor Herb Hovenkamp, the *2004 Supplement to Antitrust Law, Policy and Procedure* (5th ed. 2003), that will be available this summer. He has written also an article on the Rehnquist Supreme Court, entitled, "The Supreme Court and Pri-

vate Law: The Vanishing Importance of Securities and Antitrust for *Emory Law Journal*. In December 2003, he was appointed by the Minnesota Supreme Court to chair the Court's Advisory Committee on Judicial Conduct to review the code of Judicial Conduct and the Rules of the Board on Judicial Standards. At the Law School, he has chaired this year the Tenure and Promotions Committee. He also chaired in February the ABA/AALS reinspection of the Yale Law School. In July, he will become the Provost and Senior Vice President for Academic Affairs at the University of Minnesota.

MICHAEL TONRY

Professor Tonry has published a number of books and articles since the appearance of the spring 2003 *Law Alumni News*. These are listed among faculty publications in this issue. In August, 2003, he gave the opening address at the 2003 annual meeting of the National Association of Sentencing Commissions in Seattle. Early in October he organized a small meeting in Chicago to celebrate Norval Morris's 80th birthday by presenting to him a festschrift written in his honor by various people whom he has influenced. That book, *The Future of Imprisonment*, was published by Oxford University Press in March 2004. He continues to serve on the boards of the American and European Societies of Criminology and to edit *Crime and Justice—A Review of Research and Criminology in Europe*.

KEVIN K. WASHBURN

Professor Washburn addressed a meeting in Washington, D.C. on March 18, 2004, called by U.S. Attorney Thomas Heffelfinger, Chairman of the Native American Issues Subcommittee of the Attorney General's Advisory Committee, and sponsored by the National Congress of American Indians aimed at identifying problems with criminal jurisdiction in Indian Country and developing viable solutions. The meeting was attended by tribal leaders, Department of Justice and Interior officials, and staff from the Senate Committee on Indian Affairs. Professor Washburn also addressed a symposium entitled "Enforcing the Judgments of

Tribal Courts" sponsored by the *New Mexico Law Review* in Albuquerque, New Mexico, on March 6, 2004. Professor Washburn also has an essay forthcoming in the *New Mexico Law Review* entitled, "A Different Kind of Symmetry," in which he offers a comparative analysis of state recognition of tribal civil judgments and criminal convictions. Professor Washburn spoke at the Human Rights Day and Education Forum sponsored by the State of Minnesota Department of Human Rights in December 2003; the topic of Professor Washburn's discussion was "Federal Indian Law and Human Rights on Reservations." In November 2003, Professor Washburn addressed Macalester College in St. Paul, Minnesota, on "U.S. Policy Toward American Indian Nations: The Past, the Present, and Future." In this talk, Professor Washburn placed in historical context the federal government's relationship with Indian tribes, discussed the current status of that relationship and illuminate the subtle but important transformation that has begun to develop in the relationship and speculated about the future of federal American Indian policy. Professor Washburn has two law review articles that will be published this spring or early summer: "Tribal Courts and Federal Sentencing," in Volume 36 of the *Arizona State Law Journal*, and "Federal Law, State Policy, and Indian Gaming," in Volume 5 of the *Nevada Law Review*.

DAVID WEISSBRODT

Professor Weissbrodt began in September 2003 experimenting with teaching a distance learning class in Human Rights Law via the Internet and email. In October 2003 he spoke on "U.S. Perspectives on Economic, Social, and Cultural Rights" at the Law School, State University of New York at Buffalo. In November he spoke on the "Rights of Non-Citizens" to a seminar at the Open Society Institute, New York City, and on "U.N. Human Rights Norms for Business" at the Annual Meeting of Business for Social Responsibility, Los Angeles. Early in December 2003 Weissbrodt was the first plenary speaker at the Human Rights Day and Education Forum in St. Paul. Later in December, he spoke on the "U.N. Human Rights Norms

Daniel A. Farber is leaving the University of Minnesota Law School where he has been on the faculty since 1981. He will be joining the University of California, Berkeley School of Law as the Sho Sato Professor of Law and Director of the Environmental Law Program.



Professor Farber is pictured here with the three Deans who have served during his tenure at the Law School. (l to r) Robert Stein, Dean Emeritus 1979-1994; Professor Farber; E. Thomas Sullivan, Dean Emeritus 1995-2002; and Alex M. Johnson, Jr., current dean.

Professor Farber is a prolific and respected legal scholar who has made many contributions to the profession over the past 22 years. The University of Minnesota recognized his scholarly excellence by his appointment to the McKnight Presidential Chair in Public Law in 2000. He is a nationally recognized authority on constitutional law and on environmental law and also has taught and published widely in several other areas including contracts, jurisprudence, and legislature.

Thank you, Dan!
We will miss you.

for Business” to a meeting of business leaders organized by Respect/Europe in London. In December he also chaired a U.N. meeting in Brussels on the “Implementation of the Durban Declaration and Program of Action Against Racism” and presented a paper on the “Rights of Non-Citizens.” Later in December 2003 he presented a “Study on Amnesty International’s Role in Inter-Governmental Organizations,” at the Amnesty International Secretariat in London.

Weissbrodt has been directing the University of Minnesota Human Rights Library (<http://www.umn.edu/humanrts>), which is one of the largest collections of human rights treaties, decisions, and other materials available 24 hours per day free-of-charge through the Internet in Arabic, English, French, Japanese, Russian, and Spanish. During this past year the Human Rights Library improved its accessibility and capacity as a core resource for human rights activists, scholars, and educators in over 130 countries. Use of the Library has gradually increased and has now reached about 170,000 individual users with over three million hits per month.

Weissbrodt has recently published a book chapter and an article in the *American Journal of International Law* on the human rights responsibilities of businesses as well as an article on the relationship between human rights and intellectual property.

SUSAN M. WOLF

Professor Wolf published an article on “Clinical, Ethical, and Legal Issues in Using Preimplantation Genetic Diagnosis to Create a Stem Cell Donor” with Jeffrey Kahn and John Wagner and another article on “Law & Bioethics: From Values to Violence,” both in the *Journal of Law, Medicine & Ethics*. She and Jeffrey Kahn are completing a third article on “Genetic Testing and Disability Insurance: Ethics, Law & Policy” and editing a symposium on this topic for the *Journal of Law, Medicine & Ethics*, supported by a grant from the National Institutes of Health (NIH) to the Center for Bioethics and the Joint Degree Program in Law, Health & the Life Sci-

ences, which Professor Wolf directs. As a member of the Ethics Committee of the American Society for Reproductive Medicine (ASRM), Professor Wolf also played a significant role in drafting the Committee’s position paper on “Informing Offspring of Their Conception by Gamete Donation,” in *Fertility & Sterility* (2004). In addition to directing the Joint Degree Program, Professor Wolf continues to chair the University’s Consortium on Law and Values in Health, Environment & the Life Sciences, named in 2003 as one of President Bruininks’s Interdisciplinary Initiatives. These two programs sponsored ten events in 2003–04 including the Faegre & Benson Lecture Series on Law, Health & the Life Sciences; a Lunch Series on the Societal Implications of the Life Sciences; a symposium on “Intellectual Property Rights for the Public Good: Obligations of U.S. Universities to Developing Countries”; a national conference on “Environmental Threats to Children’s Health: Legal and Policy Challenges”; and the inaugural Deinard Memorial Lecture on Law & Medicine, cosponsored by the Center for Bioethics. Both the symposium and the conference were named part of the President’s 21st Century Interdisciplinary Conference Series. The Consortium began a project funded by NIH on the legal and ethical implications of haplotype mapping of the human genome and submitted two further NIH grant proposals. In addition to serving on the ASRM Ethics Committee, Professor Wolf continues to serve on the Board of Directors of the American Society for Bioethics & Humanities (ASBH); the Editorial Board of the *Journal of Law, Medicine & Ethics*; the University’s Stem Cell Ethics Advisory Board; and the Ethics Committee of the Minnesota Partnership for Biotechnology and Medical Genomics, University of Minnesota and Mayo Clinic.

JUDITH T. YOUNGER

Professor Younger gave an interview to the *Minneapolis Star Tribune* in Fall 2003 in her continuing attempt to change Minnesota law to enable pet owners to provide for their surviving pets. (See *Minneapolis Star Tribune*, Jan. 19, 2004; *Paying Our Debts to Our Pets*, U. MINN. L. AUMNI NEWS, Fall 2001.) She is

scheduled to speak to the Jewish Law Students group at the law school this spring on “Aspects of Religion and the Family.” She performed briefly, but hilariously, in the Law School TORT Musical 2004. She wrote “Light Thoughts and Night Thoughts on American Marriage,” which is printed in this issue. She is working, with Professor J. Robert Levy on a revision of *Foote, Levy and Sander, Cases and Materials on Family Law*. She is also working on several projects in Family Law and Trusts.

Library Faculty

MARY RUMSEY

Mary Rumsey received the 2003 AALL Spectrum Article of the Year Award for her article “Libraries Confront the Challenges of Accommodating Disabled Users.” With Internet research expert Genie Tyburski, she co-authored a chapter in the forthcoming book, *Introduction to Online Legal, Regulatory & Intellectual Property Research*. She created an interactive computer lesson on foreign legal research for CALI, the Center for Computer-Assisted Legal Instruction. In addition to publishing book reviews in *Law Library Journal* and *Legal Information Alert* this year, she was recently invited to participate in the American Society of International Law’s Electronic Information System for International Law project.

Affiliated Faculty

ELIZABETH HEGER BOYLE

Professor Boyle continues to explore immigrants’ experiences with law in the context of America’s “war on terror.” She published “Formal Legality and East African Immigrants’ Perceptions of the War on Terror” in *Law & Inequality* and will be presenting “Legal Pluralism & Legal Consciousness: Muslim Migrants in America,” at the American Sociological Association meeting in San Francisco. Professor Boyle presented papers at the annual meeting of the Law & Society Association (Chicago) and Participated in the

Social Science Research Council's symposium on Youth, Globalization, and Law (New York). Her review of *Legal Professions* (edited by Jerry Van Hoy) and *What is Sexual Harassment? From Capital Hill to the Sorbonne* (by Abigail Saguy) appeared in *Contemporary Sociology*.

TIMOTHY R. JOHNSON

Professor Johnson's book manuscript, *Oral Arguments and Decision Making on the U.S. Supreme Court*, will be published in May 2004 with the State University of New York Press. He has recently published articles in *American Politics Research* and *Political Research Quarterly*. In October, Professor Johnson gave the keynote address at the Minnesota Political Science Association annual meeting. His talk was titled "The Supreme Court Oral Argument Project." In April, Professor Johnson presented two papers at the Midwest Political Science Association annual meetings in Chicago: "Amicus Curiae Participation in U.S. Supreme Court Oral Arguments" (with Matthew Roberts, Calvin College), and "The Origins of the Norm of Precedent on the U.S. Supreme Court" (with James Spriggs, UC Davis, and Paul Wahlbeck, George Washington University). Johnson has a forthcoming article, "The Use of Presidential Capital During the Supreme Court Confirmation Process" in the *Journal of Politics* (with Jason Roberts, Washington University).

JANE E. KIRTLEY

Professor Kirtley was named a Distinguished Visiting Professor of Law at Suffolk University Law School in Boston, Massachusetts, for Spring Semester 2004, teaching Mass Communications Law and Information Privacy Law. She prepared written comments and testified before the Minnesota Supreme Court Advisory Committee on Rules of Public Access to Records of the Judicial Branch in St. Paul in February 2004. She delivered a lecture, "The First Amendment and Libel Today" at "Heed Their Rising Voices: *New York Times v. Sullivan*—40 Years Later," at the University of Tennessee College of Law in Knoxville on February 27, 2004, and, together with

journalist Anthony Lewis, presented "The Patriot Act and Civil Liberties in an Age of Terrorism" at the University of Tennessee on February 26, 2004. Professor Kirtley presented a paper, "Cyber Law: the U.S. Perspective on Jurisdiction" at the annual Ad IDEM Media Law conference in Montreal, Quebec, Canada, on November 22, 2003. In September 2003, she was an invited participant in the Media Law Resource Center's third biennial Conference in London, England, where she spoke on contempt of court in the United States. She delivered a lecture sponsored by the New Hampshire Humanities Council, "Secrecy, Security and the First Amendment: The Role of the Free Press in Time of War," in Nashua, New Hampshire on October 30, 2003. Her many panel appearances included: "Let the Sunshine In: The Promise of the Internet, the Threat to Personal Privacy, and Florida's Unique Approach," at the ABA Forum on Communications Law Conference in Boca Raton, FL on January 23, 2004; "The City Government Perspective on Celebratory Riots" at the National Conference Addressing Issues Related to Celebratory Riots at Ohio State University in Columbus on November 20, 2003; "Access" at the Practising Law Institute's Communications Law conference in New York on November 13, 2003; and The William S. Cohen Papers Forum, "The Media Threatened? Protecting the Free Flow of Information," at the University of Maine, October 29, 2003. Her paper, "Criminal Defamation: An 'Instrument of Destruction'" was distributed at "Libel and Insult Laws: What More Can be Done to Decriminalize Libel and Repeal Insult Laws" convened by the Organization for Security and Cooperation in Europe (OSCE) in Paris, France on November 24-25, 2003, and her article, "The American Executive Branch: A Culture of Secrecy," appeared in *The Long Term View* (October 2003). Among her numerous media interviews, Professor Kirtley appeared on MPR's *Midday*, KSTP radio's "Ron Rosenbaum and Mark O'Connell Show," and on WCCO Radio's "Steele Talking," and was quoted in the *Providence Journal*, the *Christian Science Monitor*, the *Los Angeles Times*, the *Rocky Mountain News*, the

St. Paul Pioneer Press, the *Minneapolis Star-Tribune*, the *Philadelphia Inquirer*, the *Orlando Sentinel*, the *Chicago Sun-Times*, the *New York Sun*, the Associated Press, *Editor & Publisher*, *Columbia Journalism Review*, and in the Swiss newspaper *NZZ am Sonntag* and the Brazilian newspaper *Folha de S. Paulo*. She was also profiled in the March 2004 issue of the Twin Cities' magazine, *The Rake*, in "Gagging on the Patriot Act."

ROBERT KUDRLE

Professor Kudrle published "Hegemony Strikes Out: The U.S. Global Role in Antitrust, Tax Evasion, and Illegal Immigration" in *International Studies Perspectives*. Part of this article complements continuing research with Professor Daniel Gifford. They published "European Union Competition Law and Policy: How Much Latitude for Convergence with the United States?" in the *Antitrust Bulletin*, Fall 2003. Another of their articles, "The Possibilities for Trans-Atlantic Convergence on Antitrust Standards: the United States, Canada, and the European Union" has been submitted for publication. Professor Kudrle also continued research on policies towards tax havens. Some of this work resulted in "The New Attack on Tax Havens: Will it Work, Will it Last?" (with Lorraine Eden), printed in *Stanford Journal of Law, Business, and Finance*. Professors Eden and Kudrle also presented the paper "The OECD Tax Haven Initiative: Who Came Around and Why?" at the annual meeting of the International Studies Association in Montreal in March, 2004.

BERNARD M. LEVINSON

Professor Levinson was just awarded a National Endowment of the Humanities Summer Research Award (summer, 2004). Chosen in a competitive national selection process, this award provides research support for his coming book, *Revelation and Redaction: Rethinking Biblical Studies and its Intellectual Models*, which is under contract with Oxford University Press. For this award, his research will investigate the development of the laws in the Hebrew Bible regulating the manu-

mission of slaves and their relation to cuneiform law. He has also been awarded a Visiting Professorship (offered for 2004–2005) as the Martin-Buber-Stiftungsprofessur, Johann Wolfgang Goethe-Universität, Frankfurt, Germany. Within the last six months Professor Levinson has published “Is the Covenant Code an Exilic Composition? A Response to John Van Seters,” in *In Search of Pre-Exilic Israel: Proceedings of the Oxford Old Testament Seminar* (edited by John L. Day) and was invited to present at several international and national conferences. The first was a presentation entitled “‘Du sollst nichts hinzufügen und nichts wegnehmen’ (Deut 13,1): Rechtsreform und Hermeneutik in der Hebräischen Bibel” (“‘You Must Neither Add to It nor Take Away from It’: Legal Reform and Hermeneutics in the Hebrew Bible”), presented in German at an international conference, “Religion and Law in Judaism, Christianity, and

Islam,” convened by Johann Wolfgang Goethe University in Frankfurt, Germany (October 2003). Professor Levinson has been invited to offer a plenary lecture, “Biblical Law and Pentateuchal Theory,” at the XVIIIth Congress of the International Organization for the Study of the Old Testament, Leiden, Netherlands (August 2004). Professor Levinson also presented “The Case for the Pre-Exilic Composition of the Covenant Code’s Altar Law” at the Upper Midwest Regional Meeting of the American Academy of Religion, Society of Biblical Literature, and American Schools of Oriental Research, St Paul, MN (April 2004). He was invited to assume the prestigious Martin Buber Professorship at the Johann Wolfgang Goethe-Universität, Frankfurt, Germany, for academic years 2004–06, but had to decline this honor because of existing commitments here.

C. FORD RUNGE

Professor Runge is Distinguished McKnight University Professor of Applied Economics and Law. He serves as director of the Center for International Food and Agricultural Policy at the University of Minnesota. This year he initiated a new “Food and Health” emphasis for the Center, focused on obesity in the North and malnutrition in the South. In December, he released a report for the Council for Biotechnology Information (CBI) with research associate Barry Ryan, titled, “The Economic Status and Performance of Plant Biotechnology in 2003: Adoption, Research and Development in the United States.” ♦

▶ The Horatio Ellsworth Kellar Distinguished Visitors Program

Professor Stephen L. Carter presented the Horatio Ellsworth Kellar Distinguished Visitors Program lecture “The Star Wars Effect: Just War Theory in Popular Film” on March 23, 2004. Stephen Carter is the William Nelson Cromwell Professor of Law at Yale Law School.

Professor Carter received his Bachelor’s degree from Stanford University and his law degree from Yale. He served as a law clerk for Judge Spottswood W. Robinson, III, of the United States Court of Appeals for the District of Columbia Circuit, and to Supreme Court Justice Thurgood Marshall. He also practiced law briefly with a firm in Washington. Professor Carter joined the Yale faculty in 1982. He teaches in the areas of constitutional law, contracts, intellectual property, law and religion, legal ethics and law and science.

A recent review in the *New York Times* referred to Professor Carter as one of the nation’s leading public intellectuals. He has received honorary degrees from eight schools, among them Notre Dame, Colgate and the Virginia Theological Seminary. He was the first non-theologian to receive the prestigious Louisville-Grawemeyer Award in religion. He is a member of the American Law Institute and a fellow of the American Academy of Arts and Sciences. He is a trustee of the Aspen Institute, where he moderates seminars for executives and political leaders on values-based leadership. He publishes widely in law reviews and the popular press, and lectures on religion and politics on campuses across the country.



Professor Stephen L. Carter and Dean Alex M. Johnson.

The Horatio Ellsworth Kellar Distinguished Visitors Program was established in 1996 by Curtis B. Kellar (’40) in memory of his father Horatio Ellsworth Kellar, in keeping with his father’s many interests, Curtis Kellar created an interdisciplinary lecture series that connects emerging issues in law with other disciplines such as art, drama and literature.

Faculty Scholarship

BEVERLY BALOS

Articles and Book Chapters

The Wrong Way to Equality: Privileging Consent in the Trafficking of Women for Sexual Exploitation, 27 HARV. WOMEN'S L. J. 37 (2004).

A Man's Home is His Castle: How the Law Shelters Domestic Violence and Sexual Harassment, 23 ST. LOUIS U. PUB. L. REV. 77 (2004).

Legal Scholarship for Social Justice: Panel Discussion, 30 WM. MITCHELL L. REV. 295 (2003).

STEPHEN F. BEFORT

Books

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Articles and Book Chapters

A New Voice for the Workplace: A Proposal for an American Works Councils Act, 69 MO. L. REV. ___ (forthcoming 2004).

Accommodation at Work: Lessons from the Americans with Disabilities Act and Possibilities for Alleviating the American Worker Time Crunch, 12 CORNELL J.L. & PUB. POL'Y ___ (forthcoming 2004).

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Other

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BRIAN BIX

Books

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FAMILY LAW: CASES, TEXT, PROBLEMS, (4th ed.) (ed. with Ira M. Ellman, Elizabeth Scott, Paul Kurtz & Lois A. Weithorn) (forthcoming LexisNexis).

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Background Rules, Incompleteness, and Intervention: Comment on Kostritsky, 2004 U. WISCONSIN L. REV. ___ (forthcoming 2004).

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DAN L. BURK

Articles and Book Chapters

DNA Rules: Legal Implications of Biological "Lock-Out" Systems, 90 CAL. L. REV. ___ (forthcoming 2004).

Feminism and Copyright in Digital Media, in INTELLECTUAL PROPERTY RIGHTS IN A NETWORKED WORLD: THEORY AND PRACTICE (Richard Spinello & Herman Tavani eds., forthcoming 2004).

Intellectual Property and the Firm, 71 U.CHI. L. REV. 3 (2004).

Policy Levers in Patent Law, 89 VA. L. REV. 1575 (2003) (with Mark A. Lemley).

Reflections in a Darkling Glass: A Comparative Contemplation of the Harvard College Decision, 40 CANADIAN BUS. L.J. 219 (2003).

Tailoring Patent Policy to Specific Industries, 7 MARQ. INTELL. PROP. L. REV. 1 (2003).

Biotechnology's Uncertainty Principle, in PERSPECTIVES ON PROPERTIES OF THE HUMAN GENOME PROJECT: ADVANCES IN GENETICS, VOL. 50, 305 (F. Scott Kieff ed., 2003) (with Mark A. Lemley).

Federalism in Cyberspace Revisited, in WHO RULES THE NET? ESSAYS ON INTERNET GOVERNANCE AND JURISDICTION 119 (Adam Theier & Wayne Crews, eds., 2003).

American Internet Users and Privacy: A Safe Harbor of Their Own? in SOCIETY ONLINE:

THE INTERNET IN CONTEXT 275 (Philip E.N. Howard & Steve Jones, eds. 2003) (with Doreen Starke-Meyering & Laura J. Gurak).

ANN M. BURKHART

Scholarship

Books

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Articles and Book Chapters

The Constitutional Underpinnings of Homelessness, 40 HOUS. L. REV. 211 (2003).

BRADLEY G. CLARY

Scholarship

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LAURA J. COOPER

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BARRY FELD

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RICHARD S. FRASE

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DANIEL J. GIFFORD

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Antitrust's Troubled Relations with Intellectual Property, 87 MINN. L. REV. 1695 (2003).

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OREN GROSS

Articles and Book Chapters

Is Torture Warranted?: Pragmatic Absolutism and Official Disobedience, 88 MINN. L. REV. ___ (2004).

The Prohibition on Torture and the Limits of the Law, (Sanford Levinson ed. 2004).

Enemy Among Us (review of David Cole, *Enemy Aliens*). NEW YORK L. J. MAG. 37 (Feb. 2004).

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JOAN S. HOWLAND

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MAURY S. LANDSMAN

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JOHN H. MATHESON

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FRED MORRISON

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MYRON ORFIELD

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SHARON REICH PAULSEN

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Other

CITE STATION (a series of interactive computer-based exercises for use in legal writing and moot court courses) (forthcoming 2004) (with Bradley G. Clary, Pamela Lysaght & Danielle Istl).

GREGG POLSKY

Articles and Book Chapters

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E. THOMAS SULLIVAN

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MICHAEL TONRY

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▶ The William B. Lockhart Lecture

Professor Pamela S. Karlan delivered the William B. Lockhart Lecture on November 4, 2003. The lecture was entitled, "Pricking the Lines: The Due Process Clause, Punitive Damages, and Criminal Punishment." Pamela S. Karlan is the Kenneth and Harle Montgomery Professor of Public Interest Law at Stanford Law School, where she teaches courses in constitutional law and litigation, regulation of the political process, and procedure.

Professor Karlan received her B.A., M.A. and J.D. from Yale University. She clerked for Judge Abraham D. Sofaer of the United States District Court for the Southern District of New York and for Justice Harry A. Blackmun of the United States Supreme Court. Before entering law teaching, Professor Karlan served as Assistant Counsel at the NAACP Legal Defense and Education Fund, where she specialized in voting rights and employment discrimination litigation. She currently serves as a commissioner on the California Fair Political Practices Commission, the state agency responsible for interpreting and enforcing political campaign, lobbying and conflict of interest laws.

Professor Karlan has co-authored several leading casebooks including: *The Law of Democracy: Legal Structure of the Political Process* (rev. ed ed.2002) and *Civil Rights Actions: Enforcing the Constitution* (2000). She has written numerous articles that have appeared in law reviews and legal journals. She also has participated in extensive pro bono litigation in civil rights and civil liberties cases, participating in two dozen cases before the United States Supreme Court, including two voting rights cases that she argued and won on behalf of black voters in Louisiana and Republican voters in Virginia. In 1997, the American Lawyer named her one of the "Public Sector 45," a group of "young lawyers outside the private sector whose vision and commitment are changing lives.



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Light Thoughts and Night Thoughts on American Marriage

BY JUDITH T. YOUNGER, JOSEPH E. WARGO ANOKA COUNTY
BAR ASSOCIATION PROFESSOR OF FAMILY LAW^o

“My wife and I—we’re *pals*. Marriage is *fun*.
Yes: two can live as stupidly as one.”¹

Marriage is a “hot topic”² these days, the subject of often-emotional public debate. Two opposing camps fuel it: broadly stated, they are those who want to preserve and strengthen marriage and those who want to change it in some critical way. In the former camp are federal³ and state⁴ governments who have taken a strong stand for marriage as a legally protected and privileged, exclusively heterosexual relationship between one man and one woman. They want to keep same-sex couples out of marriage while, at the same time, enticing single parents into it.⁵ Also, in this camp is the so-called Marriage Movement,⁶ which seeks increased public commitment to marriage as the ideal family living arrangement.⁷ On the opposite side of the fence and for change, are gay and lesbian groups and their supporters who want to redefine marriage to include same-sex couples;⁸ others who want to strip marriage of its legal protections and privileges, privatizing it completely;⁹ and the American Law Institute which takes the position that marriage or the lack of it should be irrelevant when couples are “divorcing.”¹⁰ It suggests, therefore, that the states treat all couples—married, merely cohabiting, same-sex or heterosexual—alike, by applying the same property and support rules to them when they break up.¹¹

In the wake of all the talk, people continue to marry and divorce, cohabit and part. The pattern, if any is discernible, seems to be one of serial relationships.¹² It is no wonder then that family demographics are changing. Statistics



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show fewer nuclear families¹³—one man, married to a woman living with their children—and more cohabiting¹⁴ and single parent families.¹⁵ Some commentators deplore the changes, citing broken homes, disappointed adults, suffering children.¹⁶ Others applaud them, finding in the changed demography, “astonishing new diversity.”¹⁷ Whatever one’s personal views on these subjects, a few, often overlooked, home truths need restatement. First, marriage has not been an immutable institution; second, marriage cannot possibly provide the benefits proponents expect of it unless it is stable; third, if we really want stability, we may have to give up some other cherished values; fourth, as a society we can’t hide behind marriage, we need to increase our support for all families, married or not.

First, marriage in western society has not been an immutable institution. It has already undergone radical changes. In the United States alone and only since about the 1960s,¹⁸ marriage has become a fundamental constitutional right.¹⁹ Wives have become equal, rather than subordinate, to husbands;²⁰ interracial marriage, once prohibited,²¹ is now widely accepted; and marital failure rather than fault of a spouse is a ground for divorce.²² If history offers any lesson, it is that marriage will continue to change: be privatized, for example, or expanded to include same-sex and even polygamous²³ unions.

Second, only stable marriage could possibly provide the benefits proponents are expecting from it—support and

nurture of family members, alleviation of poverty, better adjusted, thriving children, and, incidentally, a means of shifting the cost of these benefits from government-funded programs to private family units. If marriage is, indeed, capable of meeting these great expectations, it will have to become more durable than it presently seems to be, lasting at least long enough for couples to raise their children. Now, nearly half of recent first marriages end in divorce,²⁴ and first marriages that end in divorce last, on average, only 7 to 8 years.²⁵ With this in mind, pro-marriage groups are pushing marriage training²⁶ and more restrictive divorce laws,²⁷ but both seem doomed to fail as stabilizers. Marriage training, after all, is a form of advertising. While advertising may induce people to try a product, it can't ensure that they will continue to use it. Neither can restrictive divorce laws keep people married. Experience shows a startling lack of equivalence between the content of divorce law and the incidence of divorce. Some troubled couples, like Bill and Hilary Clinton, stay together through times of strain though they might easily divorce under permissive divorce laws. During the Monica Lewinsky scandal, for example, Bill and Hilary could have been free of each other merely by living separate and apart for a year, a divorce ground under District of Columbia law.²⁸ To take an example from "art" which follows life with fidelity in this arena: a look at Blondie and Dagwood Bumstead of my favorite comic strip, "Blondie," finds them sticking together through various stresses in their marriage. They do so though Dean Young, who draws the strip in Florida, could easily divorce them on the no-fault ground of irretrievable breakdown.²⁹ Conversely, couples who really want to divorce manage to do so even if the laws are restrictive.³⁰ They get annulments or foreign divorces, collude with each other and lie to establish whatever the permissible divorce ground. Or they merely divorce themselves by deserting their families. In fact, changes in divorce laws probably have little to do with divorce rates, as historians of divorce have discovered.³¹ Thus stability in marriage cannot be achieved either through advertising or legislation. It will have to come, if at all, from some other source.

This brings me to the third home truth: to achieve stable marriage, we may have to relinquish other values. Today in America we suffer acutely from two prevailing societal notions. The first is that "love," by which is usually meant physical attraction, is a sufficient basis for marrying and founding a family. Thus, we "fall in love" and marry. The second is the idea that free choice in every day life is vitally important; it is, therefore, equally important (and, indeed possible) to correct a wrong choice once made.

Thus, we trade in our old cars for new ones, change our habits from smoking to nonsmoking, our careers in midlife, our hair color, or companions, as the whim strikes us. Together, these notions lead to the widely held societal view that love is the only honorable basis for selecting a mate and the only honorable basis for sticking with the selection once made. When love fades, there is nothing left in most marriages. Nothing remains to support the family's continued existence. Instead of staying together to try to build a new foundation, modern couples, believing that every choice is revocable, including their earlier choice of each other, divorce. If we really want stable marriages therefore, we may have to accept the fact that love is ephemeral and choice must have limits.

Let me illustrate the point with a real case,³² the story of a stable marriage in which neither love, nor free choice played a part. The Supreme Court of Alaska gives us the basic facts as follows:

**...If we really want
stable marriages
therefore, we may
have to accept the
fact that love is
ephemeral and choice
must have limits...**

...Lillie Rahm-Riddell, who was in her early nineties, met Robert J. Riddell, who was in his mid-sixties. Riddell ingratiated himself to Lillie and became her handyman. He soon moved in with her and started to isolate her from her family and friends. Riddell married Lillie...while guardianship proceedings were pending to determine Lillie's competency to manage her personal and financial affairs. Those proceedings resulted in the appointment of the Public Guardian as Lillie's primary conservator; several months later, prompted

by reports of domestic violence, the superior court entered an order restraining Riddell from contacting Lillie. Lillie moved to an assisted-living home in Washington state. Riddell spirited her away from the home and took her to Oregon, where they lived together until Lillie died...The entire time that Lillie knew Riddell, she suffered from Alzheimer's disease and/or senile dementia.³³

In the course of their relationship Riddell abused Lillie physically.³⁴ He drafted two wills, which Lillie signed, the first left him substantial amounts; the second left him everything.³⁵ Lillie signed checks for Riddell's benefit; he gained access to information about her bank accounts and social security.³⁶ Indeed, Lillie's social security checks went unaccounted for after Riddell entered her life.³⁷

After Lillie's death, Riddell pursued her remaining assets. In the proceedings that followed, he filed claims as a creditor of her estate,³⁸ attempted to probate the second will he drafted for her to sign, leaving him all of it,³⁹ and, when a will predating his relationship with Lillie was

admitted to probate, sought statutory allowances and an elective share as her surviving spouse.⁴⁰ Riddell's claims as creditor of Lillie's estate were denied,⁴¹ and the will benefiting him was refused probate as the product of his undue influence on Lillie.⁴² The validity of Riddell's marriage to Lillie was upheld,⁴³ however, despite the Alaska Supreme Court's earlier conclusion in the probate proceedings that "overwhelming evidence suggests Lillie was incompetent and did not understand the extent of her estate or the status of her personal relationships."⁴⁴ The finding of a valid marriage entitled Riddell to statutory allowances and an elective share.⁴⁵ My first reaction to this result was incredulity. Lillie was incompetent. Riddell married her for money and treated her badly during the marriage. Why was the Court rewarding him? After mulling it over for a few months, I saw some light. Perhaps the Court was rewarding Riddell for keeping the marriage together—elevating stability over love and free choice. The case may preview the future—one in which we'll see a radical shift in the American way of thinking about marriage.

This brings me to the fourth and final home truth. We need to recognize marriage for what it is—a frail and delicate structure, in danger of collapse if overburdened with too great expectations. Marriage should not be expected to substitute for the exercise of individual responsibility in forming relationships and founding families. Nor should it be expected to substitute for collective responsibility in providing public programs, which support all families.⁴⁶ As a former colleague of mine sadly said, "The comparative lack of family support systems in the United States is so extreme as to make it unique among modern nations."⁴⁷ It is time to remedy this. ♦

FOOTNOTES

0 Judith T. Younger is the Joseph E. Wargo Anoka County Bar Association Professor of Family Law, University of Minnesota Law School. She is a veteran of two long marriages—her parents' and her own. She has also survived a number of other relationships. She thanks her research assistant Jeffrey T. Sealey for his cheerful help and support in the research and production of this piece. Thanks, too, to Suzanne Thorpe of the Law Library for her indefatigable help in finding essential documents.

1. PHILIP LARKIN, *COLLECTED POEMS* xxii (Anthony Thwaite ed., 1988).
2. Peter Steinfelds, *Efforts to Redefine Marriage Stumble Over Same-Sex Unions*, N.Y. TIMES, June 21, 2003, at A16.

3. In the Defense of Marriage Act, 1 U.S.C. § 7 (1988), Congress defined marriage for federal purposes as "only a legal union between one man and one woman as husband and wife," and the word "spouse" as "a person of the opposite sex who is a husband or wife." Congress also purported to free states from giving full faith and credit to marriages between same sex partners. See 28 U.S.C. § 1738C (1998).

4. Same sex marriage is still illegal in the United States and individual states have passed defense of marriage acts of their own. See *Developments in the Law, The Law of Marriage and Family*, 116 HARV. L. REV. 1996, 2006 (2003) [hereinafter *Developments*]. See, however, Goodridge v. Department of Public Health, 798 N.E.2d 941 (Mass. 2003) (policy and practice of denying marriage licenses to same sex couples violates Massachusetts constitution).

5. Promoting marriage is part of President Bush's marriage policy and therefore, the states' as well using TANF funds. See *Get Me to the Church on Time*, THE ECONOMIST, July 12, 2003, at 29; Katherine Boo, *The Marriage Cure*, THE NEW YORKER, August 18 & 25, 2003, at 104–106; *The Marriage Movement, A Statement of Principles*, <http://www.marriage-movement.org/html/report.html> (The Governor's Marriage, The Federal Marriage Movement) [hereinafter *Marriage Movement*]; Jeffrey

Rosen, *How to Reignite the Culture Wars*, NEW YORK TIMES MAGAZINE, September 7, 2003, at 49–50.

6. The Marriage Movement describes itself as follows: We are teachers and scholars, marriage counselors and marriage educators. We are clinicians, service providers, policy analysts, social workers, women's leaders, religious leaders, and advocates for responsible fatherhood. We are people of faith, asking God's blessing in the great task before us. We are agnostics and humanists, committed to moral and spiritual progress. We are women and men, liberals and conservatives, of different races and ethnic groups.

See *Marriage Movement supra* note 5 (Why We Come Together).

7. *Id.* (Why We Come Together, Where Do We Stand Today? The Contemporary Marriage Crisis).

8. *Developments, supra* note 4, at 2004–2027.

9. E.g., Michael Kinsley, *Abolish Marriage; Let's Really Get the Government Out of Our Bedrooms*, WASHINGTON POST, July 3, 2003, at A23.

10. PRINCIPLES OF THE LAW OF FAMILY DISSOLUTION ch. 6, §§ 6.01–6.06 (2000).

11. The merely cohabiting are called "domestic partners." *Id.* § 6.03(1). They are "two persons of the same or opposite sex, not married to one another, who for a significant period of time share a primary residence and a life together as a couple." *Id.*; See also Kay S. Hymowitz, *The Cohabitation Blues*, COMMENTARY, March 2003, at 66.

...Marriage should not be expected to substitute for the exercise of individual responsibility in forming relationships and founding families...

12. See DEP'T OF HEALTH AND HUMAN SERVICES, CDC, VITAL AND HEALTH STATISTICS, ser. 23, No. 22, COHABITATION, MARRIAGE, DIVORCE, AND REMARRIAGE IN THE UNITED STATES 1–5 (2002).
13. The percentage of married couples living with their own children dropped from 40.3% in 1970 to 24.1% in 2000. Jason Fields & Lynne M. Casper, U.S. CENSUS BUREAU, U.S. DEP'T OF COMMERCE, AMERICA'S FAMILIES AND LIVING ARRANGEMENTS: POPULATION CHARACTERISTICS 3 fig. 1 (2001).
14. See, *id.* at 3.
15. The census also showed the proportion of all families that were single parent families grew from 13% in 1970 to 31% in 2000. See *id.* at 7.
16. E.g., Marriage Movement *supra* note 5 (Is Marriage a Private Matter? The Public Costs of Divorce).
17. E.g., AL AND TIPPER GORE, JOINED AT THE HEART, 331 (2002).
18. Going back a bit further to the three systems of law with which Christians were most acquainted, Athenian, Roman, and Jewish, we find marriage treated as a private contract and its dissolution freely allowed; though under Jewish law it was the one-sided privilege of husbands. 2 GEORGE ELLIOT HOWARD, A HISTORY OF MATRIMONIAL INSTITUTIONS, 12 (1964). According to Howard, it was Augustine who gave the final touch to the Christian theory of indissoluble marriage. *Id.* at 26–27.
19. See *Developments in the Law, the Constitution, and the Family*, 93 HARV. L. REV. 1156, 1250 (1980).
20. See, e.g., CAL. FAM. CODE § 720 (1994) (Spouses “contract toward each other obligations of mutual respect, fidelity, and support”).
21. See *Loving v. Virginia*, 388 U.S. 1 (1967).
22. See, e.g., HERBERT JACOB, SILENT REVOLUTION: THE TRANSFORMATION OF DIVORCE LAW IN THE UNITED STATES (1988).
23. The ancient Hebrews were, after all, polygamous. “Men who could afford them kept numerous wives and concubines simultaneously, and monogamy was common because of poverty, not principle.” JAMES A. BRUNDAGE, LAW, SEX, AND CHRISTIAN SOCIETY IN MEDIEVAL EUROPE 52 (1987).
24. ROSE M. KREIDER & JASON FIELDS, U.S. CENSUS BUREAU, NUMBER, TIMING AND DURATION OF MARRIAGES AND DIVORCES: 1996 I (2002).
25. *Id.*
26. Marriage Movement *supra* note 5 (What Should We Do? A Call to the Nation).
27. *Id.*
28. D.C. CODE ANN. § 16-904(a)(2) (2001 & Supp. 2003).
29. FLA. STAT. ANN. § 61.052(1)(a) (1997 & Supp. 2003).
30. See NELSON MANFRED BLAKE, THE ROAD TO RENO 202 (1962) (using New York as an example, spouses simply deserted).
31. See WILLIAM J. GOODE, WORLD CHANGES IN DIVORCE PATTERNS 322 (1993); LAWRENCE STONE, ROAD TO DIVORCE 5–6 (1990); Ira Mark Ellman & Sharon Lohr, *Dissolving the Relationship Between Divorce Laws and Divorce Rates*, 18 INTL REV. L. & ECON. 341, 341 (1998).
32. There are two reported opinions from the Alaska Supreme Court. They are: *Riddell v. Edwards*, 32 P.3d 4 (Alaska 2001) [hereinafter *Riddell I*]; *Riddell v. Edwards*, 76 P.3d 847 (Alaska 2003) [hereinafter *Riddell III*]. There is a third unreported opinion from the Alaska Supreme Court: *Riddell v. Edwards Mem. Op. & J. No. 1050* (Alaska Oct. 10, 2001) [hereinafter *Riddell II*]. In addition, there are two orders by Judge Weeks of the Alaska Superior Court. They are: *In re Estate of Rahm*, No. IKE-97-154 PR (Alaska Super. Ct. April 17, 2000) (Order on Validity of Marriage) [hereinafter *Rahm I*]; *In re Estate of Rahm*, No. IKE-97-154 PR (Alaska Super. Ct. Nov. 1, 2000) (Memorandum and Order) [hereinafter *Rahm II*].
33. *Riddell III*, *supra* note 32, at 849.
34. *Id.* at 850 (quoting Super. Ct.).
35. *Riddell I*, *supra* note 32, at 6. It expressly disinherited Lillie's brother, daughter and grandchildren. *Id.*
36. *Rahm II*, *supra* note 32, at 2.
37. *Id.*
38. *Riddell II*, *supra* note 32, at 2.
39. *Riddell I*, *supra* note 32, at 6.
40. *Riddell III*, *supra* note 32, at 849.
41. *Riddell II*, *supra* note 32, at 9
42. *Riddell I*, *supra* note 32, at 6, 10.
43. *Rahm I*, *supra* note 32, at 9; *Riddell III*, *supra* note 32, at 849, 851.
44. *Riddell I*, *supra* note 32, at 10. The Superior Court judge who ruled initially on the question of the validity of the marriage thought that *Riddell's* conduct and *Lillie's* mental state did not rise to that “combination of incompetence and egregious behavior” that would bring it within the rule allowing post-mortem challenges to marriage. *Rahm I*, *supra* note 32, at 14. The Alaska Supreme Court agreed. *Riddell III*, *supra* note 32, at 851.
45. *Riddell III*, *supra* note 32, at 851. The Supreme Court thus reversed the Superior Court judge who made the original decision on *Riddell's* attempts to get statutory allowances and an elective share. *Id.* at 856. The Superior Court had upheld the validity of the marriage but, because of *Riddell's* conduct, imposed a constructive trust on the property in *Riddell's* hands in favor of *Lillie's* estate. *Rahm II*, *supra* note 32, at 1, 7. The single dissenter in the Supreme Court, Justice Carpentri, cited *Riddell's* “fraudulent conduct toward *Lillie*,” his “bullying family and friends,” his “physical intimidation of friends, family, lawyers and caregivers” and his physical abuse of *Lillie*, as justification for the imposition of a constructive trust. *Riddell III*, *supra* note 32 at 859.
46. Regardless of form, and especially by providing job training and safe affordable childcare.
47. Urie Bronfenbrenner, *Child Care in the Anglo-Saxon Mode*, in CHILD CARE IN CONTEXT: CROSS-CULTURAL PERSPECTIVES, 281, 282 (Michael E. Lamb et al. eds., 1992). This is still the case. See Karen Christopher, *Family-Friendly Europe*, THE AMERICAN PROSPECT, April 8, 2002, Vol. 13, Iss. 7.

Scholarships

The Law School's Lifeblood

Scholarships Are More Important Than Ever

BY TODD MELBY

After earning a B.A. in chemistry in 1993, John Stolpa taught for one year at his alma mater's science labs at Colorado College. It's been one of his few breaks from higher education. Stolpa began graduate studies in 1994 at the University of Colorado Health Sciences Center in Denver. Six years later, he completed a Ph.D. in immunology, specializing in leukemia research.



JOHN STOLPA

But Stolpa, a man with broad shoulders who enjoys hiking and mountain biking in the Rockies, wasn't sure he wanted to spend the rest of his working life in laboratories. Several conversations with an attorney/scientist—he was the partner of his dissertation committee chair—convinced him to pursue a career in the law. "Working on your Ph.D. for six years gives you a lot of time to think about things," Stolpa said. Stolpa's academic achievements and

high LSAT score made him a hot commodity. Seven of the eight institutions he applied to, including the University of Minnesota Law School, accepted his application.

Minnesota may not have known it at the time, but it was competing for Stolpa against a pair of similarly top-ranked law schools at the University of Michigan and Northwestern University. "We want to keep the best and the brightest in Minnesota," said Sharon Reich Paulsen, University of Minnesota Law School associate dean. "And we want to attract the best and the brightest nationwide. To do that, we have to offer students attractive scholarship packages."

By enticing Stolpa with a Robert Stein Scholarship and resident tuition rates (his parents, now retired, live in Red Wing), the University of Minnesota Law School basically covered the 32-year-old man's tuition costs. He would just have to pick up living expenses for his three years of law school. Because Stolpa had already accumulated approximately \$40,000 in debt during his Colorado academic career, this proved to be enticing. "No doubt," Stolpa said. "With that debt load and thinking about pro-longing the start of my career, it was definitely a factor."

Stolpa now appears to be on his way to a successful law career. After working as a staffer last year at Minnesota *Intellectual Property Review*, he now serves as editor-in-chief. Stolpa graduates this spring and is due to begin work at Finnegan, Henderson, Farabow, Garrett & Dunner, a Washington, D.C. firm specializing in intellectual property law.

A scholarship also helped persuade Juan Vega to choose the University of Minnesota Law School. The son of an economist who worked at the U.S. Embassy in Bolivia, Vega occasionally went on business trips with his father. That might explain why Vega, 31, spent much of his twenties as an international sales representative for U.S. companies. Like Stolpa, Vega also has multiple degrees—a bachelor's degree (with majors in psychology and sociology) from Virginia Tech in 1994 and a M.B.A. from the University of Florida in 2002. He hopes to combine his passion for the law with his cultural and linguistic expertise.



JUAN VEGA

"I like the idea of traveling throughout Latin America with a focus in the law," said Vega, who is completing his first year of law school at the university. Vega was also weighing offers from other law schools when the University of Minnesota offered him the Leonard, Street and Deinard Scholarship. "The scholarship definitely pushed it in Minnesota's favor," Vega said. "That was probably the determining factor."

Study finds big jump in law school tuition

While Stolpa and Vega managed to put the brakes on accumulating student loan debt, many other outstanding students aren't so fortunate. According to an American Bar Association study, tuition at public university law schools increased 131 percent between 1992 and 2002 to an average of \$9,376 for state residents and \$18,131 for out-of-state residents. (Meanwhile, tuition at privately-funded law schools shot up 76 percent during the same time period to an average \$24,144.)

"The statistics are alarming," said Robert Stein, executive director of the American Bar Association and Dean of the University of Minnesota Law School from 1979–1994. "This is having a very significant effect on career choices and the ability to attract graduates to careers in public service work."

Tuition and fees at the University of Minnesota Law School is higher than the national average (\$15,968 residents, \$25,934 out-of-state residents in 2003–2004), but still less expensive than several other prestigious public universities, including the University of Michigan, University of Virginia and University of California–Berkeley.

Add the cost of living expenses—about \$18,000 annually—to the mix and it's little wonder that the average law school graduate enters the workforce with about \$77,300 in student loans, about double the figure from 10 years earlier.

Fear of debt can stifle interest in public interest law

Susan Gainen, University of Minnesota Law School career services director, said student loan debt weighs especially heavily on some students. "If the job of your dreams is public interest law, the nightmare that gets in the way of fulfilling that dream can be this mountain of debt, which is terrible," she said.

According to the National Association of Law Placement, graduates from the Class of 2002 who landed public interest legal services jobs earned a median income of just \$36,000 annually. "Students committed to public interest and public service law need to be frugal," Gainen said.

Laura Young, 30, a second-year law student at the university, is committed to pursuing a career in public interest law—despite the hurdles. The native of Madison, Wisconsin earned a bachelor's degree (with majors in English and biology) from the University of Virginia and a master's degree in public health from Emory University before beginning public interest work.

It was while working at a Philadelphia nonprofit dedicated to aiding victims of domestic violence that Young began contemplating a law career. "Many of the clients I was working with were dealing with the legal system on what seemed like a daily basis," Young said. "They had issues pending in family court, criminal court and custody battles in civil court. And there wasn't any one person who could help them."

Not finding effective legal assistance for these women could prove costly, Young realized. "Some of the problems they were dealing with were nightmarish," she said. "They were often trying to get away from a partner who had control over them." Despite entering law school with only minimal student loan debt, Young still worries about paying for tuition, books and living expenses. "Yes," she said. "It's really tough."

Young has received a Royal Stone scholarship, but it pays for only a fraction of the cost of law school. When she graduates in 2005, she'll likely land a job that pays only a modest salary. So what percentage of her income will likely be dedicated to paying off student loans? Young isn't sure. "It's something I've thought about," Young said. "But I haven't done the math. I'm in denial."

Some students who pursue careers in public interest law receive assistance from the Loan Replacement Assistance Program (LRAP) of Minnesota, a local nonprofit organization. But limited funds require that recipients must have "an adjusted household income" of less than \$42,528 annually.

"The amount of law school debt is staggering," said Heather Rastorfer Vlieger, LRAP of Minnesota executive director. "And it's growing every year." In 2003, the 23 recipients of LRAP of Minnesota funds had an average income of \$35,278, average annual debt payments of \$8,789 and received an average of \$4,060 from the program. But it's not enough, Rastorfer Vlieger said. "There's a need for more loan repayment assistance," she said.

Alumni find scholarships a "meaningful gift"

New scholarship funding is also essential to keep the doors open for a variety of University of Minnesota Law School students. Many alumni have recognized the need for scholarships, including Russell Lindquist, a 1945 law school graduate. "I'm fortunate to have had parents who could afford to pay for my schooling," Lindquist said. "But without a lot of help from some other source, I would have had a tough time." And that's when tuition was cheap. Lindquist, 83, remembers paying \$18.75 per quarter (not per credit) as an undergraduate at the University of Minnesota, and \$35.00 per quarter at the law school.

During his legal career—Lindquist retired from Dorsey & Whitney—he did well financially. "I'm not rich," he said. "But I made more money than I ever dreamed I'd make. The university should get the credit. I got it with a University of Minnesota degree." Now he's helping soften the financial burden of others by funding the Avis and Russell Lindquist Scholarship. "It's a great way to make a gift that's a meaningful gift," Lindquist said.

Joe A. Walters, a 1947 law school graduate, also sees the value in funding scholarships for today's law students. After retiring from O'Connor & Hannan, he created the Walters Family Scholarship Fund. "It's important because a lot of young people who want to become lawyers don't have the money to go to law school," Walters said.



Laura Young



Russell Lindquist

Scholarships, Academic Awards and Special Assistance Funds

Each of the following funds created by generous alumni and friends is of immeasurable value in helping the Law School attract and retain outstanding students.

- Joseph S. Almas Memorial Scholarship
Hugh H. Barber Memorial Scholarship
Roger Barrett Scholarship
William J. Baudler Memorial Scholarship
Lee Bearmon Award in Legal Ethics and Professional Responsibility
Russell M. Bennett Scholarship
Erling Berg Memorial Scholarship
Lorraine O. Berman Memorial Scholarship
Steven M. Block Memorial Award
Earl C. Borgeson Library Scholarship
Walter D. Boutell Memorial Scholarship
Harlow E. and Jeanne K. Bowes Scholarship
Caroline Brede Scholarship
Briggs and Morgan Scholarship
Montreville J. Brown Memorial Scholarship
Charles E. Carlsen Memorial Scholarship
Wilbur H. Cherry Memorial Scholarship
Theodore Christianson, Jr. Memorial Scholarship
Melvin S. Cohen Scholarship
Mary Jeanne Coyne Scholarship
Thomas P. Cranna Memorial Scholarship
Norris Darrell Scholarship
Roger L. Dell Scholarship
Deloitte & Touche Tax Law Scholarship at the University of Minnesota Law School
Homer B. Dibell Scholarship
James E. Dorsey Scholarship
Everett A. Drake Scholarship
Lucy W. Elmendorf Scholarship
Endowment for Excellence Scholarship
Faegre & Benson Scholarship
Faegre & Benson LL.M. Scholarship
David Forman Memorial Scholarship
Harold M. Fredrikson Memorial Scholarship (Founder, Fredrikson & Byron, P.A.)
Edward T. Fride and Patricia A. Fride Scholarship
Charles and Lillian Gay Scholarship
Sidney P. Gislason Scholarship
Peter F. Greiner Memorial Scholarship
Halleland, Lewis, Nilan, Sipkins & Johnson Scholarship
Gerald and Eleanor Heaney Scholarship
Henson & Efron, P.A. Scholarship
Marshall W. Houts Memorial Scholarship
The Eric W. Ingvaldson Scholarship
Curtis L. Jensen Scholarship
Patricia A. Johnson Scholarship
C. Paul Jones, Helen F. Jones, Katie & Sara Jones Scholarship
The Elliot and Eliose Kaplan Scholarship
Sidney J. Kaplan Award
Sidney J. Kaplan Legal Scholarship
James L. Krusemark & Lucille Dondore Family Scholarship
John Kukowske Memorial Scholarship
Law Class of 1924 Memorial Scholarship
Law Faculty Scholarship
Law Review Memorial Award
Law School Endowment Scholarship
The Russell Lederman Memorial Scholarship
Leonard, Street & Deinard Award
Leonard, Street & Deinard Foundation Scholarship
Leonard, Street & Deinard Scholarship
Avis and Russell Lindquist Scholarship
The Leonard E. Lindquist Scholarship
William B. Lockhart Scholarship
Mackall, Crouse & Moore Scholarship
George E. MacKinnon Scholarship
The Albert & Anne Mansfield Foundation Summer Fellowship Program
Ralph M. McCareins Memorial Award
Kevin McCary Memorial Scholarship
Michael McHale Memorial Scholarship
Gale R. Mellum Scholarship
Simon Meshbesher Memorial Scholarship
Andrew E. Miner Scholarship
MIPLA Scholarships for Intellectual Property
Howard W. Mithun Scholarship
Thomas O. Moe Scholarship
The John W. Mooty Scholars Fund
Edmund Morris Morgan Scholarship
Colonel Charles M. and Elizabeth S. Munnecke Scholarship
Weed Munro Scholarship
Edward L. Murphy, Jr. Scholarship
Charles Elihu Nadler Award
Ronald J. Nemer Law Scholarship
Roger and Violet Noreen Scholarship
Lloyd R. Peterson & Evelyn Peterson Scholarship
Arthur T. Pfefer Memorial Scholarship
Ramsey County Bar Association Scholarship
Harold J. Richardson Scholarship
Rider, Bennett, Egan & Arundel Founders Scholarship
The Millard H. and Barbara Daily Ruud Scholarship
Frank G. Sasse Scholarship
Kenneth and Lillian Smith Scholarship
Irving Shapiro Fund to Assist Law School Students
A.W. Spellacy Memorial Scholarship
Melvin C. Steen Scholarship
Robert A. Stein Scholarship
The Mary and McCants Stewart Minority Scholarship
Royal A. Stone Memorial Scholarship
Robert Kincade Stuart and Anna Maude Stuart Scholarship
Faith Thompson Scholarship
Graham MacFarlane Torrance Memorial Scholarship
Walter J. Trogner Scholarship
William Reynolds Vance Scholarship
The Walters Family Scholarship
Judge Betty W. Washburn Scholarship
Kent Wennerstrom Memorial Award
The Brig. Gen. Rodger D. Young and Dorothy L. Young Scholarship
Gustav E. & Jeannette Zwick Scholarship



**JOE A.
WALTERS**

Patricia Johnson agrees with that sentiment. A firm believer in helping the next generation of women become attorneys, she created the Patricia A. Johnson Scholarship to do just that. "I grew up with the idea that women can do anything," Johnson said. (Note: Current law prohibits the university from creating gender or race-based scholarships.) Throughout the years, University of Minnesota Law School alumni have been extraordinarily generous with their gifts to the institution.

"The law school is extremely grateful for all the support we've received," said Martha Martin, the school's director of external relations and chief development officer.

However, several factors outside the university's control led to a series of tuition increases. In 1968, funds from the State of Minnesota made up 82 percent of the Law School's operating budget. By 2003, state contributions shrunk to just 14 percent of the annual budget. To bridge that gap, the university is asking alumni to step forward and fund more scholarships. "If the prestige of the University of Minnesota Law School matters to you, we need your support," Martin said. "There's a strong correlation between the school's national ranking and the amount of money available for scholarships. More importantly, it is essential to ensure access to students who will serve as intellectually gifted practitioners and thoughtful, compassionate leaders."

Many top schools can offer top students tuition-plus scholarships that cover the cost of tuition, plus living expenses. The University of Minnesota Law School doesn't offer these merit-based scholarships yet. Alex Johnson, law

school dean, would like to see that change. "I'm concerned we may lose the best students to schools that can make such offers," he said. "The market is changing. Top students are being recruited with financial inducements." Although some people find the notion of tempting top students with tuition-plus scholarships unseemly, Johnson is more pragmatic. Some of the nation's best law schools are already doing it; those that don't will have a tougher time getting those students to their campuses.

"We'd like to be competitive," Dean Johnson said. "If someone is willing to come forward with the resources, we'll do it. It's not a question of whether [to do it], but when."

Without the enticement of a University of Minnesota scholarship, and the economic freedom it provides, some top students will study elsewhere. Those who hope to pursue public interest careers—and don't receive significant financial assistance—may choose to tough it out despite the financial burden. That's admirable, but it's also unnecessary.

"Scholarships give people breathing space to begin their careers and enjoy their lives," said Gainen. "Every dime of scholarship money is a gift to society and making the world a better place." ♦

By Todd Melby. Melby is a Minneapolis-based freelance writer and independent radio producer.



**PATRICIA
JOHNSON**

▶ Now is a Great Time to Fund a Scholarship

University of Minnesota Law School alumni and friends can help today's students in many ways. **Now you can double the impact of a major scholarship gift!**

Dateline Summer 2004: University of Minnesota President Robert Bruininks addresses the scholarship crisis with announcement of a program to match the income payout from a gift of \$25,000 or more to a new or existing endowed scholarship fund. The opportunity to double the impact of your gift is available until funds are exhausted. So, hurry! This is an exciting time to include a significant scholarship gift in your charitable giving plans.

- A minimum \$25,000 gift is required to establish a named endowed scholarship fund at the law school. This is the most sought-after form of recognition or tribute. It is also the most popular form of giving by law firms and corporations seeking to increase their visibility to students and the depth and quality of their future hiring pools.
- A minimum \$5,000 gift is required to establish a named annual scholarship fund. The entire balance of such a fund is expended, normally within the year it is given, and new gifts are needed to perpetuate it.
- The Law School encourages donors to consider giving "unrestricted" scholarship funds. This allows the school more flexibility to meet the needs of all students.

**Please call Martha Martin (612-625-2060) or Diane Walters (612-626-1888)
at the Law School for more information.**

The Human Face of Legal Education

The Law School's clinical education program gives students an opportunity to put their classroom training to work with real-life clients.

BY MELEAH MAYNARD

Jaime Driggs will graduate from the Law School in May. Though he is not yet a practicing attorney, he already knows that he wants to specialize in family law. He is certain he's chosen the right career path because, in the last two years, he's spent four semesters taking Law Clinics in several areas of practice. While some of his peers have decided against family law because it can be emotionally draining, Driggs has discovered a personal passion for dealing with the kinds of emotional issues that come up in family court.



JAIME DRIGGS

"I like family law because I really care about people and the kinds of problems these cases involve," says Driggs. "There's a lot of need for good advocates in this area because it's one that can be hard for attorneys to deal with day after day. For me, though, the more highly-charged emotional nature of family law is a reason to do it. It's meaningful. You know why you're getting up in the morning."

Established in 1913, the University's Law Clinics began as a partnership between the Law School and the Legal Aid Society of Minneapolis. Though much has changed over the years, the original aim of the program remains the same as its founder, then-Dean William Reynolds Vance, had intended. Long before most law schools were offering any kind of clinical education, Vance realized the importance of going beyond traditional classroom learning to give law students the opportunity to work with live clients experiencing real legal problems.

Today, the Law School offers one of the largest, nationally-recognized clinical education programs in the country. Second- and third-year students can choose from 16 live-client clinics, ranging from Federal Taxation and Civil Litigation to Immigration and Domestic Felony Prosecution. Designed to function as a teaching law firm, the Law Clinics give students an opportunity to develop their professional legal skills in a setting that goes far beyond the classroom. Under the Student Practice Rule, adopted by the Minnesota Supreme Court, student attorneys—supervised by clinic faculty—represent clients in court and administrative agency proceedings.

While clinical education is available nationwide to less than 30 percent of law students, more than 60 percent of University law graduates take clinical classes. Many students, including Driggs, enroll in several clinics, as they explore various types of law. Currently Driggs is taking the Domestic Violence Clinic. He has also been in the Public Interest Law Clinic and the Legal Aid to Minnesota Prisoners (LAMP) Clinic. All three, he says, have given him invaluable experience that will help him in his career.

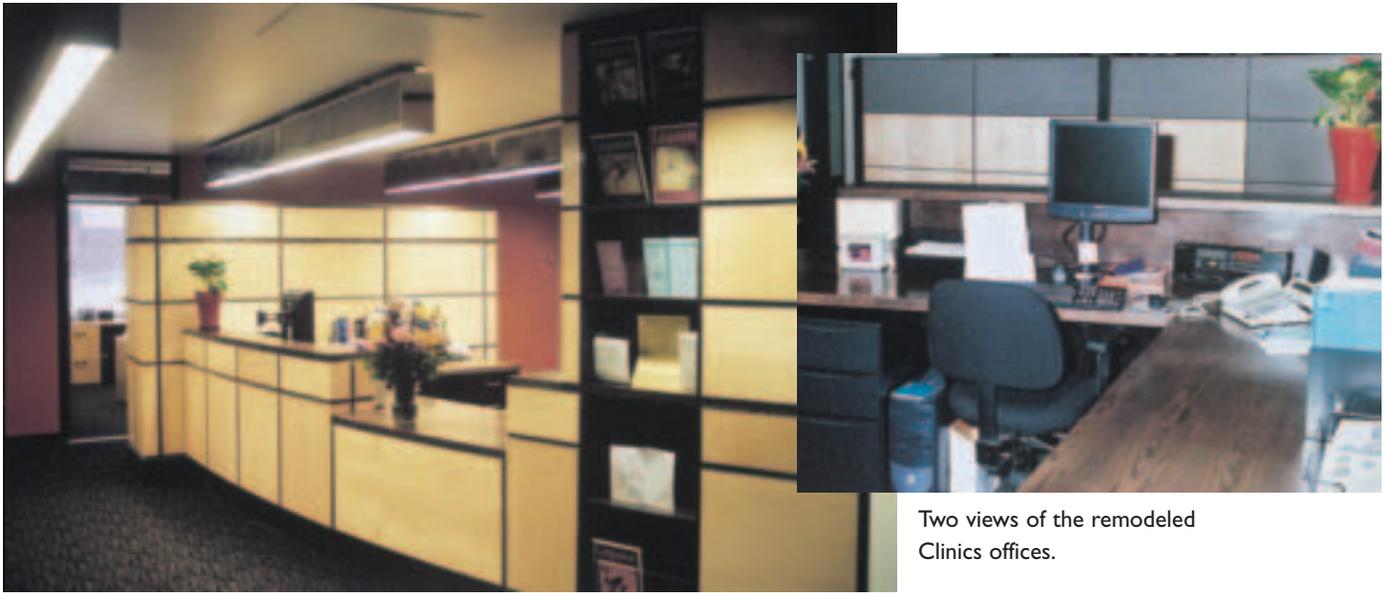
"I chose this school largely because of the clinics," he says. "I am so grateful to have the opportunity to do them. The experience I was hoping for is exactly what I got. They've been the highlight of my time in law school."

In addition to enhancing the learning experience of law students, the clinics provide a valuable service to the community. Each year the clinics take on approximately 700 new cases with student attorneys providing around 18,000 hours of free legal services, mostly to low-income clients who do not have access to other kinds of legal assistance.

"The social justice aspect of what we do here is very important to me," says Maury Landsman, director of the

"I think the fact that we have such exceptional clinics reflects our values. We want to teach academics, but we also want to train ethical and professional lawyers."

—Law School Dean Alex Johnson



Two views of the remodeled Clinics offices.

“Some people still narrowly view the role of a lawyer as a technician. But I think that unless lawyers understand the human context of problems, it is easy for them to miss something important that’s going on.”

—*Law Clinic Director Maury Landsman*

Law Clinics. “Clinics put students in touch with clients who are low income. Many are minorities or immigrants. In representing these clients students gain legal experience while learning a lot about their own values and biases. Some may go on to do some pro bono work, but even if they go to a large firm doing corporate law, what they learn in the clinics will be helpful to them.”

Cases are referred to the Law Clinics through a variety of channels, many come from the Volunteer Lawyers Network (VLN), the largest pro bono legal service provider in Hennepin County. “They [the clinics] are very helpful to us,” says Brad Thorsen, executive director of the VLN. “Bankruptcy and family law cases are the ones we need the most help with because those have the biggest backlog. We help educate students and they help us meet the enormous need for legal services for the poor.”

Responsible Representation

By the late 1960s, Law School enrollment had grown significantly and the Legal Aid clinic was too small to accommodate the number of students who wanted clinical experience. Then, in 1968, a three-year grant from the Council on Legal Education for Professional Responsibility helped the small poverty law office begin to grow into the well-established clinical program students know today.

Last year, a half-million dollar renovation updated the Law Clinic’s long-time home in Mondale Hall. Cramped and

outdated student work areas on the upper level have now been transformed into spacious open cubicles, offering state-of-the-art computer networking and time-saving calendar and billing management systems. Downstairs, a new kitchen, conference room, and additional student work space have taken the place of the former offices of the LAMP Clinic, which was defunded over a year ago through state budget cuts.

“The remodeled space is a lot more inviting,” says Landsman. “Before, this wasn’t a very comfortable place to be, so students worked other places and sent things electronically. Now students are here all the time.”

Both levels have a few small, private offices for student directors—third year students who have taken at least one clinic and have been selected to act as the clinic’s junior partners. Student directors supervise new student attorneys and have their own caseload of clinic cases.

Courtney Powell, who will graduate in May, has worked in the Civil Practice Clinic and is currently a student director in the Child Advocacy Clinic. In August she will start work as a law clerk for Rice County District Court in Faribault. Powell isn’t yet sure what kind of law she wants to specialize in, but she credits the clinics with helping her develop legal skills that go far beyond pushing paper.

“I learned a lot of important lessons in the clinics, things you just can’t learn in a classroom,” she says. “I have a case that I call ‘the saga.’ It’s a third-party custody case and I’ve

been working on it for about a year now but it's been in the clinics longer than that. We represent the third party, a woman who is trying to get custody of child from the biological mother. The case is very complicated and has been continued many times.

“What stands out for me is that I've learned to respect a client who has, at times been hard to work with. At one point, she was calling me ten times a day about small things. It's easy to forget when you're drafting paperwork and preparing presentations to remember that this is really all about a little boy. My client has spent 14 months trying to make sure this little boy has a better life. This isn't a case to her. It's her life. Handling this case has helped me to be more understanding. This experience will stay with me for the rest of my life.”



COURTNEY POWELL

While many clinic cases are not as complicated as Powell's, few are as simple as they initially seem. Learning to uncover and deal with the complexities that arise when dealing with live clients is a big part of clinical education, says Professor Beverly Balos, who teaches all three domestic violence clinics.

“Couples come in to do a will or file a bankruptcy and that seems pretty clear cut. But once you talk with them for a while, other issues often come up,” Balos explains. “This is especially true with domestic violence issues. It seems like no matter what kind of law you practice, domestic violence will come up in your office. Students need to understand how to deal with these kinds of complexities and the clinics are a place where they can get firsthand experience with real people.”

Balos has been teaching in the clinics for nearly 20 years. Even after all this time, her eyes light up when she's asked what she likes about teaching in the clinics. “I think people who teach in the clinics have spent a long time thinking about what it means to be a lawyer in today's society,” she says. “We've all been through the things students are experiencing. A wonderful thing about the working with students in the clinics is that I get to participate in their learning process as they reflect on real world issues and their role as lawyers.”

Like Balos, Professor Richard Frase is visibly enthusiastic when talking about his job and the students he works with. He has taught the Federal Prosecution Clinic for more than two decades. The clinic is different from the others in that his students don't interact with clients. They work out of the U.S. Attorney's office, assisting in the prosecution of federal criminal cases.

“They work on very serious and complicated cases,” Frase explains. “They do a lot of research and writing. Some of my students are interested in becoming FBI agents, others are just interested in this area of law. Our students write a lot of government briefs and they are often so well done that they don't even make changes to them.”

U.S. Attorneys evaluate the students and most of what they write is very positive, Frase continues. “Some have been incredibly positive. Though they don't hire anybody straight out of school, I've had evaluations in which they say they would if they could.”

Lawyers with Integrity

Though the clinics are often as fast-paced as any other law firm, time is always made for reflection. Many of these “teachable moments” happen in the car as a student attorney and their professor are driving back from a day in court. “When we're driving away from court,” says Professor Carl Warren, “my first question is always: ‘What do you think? How do you feel about what happened?’ I tell them what I think but I want to hear their opinion first.”

As they drive, Warren, who teaches in the Civil Practice Clinic, and his students talk over basic goals like; was the student prepared? And, were they articulate? But they cover subjective issues as well. “Things usually go well in court, but every once in a while they don't for any number of reasons. I want to be able to reassure them and help them interpret what happened. We talk about what was in their control and what wasn't. Sometimes there was just nothing they could have done and they need to know that.”

Like the other Law Clinic professors, Warren finds it rewarding to work one-on-one with student attorneys as they develop legal skills they will use for a lifetime. But what appeals to him most about his work in the clinics is the opportunity to be there as students learn something much more broadly human.

“Clinic students aren't just learning how to do things,” Warren says. “They're learning how to be. They are look-

“I've always been impressed with how fast students pick up on new things. They have to figure out a lot and most of them have very little, if any, experience when they start law school. It's very gratifying to work closely with them in the clinics.”

—Professor Richard Frase

“Every student should take a clinical course because it is important that they be exposed to clients before they get out of school. Students shouldn’t graduate and then sit across from a client for the first time.”

—Clinic Director Maury Landsman

ing at moral and ethical issues. They’re learning how to deal with angry attorneys and untruthful clients in a productive way. They are figuring out what it means to be a person and a lawyer of integrity. There’s no way to learn those things in the classroom.”



PATRICK SUMMERS

Patrick Summers ('98) was a former student of Warren's and spent his last year of law school working as a student director in the Civil Practice Clinic. He is now a lawyer with Mackall, Crouse & Moore in downtown Minneapolis. From time to time a law clerk at his firm will be a current Law School student and he always tells them to take a clinic. "I say, 'take a clinic, any clinic. They will all really help you,'" he says.

"The clinics were the most relevant thing I did in law school. If I hadn't done them, I would not have had the skills to be a practicing attorney when I graduated."

At one point in his clinical training, Summers recalls being involved in a civil rights case in which a student had filed a complaint against a professor at a local college. "Another student and I had to go over to the school and meet with school officials and their lawyer. It was a great opportunity

to get out there and do things that I didn't even get to do out in the world until a year or two into my job."

Demand for clinical courses is high. Students hoping to get into some of the most popular clinics often end up on waiting lists. In the future, administrators hope to increase the Law Clinics' capacity so all students who want to participate can do so.

"Our clinics already serve a higher percentage of students than any other law school in the country," says Martha Martin, director of external relations and chief development officer for the Law School. "Our goal is to serve every student who wants clinical experience. The clinics require intensive one-to-one work, so we would very much like to add at least two faculty positions in the near future." Other plans, Martin says, include adding clinics in areas like environmental law, and possibly bringing back the LAMP Clinic.

Relationships that Last

Professor Steve Simon has been teaching the Misdemeanor Defense and Misdemeanor Prosecution Clinics for the past 23 years. His students tackle a range of challenging cases. Recently they have been dealing with a number of cases involving police rights.

The first thing Simon focuses on with his students is helping them learn to empower themselves. They must do that, he says, before they can do the same for clients. "Our

▶ Law School Clinical Courses

The University of Minnesota Law School offers 16 one- and two-semester clinical courses in the following areas of practice:

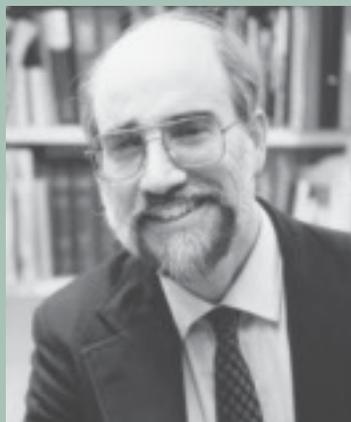
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| Civil Litigation | Multi-Disciplinary Business |
| Federal Taxation | Misdemeanor Prosecution |
| Public Interest Law | Misdemeanor Defense |
| Domestic Assault Prosecution | Federal Prosecution |
| Criminal Appeals | Domestic Violence |
| Consumer Bankruptcy | Child Advocacy |
| Housing | Immigration |
| Domestic Felony Prosecution | Indian Child Welfare |



BEVERLY BALOS



STEPHEN F. BEFORT



RICHARD S. FRASE



JEAN M. GERVAL



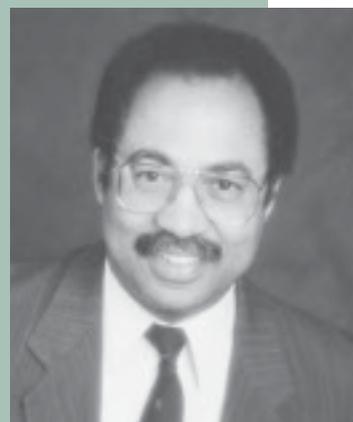
MAURY S. LANDSMAN



KATHRYN J. SEDO



STEPHEN M. SIMON



CARL M. WARREN

clients don't choose us, so they have no reason to trust us," Simon says. "As attorneys it's our job to earn our clients' trust, so we can help them. It may sound like a small thing but introducing yourself to a new client and telling them you want to do a good job representing them makes a big difference. I tell my student, 'they'll trust you if you have confidence in yourself and you seem like you know what you're doing.'"

Simon gets frequent calls from former students. Some are just checking in. Others are calling with questions. "They'll call up and say, 'I'm working on a case and I've got a question about it. Can you help me?'" he says. "The prosecutor's office calls, too, asking if I can send some more students over. They think we do a good job and they know we've got a really good program here."

Professor Stephen Befort stays in touch with a lot of his former students, too. "You get close to students you work with in a small group settling like the clinics," he says, reaching toward the shelf behind him to retrieve a big stack of holiday cards from former students.

Befort opens a couple of cards and smiles as he reads one to himself. "A lot of our students stay in touch after they graduate," he says. "They call to tell us how something they

learned has helped them in their careers, or to talk about a case they're working on."

A 1974 Law School graduate, Befort took clinics when he was in school, as well. Though the program has changed a lot since then. "The educational component of the clinics is much more focused and rigorous than it used to be," he says. "I remember I had about ten cases as a student. I was supervised but it was loose. We've decreased the number of cases and we spend a lot more time working individually with students."

Connecting on a one-to-one level with students is what Befort likes most about working in the clinics. In addition to teaching clinical courses, he served as clinic director for 21 years until Maury Landsman took over last August. "I taught in the Civil Practice Clinic and the Public Interest Law Clinic," he says. "I felt like I really got to know students, working as a team if you will, on representing clients. I enjoy teaching other kinds of law classes but there's more of a teacher/student divide in those. I'd rather be a team. ♦

By Meleah Maynard. Maynard is a freelance writer and a 1991 graduate of the University of Minnesota.

The Law School Clinics were celebrated during an Open House/Reception on Thursday, February 26, 2004. During the reception Professor Maury Landsman, Director of the Clinics and Dean Johnson addressed the crowd of alumni, faculty, students and friends.



Law School News



Hi-Tech Justice

New Technology in Courtroom 180 Gives Law School Students a Taste of the Future

They say a picture is worth a thousand words. “Sometimes it’s worth 10,000,” says Professor Steve Simon as he lays a gun on the image camera’s [or ELMO] display area and zooms in. Across the room a wide screen displays a large close-up of the gun. And there they are, visible to everyone in the courtroom...the owner’s initials carved in the metal just above the handle. “You can’t hand a

Professor Simon demonstrating some of the new technology.

gun to jurors to examine,” explains Simon. “You have to tell them what you want them to know or you have to show them. Visuals are much more accurate and powerful.”

The image camera is just one of the many hi-tech pieces of equipment

being used in today’s courtrooms. The increasing presence of technology, says Simon, is primarily a result of studies that demonstrate how people take in and process information. “Learning psychologists tell us that when people see things they process them differently than if they had only heard them. Visuals are often better internalized and understood.”

Law schools across the country are outfitting their courtrooms with state-of-the-art equipment, so students can familiarize themselves with the technology before using it on the job. Simon is heading up the Law School’s courtroom technology project, assisted by Gene Danilenko, the Law School’s Education Technology Specialist.

In the past six months, the two men have turned Courtroom 180 into a courtroom of the future by creating an ad hoc system of equipment that mimics what more elaborate set-ups do while costing a fraction of the price. The prototype set-up, with a price tag of just under \$10,000, is the first step in a process toward a permanent technology system, which Simon estimates could cost around \$250,000.

At the center of the Law School’s system is the image camera, which looks like a sleek, futuristic version of an overhead projector. The camera sits on a media cart between the counsel tables. With the touch of a button, attorneys can display paper documents as well as physical evidence like a gun or key, projecting the image onto a pull-down screen. By connecting their laptops to the system, attorneys can also project documents and images on their computers, as well as PowerPoint

evidence, onto the screen. They can also make use of a nearby VCR.

The judge and witness have small television sets, allowing them to view evidence before it is presented to the entire courtroom. "The video signal is transmitted to them in a way that's very similar to WiFi (wireless network)," explains Danilenko. A wireless sound system allows defendants to put on headphones back at the counsel table and overhear whispered bench conferences, while a small portable stereo in the jury box acts as a makeshift white noise machine to keep them from overhearing what's being said. "Very serious issues are discussed at the bench and people have a constitutional right to hear what's being discussed," explains Simon. "This wireless system makes that possible."

Jury rooms are equipped with wireless video cameras and microphones, so students can review jury deliberations to see where they did well or needed work.

"This system will help us get the kinks out and show people what we can do," says Simon. "Courts are moving in this direction and it makes sense for our students to learn how to use this technology. Those who can do this will definitely have an advantage when they start work in the real world." ♦

By Meleah Maynard. Maynard is a freelance writer and a 1991 graduate of the University of Minnesota.

Announcing a New Journal on Law and Science

The University of Minnesota's Consortium on Law and Values in Health, Environment & the Life Sciences and *Minnesota Intellectual Property Review* are pleased to announce the formation of a new journal: the *Minnesota Journal of Law, Science & Technology*.

The *Minnesota Journal of Law, Science & Technology* (*MJLST*) will be a unique publication, a multidisciplinary peer-reviewed journal published twice annually, edited by faculty from across the University of Minnesota as well as by law students. This journal will build upon the foundation created by the *Minnesota Intellectual Property Review* (*MIPR*). Following the publication of vol. 5, no. 2 this spring, *MIPR* will become *MJLST*, which will publish its first issue in December 2004. *MJLST* will expand the focus of *MIPR* to address not only intellectual property issues, but also policy, ethical, and societal issues at the intersection of law, science, and technology. *MJLST* will publish articles from all disciplinary areas, not just law. *MJLST* will remain a journal based at the Law School staffed by law students, but will be overseen and managed by the Consortium on Law and Values in Health, Environment & the Life Sciences.

The journal will feature a dual masthead, one for the faculty editors and another for the student editors. *MJLST* will remain an educational opportunity for law students and a venue for their scholarly publications. The student staff and board will be chosen competitively by the students, as has been the practice of *MIPR* in the past. A Faculty Editorial Board will peer review and edit faculty-written articles for *MJLST*.

MJLST will address issues in intellectual property, technology policy and innovation, bioethics, and law and science, while maintaining a rigorous grounding in law, values, and policy. The new journal will be available to subscribers as a hard-copy print journal. With a one-year delay, full text for each volume will join past volumes of *MIPR* on-line. The two issues published per year may include solicited content from lectures and symposia sponsored by the Consortium or its members, as well as unsolicited submissions. In addition, the issues will include student Notes and Comments.

Although this new journal will offer a venue for publications resulting from events sponsored by the Consortium and its members, the journal will retain its editorial independence. The journal's faculty and student editors will decide what to publish and the shape of each volume.

Our launch of *MJLST* is made possible in part by support from the Office of the President at the University of Minnesota. In October 2003, President Robert Bruininks named the Consortium one of his Presidential Interdisciplinary Initiatives.

We are excited to begin work on the *Minnesota Journal of Law, Science & Technology*. Questions regarding the journal should be directed to Professor Jim Chen (chenx064@umn.edu), Faculty Editor-in-Chief, and Victor Jonas (jona0017@umn.edu), Student Editor-in-Chief. Please visit www.mjlst.umn.edu ♦

BUSINESS LAW ALUMNI NEEDED

The University of Minnesota Law School needs alumni volunteer business, real estate, and employment law attorneys willing to provide no-fee or reduced fee transactional legal services for start-up and emerging businesses. Attorneys will supervise students in the Minnesota Multi-Profession Business Law Clinic.

Many of the Clinic's business clients are minority-owned for-profit entities that do not qualify for pro bono service under Minnesota Rule of Professional Responsibility 6.1(a). They may qualify as pro bono under Rule 6.1(b).

Interested attorneys can download a volunteer application form at www.kommerstad.org or contact the Clinic offices at 612-524-5779.



Journal of Law & Inequality Symposium

“Speaking Law to Power: The Legal & Political Implications of the United States As the World’s Lone Superpower”

On Friday, January 23, 2004, the *Journal of Law & Inequality* hosted a symposium which explored the legal and political implications of the United States as the world’s lone superpower, and the impact the United States’ “war on terror” has had on human rights here and abroad. The topics of the panels and the names of the speakers are listed at left/right as detailed in the symposium program.

The keynote speaker, Marco Sassòli, currently a professor of international law at University of Geneva, Switzerland, discussed the current approach of the U.S., since declaring a war against terror without temporal and geographical limits, that it claims to have the rights of a party to an international armed conflict and that those rights override international and domestic human rights and legislation. Guest presenter, Juan Méndez, professor of law and director of the Center for Civil and Human Rights at University of Notre Dame Law School, explored the prospects for international human rights work after September 11, 2001. Professor Méndez addressed the extent to which the restriction on civil liberties in the United States, and the gen-

Keynote presenter Marco Sassòli of the University of Quebec, Montreal addresses the symposium attendees.



Pictured (left to right, front to back) are professors who spoke at the symposium: Fred Morrison, Jay Krishnan, Juan Méndez, Dean Alex Johnson, Sally Kenney, David Weissbrodt; Tony Winer, Liz Boyle, keynote speaker Marco Sassòli, Kathryn Sikkink; Law & Inequality Symposium Editor Jonathan Eoloff, and Law & Inequality Editor-In-Chief Aaron Marcus.

eral hostility of the current administration towards international law and multilateral mechanisms, generate a duty on the part of human rights advocates to rethink approaches.

The first panel addressed the historical and global implications. The panel provided a recent background to U.S. foreign policy, addressing the Reagan Doctrine as a justification for U.S. intervention in foreign states to an expansion of that doctrine with the U.S.-led invasion of Iraq in 2003. The panel also discussed one of the main resources that superpowers have, the “soft power” of their ideas and reputations, and that superpowers must take law into account because the failure to be constrained by law will undermine their legitimacy.

The second panel considered the implications for international law. The panel discussed the possible need for the international legal system to adjust to accommodate the emergence of transnational actors not based in State entities. The panel also addressed the pattern of exceptionalism exhibited by the U.S. government over the past decade regarding international norms, with a focus on the establishment of

The University of Minnesota Law School & the *Journal of Law & Inequality* Presented

“Speaking Law to Power: The Legal & Political Implications of the United States As the World’s Lone Superpower”

January 23, 2004
University of Minnesota
Law School

9:45: Keynote Address

Marco Sassòli, University of Quebec, Montreal

10:45: Panel I: Historical and Global Implications

Kathryn Sikkink, University of Minnesota, Political Science
Anthony Winer, William Mitchell College of Law
Moderator: Sally Kenny, University of Minnesota, Humphrey Institute

1:00: Panel 2: Implications for International Law

Fred Morrison, University of Minnesota Law School
Barbara Frey, University of Minnesota, Human Rights Program
Oren Gross, University of Minnesota Law School
Moderator: David Weissbrodt, University of Minnesota Law School

2:45: Guest Presenter

Juan Méndez,
Notre Dame Law School

3:45: Panel 3: Impact on Human Rights Here & Abroad

Jay Krishnan, William Mitchell College of Law
Michele Garnett McKenzie, Minnesota Advocates for Human Rights
Elizabeth Heger Boyle, University of Minnesota, Sociology
Moderator: Ruth Okediji, University of Minnesota Law School

the International Criminal Court and the U.N. Conference on Small Arms and Light Weapons. The panel adjourned with a discussion on the absolute prohibition on torture, and the possibility that in the case of the ticking-bomb scenario, public officials may step outside the legal framework while accepting the legal ramifications of their actions.

The third panel engaged in a discussion on the impact on human rights here and abroad. This panel was particularly pertinent to the mission of *Law & Inequality* as it provided a human face to the impact the United States “war on terror” has had on human

rights within the U.S. and the world at large. The panel addressed India’s Patriot Act, a measure that enhanced the Indian state’s ability to crackdown on possible terrorist threats while potentially affecting the civil liberties of people within the developing world’s largest democracy. The panel also examined the USA PATRIOT Act, the proposed PATRIOT Act II, and the effects on civil and human rights in the context of immigration. Finally, the panel discussed how the immediate and profound effects of U.S. immigration law and policy have affected the lives of recent East African immigrants living in Minnesota. ♦



Dr. Susan Hagstrum, wife of University of Minnesota President Robert Bruininks, was the featured speaker at the annual Lex Alumnae Luncheon on Friday, December 5, 2003. She discussed President Bruininks’ commitment to revitalizing public conversation about children and youth in a presentation entitled “The Verdict Is In: Minnesota Families Need Our Support.” Dr. Hagstrum is pictured here with Dean Johnson.



Moot Court Teams Achieve Best Results in History of Program

The Law School's 2003–04 moot court teams had a stellar year. Collectively they achieved some of the best results in University of Minnesota history.

ABA MOOT COURT

The school sent two teams (2Ls **Laura Coates** and **Emerald Gratz**, and 3Ls **Adam Davis** and **Kelly Wolford**, respectively) to the western regional tournament in the National Appellate Advocacy Competition. Laura Coates and Emerald Gratz won the regional championship, and advanced to the national finals. Ms. Coates was named the region best oral advocate. The teams were coached by Michael Vanselow from the Minnesota Attorney General's Office. The tournament is sponsored by the American Bar Association.

ENVIRONMENTAL MOOT COURT

The environmental moot court team (3Ls **Jill Brown**, **Aleava Hager**, and **J.D. Schmid**) represented the law school in the National Environmental Law Moot Court Competition. The team was coached by Richard Duncan from the law firm of Faegre & Benson. The tournament is sponsored by Pace University School of Law.

CIVIL RIGHTS MOOT COURT

Our civil rights moot court team (3Ls **Leah Bailey**, **Leah Janus**, and **Sara**

Nathaniel Hobbs, **Devon Michelson** and **Todd Sorensen** with the **Kathryn** and **Bernard Newman Bowl**. Team members are flanked by their advisors, Clinical Professor **Brad Clary** and **Kristin Sankovitz**.



ABA Moot Court members **Laura Coates** and **Emerald Gratz** won the regional championship and advanced to the national finals. Ms. Coates was named the regional best oral advocate.

Van Norman) placed third in the **William E. McGee National Civil Rights Moot Court Competition**. **Sara Van Norman** (No. 3) and **Leah Janus** (No. 10) each placed among the top 10 best oral advocates overall. The team was coached by **Jessica Merz**, from the Tenth Judicial District Public Defender's Office, and **Benjamin Butler**, from the State Minnesota Attorney General's Office. The competition is

organized by the University of Minnesota Law School.

INTELLECTUAL PROPERTY MOOT COURT

This year's intellectual property moot court team (3Ls **Jessica H. Kwak** and **David D. Twitchell**) are the 2004 National Runners-Up in the **Giles Sutherland Rich Memorial Moot Court** competition, after placing second in the Northeast Regional competition in Boston. The team was coached by **Rachel C. Hughey** and **William D. Schultz** from the law firm of **Merchant & Gould**. The competition is organized by the **American Intellectual Property Law Association**.

INTERNATIONAL MOOT COURT

The international moot court team (**Mychal Bruggeman**, **Shinhong Byun**, **Sarah Peterson-Stensrud**, **Erin Schulte**, and **Nooshin Soltani**) advanced to the regional semi-finals of the **Philip C. Jessup International Law Moot Court Competition**. The team received the trophy for the second best memorial. One of the team members, **Nooshin Soltani** (No. 7) placed among the top ten best oral advocates. The team was coached by **Michael Dolan** from the law firm of **Oppenheimer Wolff & Donnelly**. The tournament is sponsored by the **International Law Students Association**.

MAYNARD PIRSIG MOOT COURT

Bridget McCauley, (1L) won our own **Maynard Pirsig Moot Court** honors oral argument tournament, with **Thomas Corbett**, (1L) finishing second. **Minnesota Supreme Court Chief Justice Kathleen Blatz**, **Associate Justices Paul Anderson** and **Russell Anderson**, and **Minnesota Court of Appeals Chief Judge Edward Toussaint** judged the championship. **Lizbeth Robinson**, (1L) won the **Maynard Pirsig Moot Court** best brief competition, with **Krista Matthews Dean**, (1L) finishing second.

NATIONAL MOOT COURT

One of this year's two national moot court teams (3Ls **Nathaniel Hobbs**, **Devon Mickelson**, and **Todd Sorensen**) proudly brought home the



Petrina Hall of Georgia State University College of Law, the Winner of both the Best Oral Advocate of the Preliminary Rounds and Best Oral Advocate Overall Awards.

Kathryn and Bernard Newman Bowl as the number two team in the nation, after finishing second in their earlier regional tournament. Nathaniel Hobbs received an American College of Trial Lawyers prize for being the second best advocate in the national championship oral argument. The team had previously won a regional best petitioner brief trophy. The other team (3Ls **Jenny Norenberg**, **Matthew Scheidt**, and **Aaron Scott**) advanced to the regional quarter-finals. Jenny Norenberg won the trophy for the region's best overall oral advocacy. The teams were coached by Clinical Professor Brad Clary and by Kristin Sankovitz from the Briggs and Morgan law firm. The National Moot Court Competition is co-sponsored by the American College of Trial Lawyers and the Association of the Bar of the City of New York.

WAGNER MOOT COURT

Our labor law moot court team (3Ls **David Cox**, **Holly Knight**, and **Sarah Sjolholm**) advanced to the octo-final round in the Wagner Labor Law competition in New York. The team was coached by Kai Richter from the law firm of Maslon Edelman Bor-



University of Minnesota Civil Rights Moot Court members Leah Janus, Sara Van Norman and Leah Bailey celebrate a Third Place finish in the William E. McGee National Civil Rights Moot Court competition. They are flanked by their coaches, Attorney Instructors Jessica Merz on the left and Benjamin Butler on the right.



Dean Alex M. Johnson, Jr. and members of the finals panel, Judge Natalie E. Hudson of the Minnesota Court of Appeals, Minnesota Supreme Court Commissioner Richard S. Slowes and Hennepin County District Court Judges Heidi S. Schellhas and Lloyd Zimmerman pose with Eric Widmar, Liana Spendlove and Julie Sorenson of First Place Brigham Young University Law School on the left and Koinonia Givens-Martin and Christine Jalbert of Second Place Stetson University College of Law. From left to right, Eric Widmar, Liana Spendlove, Judge Hudson, Julie Sorenson, Commissioner Slowes, Dean Johnson, Judge Schellhas, Koinonia Givens-Martin, Judge Zimmerman and Christine Jalbert.

man & Brand, and by Leslie Watson law firm. The competition is organized by New York Law School.

NINETEENTH ANNUAL WILLIAM E. MCGEE NATIONAL CIVIL RIGHTS MOOT COURT COMPETITION

Held March 4-6, 2004

The Nineteenth Annual William E. McGee National Civil Rights Moot Court Competition was held March 4, 5 and 6, 2004 at the University of Minnesota Law School. Thirty-nine teams from

thirty-one law schools across the nation participated.

Competitors considered developments concerning the rights of gay men and lesbians in the wake of the U.S. Supreme Court's landmark decision in *Lawrence v. Texas*, 123 S. Ct. 2472 (2003). The competition case was *Lofton v. Secretary of Dept. of Children and Family Services*, 358 F.3d 804 (11th Cir. 2004), a decision in which the Eleventh Circuit Court of Appeals upheld the constitutionality of a Florida statute that bars adoption by homosexuals.



McGee Competition Faculty Advisor, Carl Warren, presents the third and fourth place teams. On the left, members of the Third Place University of Minnesota Law School team, Leah Janus, Leah Bailey and Sara Van Norman. On the Right, members of the Fourth Place Georgia State University College of Law, Robert Laney, Victoria Watkins and Petrina Hall, who also won both the Best Oral Advocate of the Preliminary Rounds and Best Oral Advocate Overall Awards.



Members of the Best Brief Award winning University of Baltimore School of Law, Matthew Wolf, Mark Monson and LaDonna Lusher.



Members of the McGee Competition Administration Team, Research Assistant Han Pham, Administrative Director Courtney Powell, Faculty Advisor Carl Warren and Administrative Directors Meg Kulenkamp and Jennifer Haluptzok. Not pictured, Administrative Director Kate Jaycox.

Judge Natalie E. Hudson of the Minnesota Court of Appeals, Minnesota Supreme Court Commissioner Richard S. Slowes and Hennepin County District Court Judges Heidi S. Schellhas and Lloyd Zimmerman presided over the final argument in Lockhart Hall.

Brigham Young University Law School won First Place. Stetson University College of Law came in second. The University of Minnesota Law School won Third Place and Georgia State University College of Law finished fourth. The University of Baltimore School of Law won Best Brief honors. Petrina Hall of Georgia State University College of Law won both the Best Oral Advocate Over-All award and Best Oral Advocate of the Preliminary Rounds award with Julie Sorenson of Brigham Young University Law School receiving an honorable mention with regard to the latter.

Other teams that advanced to the Quarter-Finals included: the University of Baltimore School of Law, Walter F. George School of Law Mercer University Team 2, Valparaiso University School of Law and Campbell University School of Law Team 2. Other teams that advanced to the Round of Sixteen included: William Mitchell College of Law Team 2, Seton Hall School of Law Team 1, Cornell Law School, Seton Hall School of Law Team 2, Campbell University School of Law Team 1, Tulane Law School, Walter F. George School of Law Mercer University Team 1 and University of Wisconsin Law School Team 2.

About 190 members of the bar and bench volunteered to judge briefs, oral arguments or both. Prior to the competition, the Civil Rights Moot Court offered the volunteer judges the free Continuing Legal Education program, "Determining What Constitutes a Family: The Constitutionality of Laws that Prohibit Gay Men and Lesbians From Adopting Children." The program included a panel discussion about the legal, constitutional, societal and policy-making issues involved in cases like *Lofton*. The panel consisted of Professor Dale Carpenter of the University of Minnesota Law School, Professor

Spring Break Shadows 2004

The CSO launched SPRING BREAK SHADOWS in 2004. We thank the alumni and the individual law firms who offered their time to host events for 1Ls interested in their practices and in their cities. We also thank 2L Joe Kurr who skillfully managed the administrative process that connected dozens of law students to grads at 22 sites in Buffalo MN, Chicago IL, Duluth MN, Eagan MN, Los Angeles CA, Milwaukee WI, Minneapolis MN, St. Paul MN, Washington DC, and West Palm Beach FL. The Shadow Host Alumni and Employers were:

Aimee Egan (Thompson West)
 Trevor Copeland (Brinks Hofer Gilson & Lione)
 Briggs and Morgan's Recruiting Office and Committee
 Alexis Pheiffer (Quarles & Brady)
 Wendy Leo Moore (JD/PhD)
 Joyce Laher (UMN Disability Center)
 Rep. Paul Kohls (MN State Legislature)
 Leonard Street and Deinard's Recruiting Office and Committee
 Sara Bottleson and Larson King's Recruiting Committee
 Nora Klaphake (Maslon Edelman Borman & Brand)
 Emily John (Hanft Fride)
 Kari Wallace (Office of Legal Counsel, Federal Trade Commission)
 Marcie Cornfield (Legal Counsel Office, Equal Employment Opportunity Commission)
 Maura O'Connor (McKenna Long & Aldridge)
 Gray Plant Mooty Recruiting Office and Committee
 Patterson, Thuente, Skaar &
 Christensen, P.A. Recruiting Office and Committee
 Merchant & Gould Recruiting Office and Committee
 Karen Becker, Law Clerk to the Hon. Dale Mossey
 Scott Baker (Public Defenders Office)
 Kari Dahlin, Law Clerk to the Hon. Kenneth Ryskamp
 Katie Aune (Mayer Brown & Platt) ♦

Anthony S. Winer of William Mitchell College of Law, and attorney Suzanne Born, a pioneer in co-parent adoption. Clinical Professor Carl Warren was the moderator. Professor Jim Chen of the University of Minnesota Law School spoke concerning the standards and appropriate method of analyzing the constitutional issues in *Lofton*. Then, Phil Duran, Esq. of Out Front Minnesota addressed the issue of bias against gays and lesbians in the court system and profession.

For more information about the McGee competition and additional 2004 highlights including top ten briefs and best oral advocate lists, go to: <http://www.law.umn.edu/mootcourt/index.htm> ♦

CAREER SERVICES ON THE WEB FOR ALUMNI

As you move in traditional or alternative careers, and from junior lawyer to seasoned professional and manager, you are welcome to use our facilities and services, and to consult with staff. You will find links to a number of activities and services on our website at www.law.umn.edu/cso.

Register for The Alumni-Student Connection Minnesota's alumni have a long history of assisting students and other grads, and the Alumni-Student Connection offers you many ways to share your experiences, including speaking to individuals or groups in your office or in the Law School, participating in Spring Break Shadows, or joining the password-protected e-mail list to connect to those interested in practice in your geographic area or in the work that you do.

Help your employer recruit Minnesota students and alumni. The CSO conducts both on and off campus interview programs for students, including late-August interview programs in Washington DC, New York, Los Angeles and Chicago. We welcome public, private, non-profit, and corporate employers, and offer each the opportunity to pre-select their candidates. While the CSO staff posts school-year and summer jobs daily to www.eattorney.com, employers may post jobs directly from our website at www.law.umn.edu/cso.

CareerFiles AlumniCareerFiles, the CSO's reference source for alumni, contains information on a wide range of topics designed for alumni job seekers. AlumniCareerFiles currently includes Alternative Careers, Alumni Quartiles (for the classes of 1995-2004), Bar Exams, Going to Work, International Certification, Interviewing, Negotiating With Small Firms, References (mitigating a bad one), Resume and Job Search FAQs, Second Career Lawyers, and "Tired or Fired? Time to Change Jobs?" CareerFiles supercedes The GreenBook.

Salaries and Market Trend Information Call us when you are considering hiring a law student or lawyer, changing jobs or negotiating for a new compensation package. We review all of NALP's current salary and market trend information, and we are happy to share this with you.



The University of Minnesota Law Library Distinguished Lecturer Series

On April 15, 2004, Taunya Lovell Banks, the Jacob A. France Professor of Equality Jurisprudence at the University of Maryland School of Law, delivered the second annual lecture of the University of Minnesota Law Library Distinguished Lecturer Series. Professor Banks' lecture, "Dangerous Women: Elizabeth Key's Freedom Suit and other True Stories," focused on the 1655 freedom suit in the colony of Virginia by a mixed race woman named Elizabeth Key.

The scenario, uncovered by Professor Banks while conducting research in the archives of Virginia, is as follows: Elizabeth Key was born around 1630 to Thomas Key, a white settler, and a black woman servant. She eventually became part of the household of John Mottrom, of Northumberland County, Virginia, who died in 1655. Mottrom's will listed two types of human chattel, "servants and negroes;" Elizabeth and her son were recorded as "negroes." The language of the will made it clear that, unlike the servants, Elizabeth and her son were considered permanent chattel—slaves. That year Elizabeth

Associate Dean Joan Howland,
Professor Taunya Banks and Dean
Alex Johnson, Jr.

"Although there are a few earlier references to black men contesting their servitude, Elizabeth's lawsuit may be one of the earliest recorded freedom suits filed in the American colonies by a woman of African descent. In addition, Elizabeth's case is one of the first recorded freedom suits in the Virginia colony where a court directly contrasts indenture with slavery. More importantly, in Elizabeth's case the colonial court is being asked whether a person of English-African ancestry is a negro, and thus presumptively unfree."

—Taunya Lovell Banks

successfully sued for her freedom in a county court in Virginia. Her argument was based on English common law which held that a child inherits the condition of the father. The case was appealed to the General Court in Jamestown, where the decision of the county court was reversed. Elizabeth petitioned the General Assembly, the colony's legislative body and highest

appellate court, which concluded that Elizabeth, the child of a freeman, was free—a law which the Assembly changed in 1662.

Elizabeth's story sheds a powerful light on the legal and social aspects of slavery in 17th century Virginia. Professor Banks used Elizabeth's story to explore the extent to which black women acted as lay advocates in colonial courts. While recognizing that lawsuits in the 17th century by people of African descent were rare, Professor Banks challenged the general assumption among historians that slaves, especially female slaves, were not active litigants who secured legal counsel and ultimately exerted influence on the law. Professor Banks also used Elizabeth's story to discuss the evolving status of blacks in Virginia in the decades between 1619, the first recorded arrival of Africans in the colony, and the period between 1660 and 1680 when slave laws became formalized. "Implicit in the Mottrom estate inventory," declared Professor Banks, "is that by 1655, thirty six years after the first recorded arrival of Africans, blacks or negroes were presumptively life servants—slaves!"

Professor Banks' research uncovered an extraordinary woman. Not only did Elizabeth display remarkable courage in her suit against one of the most prominent families in Virginia, she later married a white man, William Grinstead—one of the few documented marriages in the 17th century between a white man and a free woman of African descent. The Grinsteads

remained a Northumberland County name for several generations. Professor Banks noted as a postscript that a John Grinstead, very likely an heir of Elizabeth, was a local leader in the effort in the early 19th century to encourage persons of African descent to establish colonies in Africa. It is apparent that Grinstead was either unaware of his African ancestry or chose to hide the fact. "Were it not for Elizabeth's freedom suit," stated Professor Banks, "it is quite likely that John Grinstead would have been a slave."

In conjunction with Professor Banks' lecture, the Law Library staged an exhibit from the Arthur C. Pulling Rare Books Collection. The exhibit, entitled *"To Fulfill These Rights:" African Americans and Quest for Equality*, traces critical developments in the early history of African Americans. The exhibition opens with early documents which trace the development of laws related to slavery in England and which formed the basis for the law of the colonies and the United States in its formative period. The legal origins of slavery in the American colonies are documented in session laws and statutes dating from as early as 1641 in the Arthur C. Pulling Rare Books Collection. In addition to early statutory law, the exhibit features abolitionist literature, including early editions of the writings of Anthony Benezet and John Woolman, the two great leaders of the pre-Revolutionary antislavery crusade. Also featured are the writings of later abolitionists, such as Jonathan Edwards, Theodore Parker, and Theodore Dwight; first editions of case reports, such as the notable *Amistad* and *Dred Scott* decisions; contemporary accounts of major fugitive slave law cases; and a very early printing of the Emancipation Proclamation. ♦

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



A Million for Minnesota

This fall, the University of Minnesota Law Library will celebrate the addition of our one-millionth volume to the library's collection. Achieving this milestone places the library in the company of only seven other academic law libraries in the United States. While one million is clearly an impressive number in and of itself, the celebration is truly in recognition of what that number represents. We celebrate this milestone in honor of the history, depth, and excellence of our research collection.

This moment provides the opportunity for the Law School to acknowledge that our Law Library's collection stands among the strongest legal research collections in the country. This moment allows us to reflect upon the many years of careful selection and planning that have built our library's holdings into the world-class research collection that it is today. This moment allows us to reflect upon how we will continue to build upon the excellence of our collection and maintain its excellence into the future. Finally, this moment allows us to reflect upon the exceptional support of the Law School administration, faculty, students and alumni, which has enabled the library to achieve this milestone.

As testament to the depth and breadth of our rich collection, one need only consider the diverse needs that it meets

Karen Anderson and Dean Alex Johnson, Jr. enjoying hot dogs at the "Bat a Million for Minnesota" Law Library celebration. Bat a Million for Minnesota was held April 5, 2004 in honor of the Law Library's millionth volume—and the opening of the Twins season. Festivities included live music by Butch Thompson and the Fishtail Stompers.

on a regular basis. Our research collection supports the tremendous scholarly output of our law faculty, the research and curricular needs of our law students and the wider university community, and the legal research needs of the bench, bar, and citizens of Minnesota. The collection supports research in almost all jurisdictions, with special emphasis focused on the law of the United States, Canada, Great Britain, British Commonwealth and former Commonwealth countries, and Western Europe, including an especially strong collection of Swedish materials. The library also maintains strong public and private international law collections.

While reaching our one-millionth volume gives us an opportunity to take pride in the quality of our existing collection, this occasion also provides an opportune time to look forward to the continued development of the collection. The library's collection policies change over time in response to both scholarly and curricular needs of the

▶ The University of Minnesota Law Library's Millionth Volume: The Papers of Clarence Darrow

The University of Minnesota Law Library is very pleased to announce that it has recently negotiated the acquisition of the world's largest and most comprehensive collection of the papers of the great American jurist Clarence Darrow. These papers, which will be a significant addition to our outstanding Arthur C. Pulling Rare Books Collection, will serve as our official millionth volume.

The heart of the archives is formed by more than 350 letters written by Darrow to his family and friends. Personal and informal in tone, they possess an intimacy attesting to and revealing the essence of Clarence Darrow's character. These letters provide insight into Clarence Darrow's thoughts, emotions and reactions during many of the crucial events of his life: the Big Bill Haywood trial in Idaho; the McNamara brothers trial in Los Angeles; the Loeb and Leopold trial; the Sweet case in Detroit; the Massie trial in Hawaii. The richness and diversity of Darrow's life is reflected in the depth and breadth of this collection which includes letters written to Darrow by W.E.B. DuBois, Woodrow Wilson, Helen Keller, Sinclair Lewis, and Franklin D. Roosevelt.

This extraordinary acquisition will establish the University of Minnesota Law Library as the premier repository of Clarence Darrow materials. More complete information on this acquisition will be included in future issues of the *Law Alumni News*.

Law School community. In recent years, such changes have been reflected in an increase in materials on comparative law, international taxation, human rights, international trade, commercial law, computer law, and family law issues. Interdisciplinary topics such as women's studies, criminal justice, law and economics, and biotechnology are also receiving greater emphasis in the collection.

In addition to changes in jurisdictional and subject emphases, the library must focus on the integration of electronic resources into the collection. While some have predicted that technology will mark the end, or at least substantial slowing, of print acquisition, we are unlikely to see this take place in the near future. In 1967, a report on the future of the Law School estimated that advancing technology would allow the Law Library collection size to be held at 500,000 volumes, a number that would accommodate less than twenty years growth at the then-current rate of 10,000 volumes per year. The 500,000th volume was added as the Law School celebrated its 100th year in 1988. Speaking on that occasion, Terry Martin, Director of the Harvard Law Library, noted that at the then-current rate of acquisition, the Law Library would add its millionth

volume in 2033. He predicted that due to preservation issues and technological developments the Law Library would never house one million volumes.

It seems, however, that rumors of the printed volume's demise are greatly exaggerated. For the time being, it is clear that technology has not slowed the growth of library collections. In fact, the Law Library's collection is growing faster than ever before, at a rate of over 20,000 volumes per year. This is due in part to an increase in publishing as well as to the growing scope of our collection. While we have reduced duplicate subscriptions to certain resources that are now available in electronic format, issues of access and ownership still mandate that we hold print. Other sources are simply not available online or are not currently as "user friendly" online. Therefore, we will continue to add to our outstanding print collections while also adopting new technologies where appropriate.

In closing, we must recognize that the Law Library could never have reached this million-volume milestone without the strong support of the Law School, particularly faculty, students and alumni. Throughout the history of the Law Library, we have been fortunate to have Law School deans who have rec-

ognized the importance of supporting the development of a strong library collection. Over the past decade, former dean E. Thomas Sullivan was particularly effective in educating the University administration about the importance of sustained funding for the Law Library's traditional and electronic collections. In keeping with this tradition of support, Dean Alex Johnson has made funding of the acquisitions budget one of his top priorities. His support has been instrumental in helping the Law Library reach this million-volume milestone. We gratefully recognize this administrative support, and acknowledge that the Law School's historical commitment to the Law Library has been essential to building what is one of the nation's premier legal research collections. ♦

By Joan S. Howland, Roger F. Noreen Professor of Law and Associate Dean for Information and Technology, and Connie Lenz, Associate Director for Collection Development.

The University of Minnesota Law Library Counts up to the Acquisition of its Millionth Volume!

On October 22, 2004, the University of Minnesota Law Library will celebrate the acquisition of its millionth volume. Legal scholars from the University of Minnesota, the University of California, Berkeley, the University of Virginia, Harvard, Duke and Yale will gather at the Law School to present papers at a symposium entitled *Law, Information and Freedom of Expression*. Following the symposium, President Robert H. Bruininks and Dean Alex M. Johnson, Jr. will unveil the one millionth volume.

In anticipation of this important occasion, the Law Library hosted several festivities spring semester for students and faculty.

Love the Library Ice Cream Social February 11, 2004



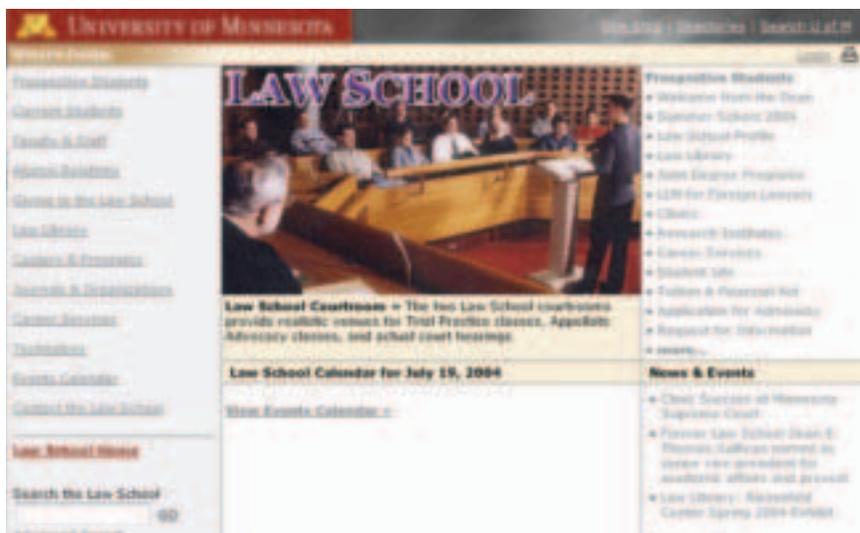
Professor John Matheson and Dean Alex Johnson take a break from teaching and administrative duties to serve ice cream to students in the Law Library lobby.



Professor Gregg Polsky, Dean Reich Paulsen and Professor April Schwartz.



Students enjoying the Ice Cream Social.



New Look for Law School Website

The Law School's website has been given a fresh new look and easy to use navigation. Our goal, when developing the new site, was to provide an elegant, easy to use website for all of our constituents: prospective students, alumni, current students, faculty & staff. In keeping with the University of Minnesota new website initiative, the Law School website has standardized its look and navigation. Some of the more interesting new features include an extensive all Law School calendar, more informative prospective students' area and a faculty in the news section. We currently have in the works an online Alumni Directory, where alumni will be able to look up classmates and colleagues and update their alumni file.

Home page of the new Law School website. Visit www.law.umn.edu.

Behind the scenes, we have instituted processes to make content fresher by empowering people within the Law School to maintain their information. We have deployed a sophisticated content management system and are continually updating it to serve the Law School well. Given all of the positive feedback from our readers, we feel that we have achieved our goal and are continually looking to improve upon the site. Visit the site at www.law.umn.edu. Your feedback is welcome and can be sent by clicking on the link at the bottom of the Webpage or email directly to webmaster@law.umn.edu. ♦



Dean Alex Johnson was invited to visit with Governor Tim Pawlenty on November 26, 2003 at the Minnesota State Capitol.

Tax Clinic Awarded Grant

For the sixth year in a row, the University of Minnesota Law School, Ronald M. Mankoff Tax Clinic has been awarded a Low Income Taxpayer Clinics Grant. This year the Clinic was awarded \$85,000, the maximum amount awarded to any clinic. The Press Release is as follows:

WASHINGTON—The National Taxpayer Advocate, Nina Olson, announced that the Internal Revenue Service has awarded \$7.5 million in matching grants to Low Income Taxpayer Clinics (LITCs). This amount will fund 135 clinics in 2004. LITCs are qualifying organizations that represent low income taxpayers involved in tax disputes with the IRS or that inform taxpayers for whom English is a second language or who have limited English proficiency of their tax rights and responsibilities.

The IRS matching grant program, which is in its sixth year, encourages the creation and growth of Low Income Taxpayer Clinics across the nation. These clinics provide an important resource to taxpayers who may not be able to afford a tax professional.

Under the program, the IRS awards matching grants of up to \$100,000 a year to organizations operating independent tax clinics. This year, LITC grant recipients represent non-profit organizations and accredited academic institutions from 49 states plus the District of Columbia and Puerto Rico. Grant amounts range from \$6,448 to \$85,000.

Low Income Taxpayer Clinics provide a source of assistance to low income taxpayers when they have disputes with the IRS or are trying to comply with tax laws. ♦

FACULTY SCHOLARSHIP PRESENTATION

The Law School hosts a weekly luncheon presentation by members of the Law School faculty, faculty from other departments of the University, visitors from other universities, and practitioners. Listed below are the 2003–04 presentations:

August 2003

28 Supreme Court Review

September 2003

4 Supreme Court Review

11 Professor Margo

Bagley, Emory University School of Law

Patent First, Ask Questions Later: Morality and Biotechnology in Patent Law

18 Professor Barry Feld,

University of Minnesota Law School

“Other than the fact of a prior conviction”: Apprendi, Sentence Enhancements Based on Delinquency Adjudications, and the Quality of Justice in Juvenile Courts

25 Professor Leti Volpp,

American University, Washington College of Law
Dependent Citizens and Marital Expatriates

29 Professor Clarisa

Long, University of Virginia School of Law
Information Costs and Intellectual Property

October 2003

2 Professor Ford Runge,

University of Minnesota, Department of Applied Economics
Ending Hunger in Our Lifetime: Food Security and Globalization

9 Professor William

Sage, Columbia University School of Law, Visiting Scholar with the Consortium on Law and Values in Health, Environment, & the Life Science
Managed Care’s Crime: Medical Necessity, Therapeutic Benefit, and the Goals of Administrative Process in Health Insurance

16 Professor Adam

Samaha, Visiting Associate Professor, University of Minnesota Law School
Litigant Sensitivity In First Amendment Law

23 Professor Fionnuala

Ni Aolain, University of Ulster, School of Law & Visiting Associate Professor, University of Minnesota Law School

Balancing Human Rights: International Legal Responses to Terrorism in the Wake of September 11th

27 Professor Rebecca

Tsosie, Arizona State University College of Law
Reparative Justice or Extinguishment of Liability?

30 Professor George

Sheets, University of Minnesota, Classics Department
Making Sense of Death in the Law

November 2003

6 Professor Michael

Bazyler, Whittier Law School
Holocaust Justice: The Battle for Restitution in America’s Courts

13 Nicholas Allard,

Partner at Latham & Watkins, Washington, DC
Who Needs Anonymity?

January 2004

15 Professor Paul

Robinson, University of Pennsylvania Law School
Does Criminal Law Deter? A Behavioral Science Investigation

22 Professor Daniel

Gifford, University of Minnesota Law School
How do the Social Benefits and Costs of the Patent System Stack Up in Pharmaceuticals

29 Professor Jamie

Grodsky, University of Minnesota Law School
Genetics and Environmental Law: Redefining Public Health

February 2004

5 Professor Shayna

Sigman, University of Minnesota Law School
The Jurisprudence of Judge Kenesaw Mountain Landis

12 Professor Robin

Stryker, Department of Sociology, University of Minnesota
The Strength of a Weak Agency: Enforcement of Title VII of the 1964 Civil Rights Act and the Expansion of State Capacity, 1965–1971

19 Professor William

Scheuerman, Department of Political Science, University of Minnesota
American Kingship? Monarchical Origins of Modern Presidentialism

26 Professor Kathryn

Abrams, University of California at Berkeley, Law School—Boalt Hall
Sexual Harassment and the Politics of Shame

March 2004

4 Professor Richard

Frase, University of Minnesota Law School
Eighth Amendment Sentencing Disproportionality—Excessive Relative to What?

11 Professor Robert

Howse, University of Michigan Law School
How to Begin to Think About the “Democratic Deficit” at the WTO

18 Spring Vacation—No

Presentation

25 Professor Stephen F.

Smith, University of Virginia Law School
The Guilt-Blame Divide in Federal Criminal Law

29 Professor Dan L.

Burk, University of Minnesota Law School
DNA Rules: Conceptual Implications of Biological “Lock-Out” Systems

April 2004

1 Professor E. Thomas

Sullivan, University of Minnesota Law School
The Supreme Court and Private Law: A Thirty-Year Retrospective of Economic Regulation in Securities and Antitrust

8 Professor Eugene

Borgida, Department of Psychology, University of Minnesota
Social Framework Analysis and Employment Discrimination

15 Professor David

Wippman, Cornell University Law School
Exaggerating the ICC (International Criminal Court)

19 Professor Brian

Tamanaha, St. John’s University Law School
Revitalizing Legal Positivism

22 Professor David Cole,

Georgetown University
Judging the Next Emergency: Judicial Review on Matters of National Security

Student Highlights



Students Perform Second Annual Law School Musical

Audience Shocked and Awed

After ten months of writing, planning and rehearsing, the Theatre of the Relatively Talentless (TORT) delighted audiences with the second annual Law School musical, “Law Wars, Episode IV: Parody is Not Infringement.” Consisting exclusively of University of Minnesota Law School students, TORT’s latest work splashed onto the stage of the newly renovated Coffman Memorial Union Theater. After last year’s successful “Wizard of Fritz,” this year’s production was a notable step up in size and scope.

In “Law Wars,” the audience joined Loot Shepardizer as he searched for

Students performing this year’s musical, “Law Wars, Episode IV: Parody is Not Infringement.”

the power of the “Fritz” along with Leia Lawrence, Para-League-Pee-Oh, and Dell-2-D-2, in order to save the Clinical Alliance from the wrath of the evil Dean Vader and the Imperial Gopher University. Parodying songs from Frank Sinatra to OutKast, the cast and crew of over fifty kept the audience laughing during the full-length production.

Produced by Bekah Kent (2L) and Elizabeth Kniffen (2L), the musical was directed by Sarah Ruter (2L) with technical direction by Aleava Sayre

(3L). Anthony Sanders (3L) led a team of six talented writers. Band Director Peter Rasmussen (2L) and Vocal Director Matthew Helland (2L) put together the musical backbone: a ten-piece band (again, all law students). The cast and crew put in over sixty hours during the final six weeks of production.

Continuing the tradition, several faculty members appeared in the show including Dean Alex Johnson and Professors Donald Marshall, Maury Landsman, Jim Chen, Dale Carpenter, Guy Charles, and Carol Chomsky as well as a show-stopping turn by Career Services Director Susan Gainen as the notorious mobster Job-of-the-Hunt.

Also making guest cameos were several of the law school’s distinguished alumni, including Minnesota Attorney General Mike Hatch (’73), former Vice President Walter Mondale (’56), Hennepin County Chief District Judge Kevin Burke (’75) and U.S. District Court Judge James Rosenbaum (’69).

This year’s musical was a smash hit, selling well over a thousand tickets to students, faculty, alumni and their friends and family. The musical received coverage in *Minnesota Lawyer*, the *Minnesota Daily*, and on local television. The show was filmed professionally and a DVD is available for purchase. TORT can be contacted at mndancinlawyers@hotmail.com. ♦

By Bobak Ha’Eri, 2003–04 Law Council President.



Law Students Honored for Public Service

On March 10th, over forty graduating University of Minnesota law students were honored at the Law School Public Service Program Recognition Event held in the University of Minnesota Law School Atrium. The event honored graduating students from all four Minnesota law schools who have completed 50 or more hours of volunteer legal service in their time at law school. Minnesota Supreme Court Justice Paul Anderson made remarks to the crowd, lauding their accomplishments and encouraging them in their work as they move forward in their legal careers.

Dean Johnson, who was in attendance, remarked “I am proud of these students—their commitment to public service is crucial as they move forward in their careers, and is certainly a credit to the University of Minnesota and the strength of our public interest programs.”

The University of Minnesota, along with the other Minnesota law schools, encourages its students to perform 50 hours of law-related public service during their time in law school. They do the work through the Law School Public Service Program (LSPSP). The Minnesota Justice Foundation (MJF) acts as the central administrative agency at each school, developing law student

Dean Johnson with some of the 44 University of Minnesota Law School graduating students honored at the March 10th LSPSP Recognition event.

volunteer opportunities, recruiting participants, tracking the number of volunteer hours, and helping to recognize students for their efforts.

LSPSP was launched as a statewide program in 1999 to encourage an ethos of public service among law students through a public service volunteer program and the integration of poverty law issues in the overall law school curriculum. Modeled after the Minnesota Rule of Professional Conduct 6.1, the emphasis is on direct service to low-income people, but the program also recognizes service to civil rights, domestic violence, environmental and other organizations as falling under a broad definition of public service.

The event was co-sponsored by the Minnesota Justice Foundation, the University of Minnesota Law School, Hamline University School of Law, the University of St. Thomas School of Law, William Mitchell College of Law, and the Minnesota State Bar Association. ♦

44 Graduating Law Students Honored

Christina Adams
 David Ahlvers
 David Asp
 Philip Bednar
 Vitori Burk
 Davi Cullen
 Rochelle Cundy
 Katherine Deibert
 David Gapen
 Shannon Garrett
 Kate Glover
 Brian Gudmundson
 Lauren Hancock
 Alex Hildebrand
 Dawn Holicky
 Dennis Ingols
 Marlee Jansen
 Kate Jaycox
 Holly Knight
 Kristine Kroenke
 David Laidig
 Albert Li
 Meredith Lins
 Nikki Lockhart
 Annsara Lovejoy
 Allan Lundsgaarde
 Eva Mannoia
 Alison McElroy
 Gina Nelson
 Stuart Nelson
 Jennifer Olson
 Jon Olson
 John Schmid
 Sarah Sjöholm
 Jinnhua Su
 Joshua Tepfer
 Adam van Alstyne
 Eric Vercauteren
 Jeremiah Wagner
 Jonas Walker
 Laura Weekly
 Paul Yau
 Peter Yoon
 David Zucco

Student Snapshots

Dennis S. Puzz Jr.

CLASS OF 2004

Dennis Puzz taught high school in Stoughton, Wisconsin, for four years before enrolling in law school. “I dealt a lot with diversity issues in my teaching career,” says Puzz, who saw the law as an opportu-

Law Practice Group. “We take on federal Indian law issues, we represent tribal governments in concerns that they might have,” says Puzz of the firm.

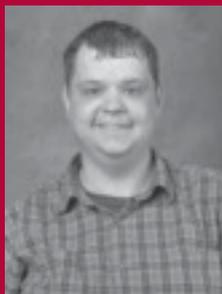
Puzz is grateful for his experience at the Law School. “It’s been a very challenging but rewarding experience. I’ve been excited about the opportunities

Apparently, Hager knows how to argue. The Portland native is slated to graduate *summa cum laude* this spring. “I’ve enjoyed it a great deal. My academic experience has been wonderful here,” reflects Hager. “I’ve had a good mix of practical and theoretical courses.”

Hager has a personal interest in disability law issues. When he was 12 years old, his right leg was amputated when he was battling bone cancer. He used to wear a prosthetic limb, but he found it to be a burden, “It did slow me down,” says Hager, who today walks with crutches. Last year, Hager had a Student Note on the Americans with Disabilities Act (ADA) published in the



DENNIS S. PUZZ JR.



JARED D. HAGER



LAURA G. COATES

nity to make a difference. “I think I was making a change [as a teacher], but not at the level that I wanted to make it. Instead of at a personal level, I wanted to do it more at a structural level.”

Puzz has served as the President of the American Indian Law Student Association at the University for the last two years. Puzz is an enrolled member of the Yurok Nation, but notes that he also has German and Yugoslavian ancestry. “I’ve been very proud of what we’ve been able to accomplish here as a student group,” reflects Puzz. He points out that the group has held monthly events and gone from being one of the lowest-funded student groups to being the group to receive the most Law Council funds for the past school year.

After graduation, Puzz will be working for the Minneapolis-based Best & Flanagan, in the firm’s Native American

that I’ve had while I’ve been at the University. We have a great Indian Law program here, which is a large part of why I came here,” says Puzz. While at the University, Puzz has served as a research assistant for Professor Kevin Washburn, clerked with the Upper Sioux Community Tribal Court for the Honorable Judge Lenor Scheffler, and served on both the admissions and faculty recruitment committees. Reflects Puzz, “The great thing about law school here is that there’s many ways to stand out.”

Jared D. Hager

CLASS OF 2004

Jared Hager is candid about what lead him to law school. “I was a debater in college, so I kind of always thought of law as the pro circuit for debaters,” says Hager. “I figured law school was the place for me. I always liked arguing.”

Minnesota Law Review, where he has also served as an Articles Editor.

“There’s been some tightening of the meaning of ‘disabled,’” says Hager. Of the U.S. Supreme Court rulings on the ADA, Hager notes, “They’ve been pretty mixed.” Now, he’s working on another article that he eventually hopes to see published. “I’m currently writing an article that I hope to publish on terrorism, public upheaval, and democracy throughout the world,” says Hager.

After graduation, Hager is slated to do a clerkship with the U.S. Court of Appeals for the Ninth Circuit in Seattle with Judge Ronald M. Gould. After that, he’s destined to land at the Los Angeles office of Kirkland & Ellis, in 2005, where he will do bankruptcy and litigation work. Someday, Hager says that he would love to return to the classroom, albeit on the other side of the desk. Concludes Hager, “That’s kind of my ambition: to write and think and teach.”

Laura G. Coates

CLASS OF 2005

Laura Coates isn't shy about admitting that she has political aspirations. As an undergraduate at Princeton, she earned a B.A. from the Woodrow Wilson School of Public and International Affairs. From there, law school seemed like a natural choice. "I had an interest in the law, I had an interest in public policy and in politics and law school seemed to be the right fit for that," explains Coates. "One of my long-term aspirations is to be an appellate judge. Or be a Senator. Or a member of Congress." But first, Coates knows, there's a lot of hard work to be done.

So far, Coates says, she's thrilled with her Law School experience.

"It's been wonderful," says Coates. "It was much more than I thought it was going to be. I'm just really intrigued by the range of the professors, in terms of their different styles. I've had a great experience, and I'm so glad that I chose law school over a Ph.D. program."

In January, Coates began serving an externship—an internship where you earn school credits—with Judge Michael J. Davis, Class of 1972, of the U.S. District Court in St. Paul. "I'm seeing what it takes to be successful in the federal courts," says Coates. "It's a great experience for me so far."

This summer, Coates will serve as a summer associate at Faegre & Benson, in Minneapolis. Coates also plans to be active in get-out-the-vote drives this election year. After she graduates, she hopes to get some more experience in the federal courts. Coates has an interest in Constitutional and civil rights litigation. "I hope to get a clerkship in the federal courts," says Coates. "My ultimate goal is to be in Minnesota, practicing here. I'd like to have an appellate practice if I could." ♦

By Burl Gilyard. Gilyard is a Minneapolis-based freelance writer and a 1992 graduate of the University of Minnesota.



Galen Lemei (2L) won the Second Annual National Native American Law Student Association Writing Competition in 2003. He presented his first prize paper at the University of Michigan Law School's Annual American Indian Law Day on March 21, 2003 in Ann Arbor, and the paper was published in the *Michigan Journal of Race and Law*. His prize was a PMBR bar preparation course and a monetary award. The award was presented to Mr. Lemei by Dean Alex Johnson and Professor Kevin Washburn.



The Federal Bar Association, Minnesota Chapter, presented the Judge Edward J. Devitt Award to Erin A. Oglesbay (3L) on April 14, 2004 for excellence in the study of federal law and practice at the University of Minnesota Law School. The award was presented by Judge Ann D. Montgomery, United States District Judge, on behalf of the FBA. Dean Alex M. Johnson, Jr. welcomed everyone to the reception in Oglesbay's honor, attended by FBA officers and directors, law school deans and faculty, and the recipient's friends and family. Oglesbay received an engraved plaque and a check in the amount of \$1,000.00. (Pictured are Dean Alex Johnson, Erin Oglesbay and Judge Ann Montgomery)

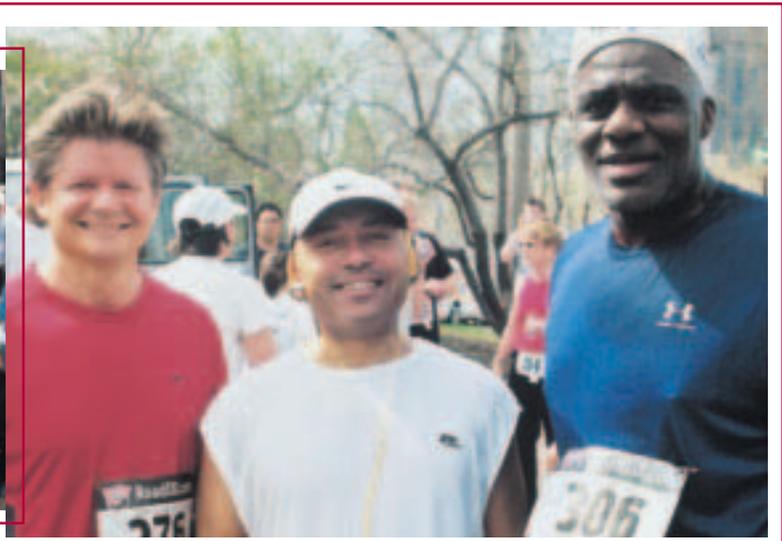


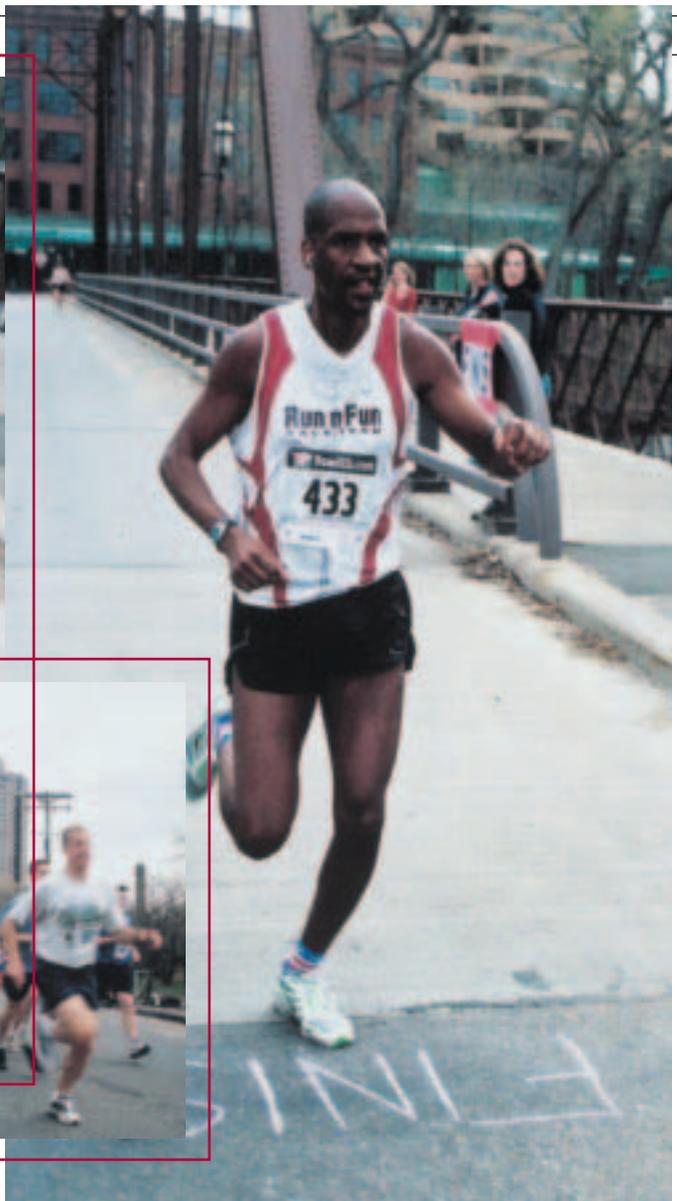
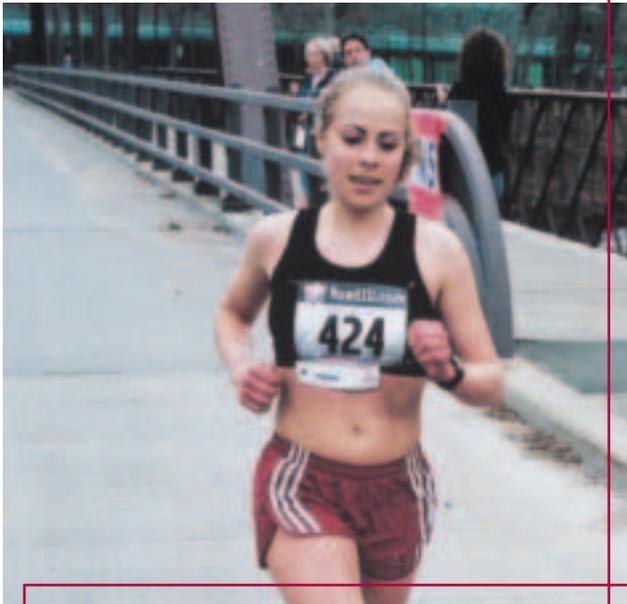
The Race for Justice 5K Fun Run/Walk

The Race for Justice 5K Fun Run/Walk sponsored by the University of Minnesota Law School and the Public Interest Law Students Association held April 18, 2004 at the Nicollet Island Pavilion was a great success. The windy, gray morning gave way to sunny skies beneath which more than 300 people ran or walked the scenic course around Nicollet Island, across the Mississippi River, into downtown Minneapolis and back.

Finishers of note: Jay Nelson, 34, Minneapolis, placed first; Peter Scott, 22, Minneapolis, placed third (first law student to finish—IL); Professor David McGowan placed 25th (first faculty member to finish); Dean Johnson placed 38th.

In its second year, the Race for Justice 5K Fun Run/Walk raised more than \$7000—all of which goes to the Loan Repayment Assistance Program for University of Minnesota Law graduates who pursue public interest law.





TOP FINISHERS

Jay Nelson, 34, Minneapolis, MN	17:15	Jeffrey Sealey, 24, Minneapolis, MN	20:51
Kirt Goetzke, 43, Plymouth, MN	17:25	J D. Schmid, 27, Minneapolis, MN	20:54
Peter Scott, 22, Minneapolis, MN	18:15	Adrian Eggen, 30, Minneapolis, MN	20:57
Christine Eid, 23, Milwaukee, WI	18:20	Sonya Eggen, 32, Minneapolis, MN	20:58
Deb Gormley, 37, St. Paul, MN	18:35	David McGowan, 40, St. Paul, MN	20:58
Trevor Hartman, 34, Medina, MN	18:49	Jeff Swartz, 38, Plymouth, MN	20:59
Erik Bunce, 29, St. Paul, MN	18:52	Tom Swanson, 36, St. Paul, MN	21:00
Luke Schlegel, 24, Minneapolis, MN	19:25	Michael Reif, 24, Minneapolis, MN	21:01
Ryan Strom, 28, St. Paul, MN	19:33	Big Cat (Doug) Strom, 48, Afton, MN	21:04
Christopher Hoff, 24, Minneapolis, MN	19:50	Darren Hepper, 27, Minnetonka, MN	21:06
Daniel Lund, 24, Roseville, MN	19:57	Paul Urbanski, 43, Minneapolis, MN	21:12
Ian Nemerov, 38, Edina, MN	20:08	Jin Jigang, 29, Minneapolis, MN	21:29
Joe Kurr, 30, Minneapolis, MN	20:10	Matthew Huggins, 33, Minneapolis, MN	21:30
Firooz Basri, 25, Minneapolis, MN	20:10	Andrew Pierce, 25, Minneapolis, MN	21:32
Larry McDonough, 48, St. Paul, MN	20:14	Ryan Shannon, 28, Eden Prairie, MN	21:37
Luke Garrett, 24, Minneapolis, MN	20:22	Brendan O'Rourke, 25, Minneapolis, MN	21:42
Brandon Finke, 24, Minneapolis, MN	20:28	Laura Swartz, St. Louis Park, MN	21:52
Sam Walling, 25, St. Paul, MN	20:37	Shane Simonds, 26, Minneapolis, MN	21:56
Dan Swartz, St. Louis Park, MN	20:41	Alex Johnson, Plymouth, MN	22:00
Ryan Saline, 29, Maple Grove, MN	20:45	Jonathan Drewes, 22, Minneapolis, MN	22:02
Michael Casper, 34, Salem, OR	20:46	Adam Svel, 24, Minneapolis, MN	22:19
Gaio Lakin, 31, Minneapolis, MN	20:47	Charles Russell, 56, Eau Claire, WI	22:23
Ron Howard, 33, Minneapolis, MN	20:51		

Alumni Commons

Distinguished Alumni

R. Hugh Magill

CLASS OF 1985

R Hugh Magill, Class of 1985, no longer spends his days practicing law, but finds his legal training indispensable in his position as Senior Vice President for The Northern Trust Company in Chicago. Magill serves as Department Head for Northern Trust's Personal Fiduciary Client Services. Magill worked in private practice for four years after graduation before joining Northern Trust in 1989.



R. HUGH MAGILL

"I couldn't do what I do without being a lawyer. While I'm not lawyering, I'm putting my legal skills to work every day," says Magill. "I have said before to groups I have talked to from the 'U' that this is probably a lesser known area of professional employment for lawyers. Our company probably employs a couple hundred lawyers in many, many capacities. A lot of lawyers work in the trust business."

Magill first worked in the trust industry after getting his undergraduate degree from St. Olaf College in Northfield, Minnesota. "I think it's a multidisciplinary field. My interest in estate and tax planning, in investment and asset management, in trust law—those interests are ones that are always at play in this business. It's very fulfilling," says Magill. His venerable firm traces its history to 1889. "It's an institution with a lot of history in serving wealthy families," says Magill.

Magill regularly lectures on trust and estate issues, tax planning, and fiduciary risk management for the Illinois Institute for Continuing Legal Education, Chicago-area Bar Associations, and Northern Trust. Magill also serves as a faculty member for the American Banker's Association National Trust School. In service to his alma mater, Magill serves on the Alumni Board at the Law School.

Magill also serves on numerous boards in the Chicago area including the Creator Arts Center, a church-based music school. Additionally, Magill is a mem-

ber of the Site Council for the Gaylord Building of the National Trust for Historic Preservation. Magill serves on the advisory board for the Cabrini Green Legal Aid Clinic. Magill is married with three children and active in his church. He is a member of the Christian Legal Society and a Scoutmaster with the Boy Scouts of America.

Larry Friedman

CLASS OF 1977

Larry Friedman wasn't cut out to work for other people. After graduation, he worked short stints for firms in Minneapolis and Dallas before founding his own practice in Dallas in 1979. "I started this firm originally 25 years ago," says Friedman of his firm, now known as Friedman & Feiger, LLP. "I had a calling, a yearning to do it on my own. I've always had the ability to bring in my own business. I wanted to interact with clients directly and I had my own sense that I wanted to deal directly with the client. I didn't want layers between me and the clients."

Friedman's firm focuses on business and corporate law; his own expertise is commercial litigation. For Friedman, a native of New York, the choice of Dallas proved fortuitous. "I met my wife and she was from Dallas and at the time Dallas was one of the hottest business spots, one of the fastest growing business communities in the United States, so it was natural to come here to start a practice," recalls Friedman. "I've had a chance to do it all. I've had an opportunity in Dallas to develop a more sophisticated practice more quickly than I could have done any-



LARRY FRIEDMAN

where else in the country. I've gotten more trial experience quicker. I've been very fortunate to handle some very interesting, complex, and high profile cases. The great thing about Dallas is it has every kind of commerce and every kind of commercial litigation."

Friedman once argued a case before the U.S. Supreme Court. In 1998, he won a \$100 million verdict for a client in a legal malpractice case after a seven-week trial. An article published in *Texas Lawyer* magazine in 2000 characterized Friedman as "feisty." Friedman accepts the label: "I think you need to be feisty. I think you need to be zealous and you need to be focused on your clients goals."

Friedman has been very active in the Dallas Jewish community and was instrumental in getting a Dallas elementary school named for Anne Frank. He has served on numerous boards, including the Craneofacial Foundation for Children's Deformities. He is also the co-author of *The Crime Victim's Handbook of Dallas*.

Today, there are 15 lawyers in Friedman's firm. His wife, Janelle, serves as the administrator for the firm, where Friedman serves as managing partner. "We've made that work for us, we've also raised six kids together," says Friedman. "I'm hoping one day that

one of my children will go the University of Minnesota Law School. I got a great education at the University of Minnesota Law School. The law firm has a great reputation and I attribute that and owe it to the University of Minnesota Law School."

Barbara Ruud

CLASS OF 1944

Barbara Ruud took a phone call recently from a caller who explained that the *Law Alumni News* wanted to feature her as a Distinguished Alum. Ruud let out a self-deprecating chuckle. "Well, that's a stretch," she hoots. "It would be a real stretch to call me distinguished."

In Ruud's day, women were still something of a rarity at the Law School. "There were three [women] in our class of about 100 and all of them graduated," recalls Ruud. "It was such a traumatic time because the war broke out in the midst of it all. All of a sudden the boys were marching off to war." Her husband was among them. "He was distinguished," says Ruud of her late husband and Law School classmate, Millard H. Ruud, Class of 1947.

Over the years, Ruud didn't have much chance to practice law. She took and passed the bar exam in both Kansas and Texas, but raising a family took precedence over jurisprudence. Millard Ruud taught law at the University of Texas Law School in Austin, Texas, from 1948 to 1973 and later served two terms as the Executive Director of the Washington, D.C.-based Association of American Law Schools from 1973-1980 and 1983-1987.

As her children grew older, Ruud held a series of political jobs. She did research for the Texas State Senate. "The Texas Legislature, as Molly Ivins can tell you, is something else again," chuckles Ruud. She worked on legislation for the staff of Texas Governor Dolph Briscoe in the early 1970s. When her husband took a job in Washington, D.C., she worked as a legislative assistant for U.S. Representative J.J. Pickle, a Texas political legend who

spent more than 30 years in Congress. From 1980-1983, Ruud served as a Texas Assistant Attorney General in the department's energy division.

Looking back, Ruud has no regrets. "I guess I'm very mellow. I think I've been very fortunate. I've had a wonderful life," says Ruud reflectively. When her husband died in 1997, Ruud helped establish a scholarship fund in



BARBARA RUUD

his name during the 1999-2000 academic year. Ruud concludes, "He made a career out of education and we both felt tremendous gratitude to the University of Minnesota for giving us such a good education."

Ivy S. Bernhardson

CLASS OF 1978

Ivy Bernhardson has spent the bulk of her career as a corporate lawyer. She worked at food giant General Mills Inc. for 22 years (1978-2000), ultimately holding the title of Vice President, Associate General Counsel and Corporate Secretary. She had clerked with the company while still attending the University and was offered a job upon graduation. Bernhardson focused on mergers, acquisitions, and corporate finance work. She also served as General

Counsel for the company's Yoplait brand of yogurt.

"I really liked the transactional work," recalls Bernhardson. "General Mills had always done its own transactions in-house, so the lawyer generally lead the team of internal people. General Mills', in the '60s and '70s, had become a diversified consumer products company. A lot of my time was spent selling off those nonfood businesses."

In 2000, Bernhardson joined the Minneapolis firm of Leonard, Street and Deinard, where she continued to do business-related work. "I was in the corporate department, trying to build a book of business. After Sarbanes-Oxley was passed, I focused my work around corporate governance," says Bernhardson. She worked with smaller regional public companies, but also continued to do some work for General Mills.

In January, Bernhardson began a new job with another Minnesota institution: the venerable Hazelden Foundation of Center City. Bernhardson was named General Counsel for Hazelden. She's relishing the transition from the corporate arena to the nonprofit



IVY S. BERNHARDSON

world. "I have always had a commitment to community service and as an officer at General Mills, we were encouraged to be active in the community," says Bernhardson.

Over the years, Bernhardson has held numerous civic posts. She still serves as

a Director on the board of trustees for The Bush Foundation, one of the largest grantmaking entities in the state of Minnesota. In the past, she has served as a director for Fairview Health Services (1996–2002) and as a trustee at her undergraduate alma mater, Gustavus Adolphus College, where she served as chair from 1995 to 1998.

The internationally renowned Hazelden is among the private nonprofit leaders in the treatment of alcohol and drug addiction. "We are very committed to the privacy and confidentiality of our patients and we have lots of laws to follow there. We have a publishing business, we have a graduate school, we have the normal litigation that any organization runs into. It's kind of a diverse array of issues. They've never had a lawyer in house," says Bernhardson of the newly created position that she fills. "Every day's a new adventure."

Bradley C. Thorsen

CLASS OF 1974

Two years ago Brad Thorsen, received the Hennepin County Bar Association *Pro Bono* Distinguished Service Award. But by no means did that mean that Thorsen was through with community service. In June, 2003, he became Executive Director of the Minneapolis-based Volunteer Lawyers Network. After 29 years in private practice, Thorsen is enjoying the change of pace. "We match low-income individuals with lawyers who are willing to donate their time," says Thorsen. "I love it."

Thorsen is no stranger to the organization, the *pro bono* arm of the Hennepin County Bar Association. "I'd been practicing for 29 years. I'd been a volunteer with the organization itself for all of those 29 years," says Thorsen. "I was very involved with Bar Association activities."

Out of law school, Thorsen worked for a small Minneapolis law firm and then served as General Counsel for the

Kraus-Anderson Realty Company from 1983–1987. He launched his own practice in 1987, working as a solo practitioner focusing on real estate and construction law.



BRADLEY C. THORSEN

Thorsen served as a Director of the Hennepin County Bar Foundation from 1993–2003, and as President of the Hennepin County Bar Association during 1997–1998. He also served as a Director for the Minnesota State Bar Foundation from 1993–1999. Thorsen has served as a gymnastics coach for the Special Olympics since 1992 and on the board for the Patrick Henry High School Foundation in Minneapolis since 2000.

Thorsen says that opportunity to serve as Executive Director for the Volunteer Lawyers Network felt right. "I thought it would be a great way to combine interests and maybe finish out my career that way. My kids are grown. I still do volunteering as an attorney and maintain my license," reflects Thorsen. "I have an opportunity to discuss lots of different areas of law. I still have my fingers in it to a certain extent. It's not like I'm doing all administrative type work. I love this job, it's a very rewarding job: I enjoy it a lot." ♦

By Burl Gilyard. Gilyard is a Minneapolis-based freelance writer and a 1992 graduate of the University of Minnesota.

Class Notes



1953

JOHN D. GOULD, one of Minnesota's pioneers in the practice of patent law and litigation, has marked his 50th anniversary with the Merchant & Gould law firm.

Congratulations!

1941

JUDGE GERALD W. HEANEY will receive the 2004 Hubert H. Humphrey Public Leadership Award on June 8. The Hubert H. Humphrey Public Leadership Awards honor individuals, organizations or projects that have made contributions to the common good through public leadership and service.

1952

GERALD O. WILLIAMS was named as shareholder at the law firm of McCullough, Smith, & Kempe. The new firm name is McCullough, Smith, Kempe, Williams & Cyr. The firm practices primarily in the areas of personal injury and family law.

1953

ROBERT EATON has joined the law firm of Brown, Andrew & Signorelli in Duluth. He will serve as Counsel in the areas of estate planning, probate, trust and elder law. He is a former principal in the Clure Eaton Law Firm in Duluth.

1956

JOSEPH T. O'NEILL, SR., partner of the law firm of O'Neill, Grills & O'Neill of St. Paul, was named on February 17, 2004, as the recipient of the 2004 "Legacy of Leadership" Award given by the St. Paul Area Chamber of Commerce. The award is given by the Chamber to honor an individual for his or her continuing exemplary dedication and significant community and public service.

1957

MICHAEL GALVIN, JR., partner and shareholder at Briggs and Morgan, has been named co-Vice Chairman of the College of St. Catherine Board of Trustees.

1958

AUSTIN G. ANDERSON, President of the AndersonBoyer Group, has been re-appointed Special Advisor to the American Bar Association's Standing Committee on Continuing Legal Education.

1963

THOMAS A. CLURE, and most of the Clure Eaton Law Firm, joined with the law firm of Johnson, Killen & Seiler.

MICHAEL W. WRIGHT, retired chairman and CEO of Supervalu, Inc., has joined the Board of Directors of KhiMetrics, Inc., the global leader in retail revenue management.

1966

KENT GERNANDER was named Chair of the Lawyers Professional Responsibility Board as of February 1, 2004. Mr. Gernander is a partner at Streeter & Murphy in Winona, Minnesota.

1967

WILLIAM I. KAMPF, from the law firm of Kampf & Associates, has merged with Henson & Efron.

RICHARD E. SHINOFIELD, from the law firm of Kampf & Associates, has joined the newly merged firm of Henson & Efron.

JOSEPH P. SULLIVAN has been elected to the Board of Directors and audit committee of Amylin Pharmaceuticals, Inc., (AMLN). Mr. Sullivan is currently chairman of the Board of Advisors of RAND Health and Vice Chairman of the Board of the UCLA Medical Center.

1968

BERT J. MCKASY was elected to FR. Bigelow Foundation's Board of Trustees. Mr. McKasy is a partner with Lindquist & Vennum and is a former member of the Minnesota House of Representatives and a past Commissioner of Commerce for the state.



EDWARD L. WINER has been named a Diplomat of the American College of Family Trial Lawyers. This honor follows Mr. Winer being named, in

late 2002, as one of the top ten United States divorce lawyers by *Worth* magazine and being selected by the Best Lawyers in America as one of only 1,880 United States attorneys listed in all ten editions over the last 20 years. He is the only Minnesota attorney and one of the only two lawyers nationwide who has received all three honors.



Elliot ('61) and Eloise Kaplan hosted Dean Johnson, alumni and friends in Naples, Florida in March 2004.

1969

HUBERT (SKIP) HUMPHREY, former state Attorney General, became the president of AARP Minnesota, a 645,000-member senior advocacy group. He will be the group's chief spokesman, who will testify at the Legislature and will chair AARP's executive committee, which sets policy for the state group.

1971

RICHARD G. MARK was named president of the Board of Directors at the Twin Cities law firm of Briggs and Morgan.

MICHAEL PETERSEN joined the law firm of Marshack Shulman Hodges & Bastian and will specialize in corporate mergers and acquisitions, commercial real estate transactions, and business finance. The firm is located in Foothill Ranch, California.

1972

PHIL GARON, former Chairman of Faegre & Benson and the firm's senior mergers and acquisitions partner, has been named among a national list of leading attorneys for client service by the Boston-based BTI Consulting Group. The rankings include 90 attorneys identified by decision-makers at Fortune 1000 companies in the third annual survey of the legal market conducted by BTI. Mr. Garon is one of only six attorneys in the United States to be named to the BTI list in each of the three years.

SANDRA WISE has accepted the position of Counsel on Social Security at the National Committee to Preserve Social Security and Medicare.

MICHAEL J. DAVIS was honored at an open house celebrating his tenth year on the Federal Bench on March 26, 2004.

1973

ALAN EIDSNESS attorney and shareholder at Henson & Efron has been inducted as a fellow into the American College of Trial Lawyers, which is composed of the best of the trial bar from the U.S. and Canada. Mr. Eidsness, who practices family law as well as small business and commercial litigation, has had a distinguished 30-year trial career with no plans of slowing down.

TIMOTHY KENNY has been named partner in the Minneapolis law firm of Fulbright & Jaworski.

JEROME J. SIMONS, JR., was elected as a Division Head to the Board of Directors of the law firm of Messerli & Kramer for 2004.

ALAN E. SOMMERFELD is the Deputy Legal Advisor (dual-hatted) to the Combatant Commander and his staffs for the North American Aerospace Defense Command (NORAD) and the United States Northern Command (NORTHCOM). Colonel Sommerfeld reported for duty in NORAD's Cheyenne Mountain several hours after the attacks on September 11, supported Operation NOBLE EAGLE as a drilling Reservist for two months and was mobilized in December 2001, and is currently serving as the interim Staff Judge Advocate.

1974

WILLIAM M. HABICHT was elected President of the law firm of Messerli & Kramer.

JOHN D. KELLY received the *Minnesota Lawyer's* Attorneys of the Year award. Kelly was honored for his work as a defense attorney, including procuring a defense verdict in a case where millions of dollars in damages were sought, and for his service on the Minnesota Board of Law Examiners. *Minnesota Lawyer* recognized him at a special awards dinner on February 10, 2004.

DANIEL H. MABLEY was honored by the state chapter of the American Board of Trial Advocates for his outstanding work as an international judge for the United Nations in Kosovo. He is a Hennepin County District judge.

EDWARD S. WILSON was honored by the state chapter of the American Board of Trial Advocates for his outstanding work as an international judge for the United Nations in Kosovo. Judge Wilson served in Kosovo from December 2002 until December 2003. During this time, he was a trial court judge in the city of Prizren, Kosovo, and handled cases involving ethnic violence, organized crime, drug trafficking, and war crimes. He sits on the Ramsey County District Court bench.

1975

JAMES VANDER LINDEN has been elected to lead the Academy of Certified Trial Lawyers of Minnesota (ACTLM). ACTLM is an association of trial specialists who have met a stringent test of certification standards. Vander Linden, a Minneapolis attorney with the firm of leVander and Vander Linden, practices in the areas of personal injury, product liability, professional negligence and workers compensation. He has served as an officer of ACTLM for the past three years, leading up to his recent election as Dean.

1976

ROBERT J. FEIGH of the St. Cloud firm of Gray, Plant, Mooty, Mooty, & Bennett, was named as Secretary to the Academy of Certified Trial Lawyers.

GREGORY A. KVAM was named to the Board of Directors for the Twin Cities law firm of Briggs and Morgan.

MARK S. LARSON was elected as a board member to the Board of Directors of the Messerli & Kramer law firm.

TERRY L. WADE will receive the 2003 21st Century Leadership Award, presented by the Campaign for Legal Aid. He also was a recipient of the *Minnesota Lawyer's* Attorneys of the Year award. Mr. Wade is a partner with the Minneapolis-based law firm of Robins, Kaplan, Miller & Ciresi.

1977

JAMES STROTHER was named Executive Vice President and General Counsel of Wells Fargo & Company in San Francisco, California.

DESYL PETERSON, Minnetonka City Attorney, received a distinguished public service award from The International Municipal Lawyers Association.

1978

IVY S. BERNHARDSON has become General Counsel to the Hazelden Foundation. Bernhardson has extensive experience as a corporate general counsel and business law attorney and most recently was with Leonard, Street, and Deinard in Minneapolis specializing in corporate governance. Hazelden is an international provider of treatment, recovery, research, education and training.

KATHLEEN BLATZ, Chief Justice of the Minnesota Supreme Court, was recognized in April as the University of Minnesota School of Social Work's Distinguished Alumna of the Year.

KAREEN ECKLUND has been appointed to the Board of the Minnesota State Bar Association for Continuing Legal Education. Ms. Ecklund works in the St. Paul office of Felhaber, Larson, Fenlon & Vogt, concentrating her practice on business and real estate law.

TODD I. FREEMAN was re-elected President of The Group, Inc, a national organization of lawyers, accountants and actuaries that service professionals and closely-held business owners in the areas of tax, estate planning, benefits and health law. Mr. Freeman is the Chief Financial Officer and a shareholder at Larking, Hoffman, Daly, and Lindgren, Ltd. in the firm's Tax, Trusts, and Estates department.

ALAN PAGE, Minnesota Supreme Court Justice, will give the commencement speech at the University of Notre Dame. Justice Page will receive an Honorary Doctor of Humane Letters. He received an Honorary Doctor of Laws Degree from Notre Dame in 1993. The school said it rarely presents two honorary degrees to anyone.

1979

PHILIP M. CHEN recently joined PNC Capital Markets, Inc., in Philadelphia, Pennsylvania, as a Managing Director. He will focus on public finance investment banking.

MICHAEL DUDLEY received the U.S. Attorney's Law Enforcement Award. Mr. Dudley, a former Wisconsin state prosecutor and public defender, has been a special agent with the FBI for 18 years and works closely with municipal and county authorities in southwestern Minnesota.

DANIEL J. STARKS was elected president, Chief Operating Officer and Chairman of the Board of Directors for St. Jude Medical, Inc. Starks is a 19-year veteran of St. Jude Medical, including his tenure with the Daig Corporation it acquired in 1996.

DICK STENBERG has re-joined the law firm of Dewey Ballantine after leaving the firm in March to help the New York office of Thelen Reid expand its private equity practice.

1980

SCOTT DELISI was named by President George W. Bush the new United States Ambassador to Eritrea. Ambassador DeLisi, a native of Minnesota, took his previous post as Director of the Southern African Affairs office at the State Department in autumn 2001, when he replaced Arlene Render, who became ambassador to Abidjan. While serving his previous posts, he was conferred the James Clement Dunn Award by the American State Department.

SUSAN E. GAERTNER received one of the *Minnesota Lawyer's* Attorney of the Year awards for taking on multiple leadership positions in the American Bar Association, her work with the DNA project in Ramsey County, and her initiative in reforming enforcement of the state's Fair Campaign Practices Act. Ms. Gartner is the Ramsey County Attorney.

1981

MARY BIERKAMP has joined the FCS Commercial Finance Group as its Legal Counsel. Her responsibilities include legal support and regulatory compliance. FCS Commercial Finance Group is an affiliate of the Farm Credit System, which has been supporting American agriculture since 1916.

GARY SCHOKMILLER was appointed Central Region Market Leader at Pittsburgh-based Mellon Human Resources & Investor Solutions in its Minneapolis office.

MARK M. STARR was appointed by Governor Tim Pawlenty to a sixth Judicial District trial court bench vacancy in the city of Hibbing, Minnesota, in St. Louis County. Mr. Starr has been a Senior Assistant St. Louis County attorney in Virginia, MN since 1988.

MICHAEL W. UNGER was named as Treasurer to the Academy of Certified Trial Lawyers of Minnesota. He also received the *Minnesota Lawyer's* Attorney of the Year award. Mr. Unger is an attorney with the Minneapolis law firm of Rider, Bennett, Egan, & Arundel.

1982

WILLIAM C. HICKS was elected as member to the Board of Directors of the law firm of Messerli & Kramer for 2004.

JOHN W. LANG was re-elected as President to the Board of Directors of the Messerli & Kramer law firm for 2004.

1983

JAMES GESKE and Lawrence Wilford have formed the Woodbury-based firm of Wilford & Geske.

TODD JONES was named to the Executive Board at Robins, Kaplan, Miller & Ciresi.

ROBERT RANUM, shareholder and co-Chairman of the E-business Group at Fredrikson & Byron, was elected to the firm's foundation board.

MARY R. VASALY has been elected as chair of the Council of Appellate Lawyers and is one of fifteen "2003 Attorneys of the Year" named in *Minnesota Lawyer* magazine. Ms. Vasaly practices with the Minneapolis firm of Maslon Edleman Borman & Brand.

1984

JOHN P. SHEEHY was named one of the "2003 Attorneys of the Year" by *Minnesota Lawyer* magazine. Mr. Sheehy is a partner in the Minneapolis firm of Meshbesh & Spence.



Alumni and friends in North Dakota visited with Dean Johnson during two events held on October 28, 2003. Lunch was held at the Fargo Country Club (top) and Judge Myron Bright hosted a reception in his chambers (bottom).

CHARLIE WEAVER became the new Executive Director of the Minnesota Business Partnership, an association of the CEOs of the state's largest corporations. He formerly served as Chief of Staff to Minnesota Governor Pawlenty.

MARK J. AYOTTE was named to the Board of Directors for the Twin Cities law firm of Briggs and Morgan.

1987

DIANE BRATVOLD has been named as partner at the law firm of Rider Bennett.

1988

MARY A. BERNARD has been named Global General Counsel for Investment Banking at Credit Suisse First Boston, effective March 29, 2004. She will be responsible for providing legal advice to CSFB's Investment Banking Division regarding the Firm's investment banking transactions and client relationships globally. Prior to joining CSFB, Ms. Bernard was a partner in the Corporate Finance Group at King & Spalding for 18 years.

JAN CONLIN was named to the Executive Board at Robins, Kaplan, Miller & Ciresi.

TONI HALLEEN, in addition to her legal practice, has had a great success this spring with the run of the musical "Bloodsucking Lawyer," a production she wrote, co-composed and co-produced. Ms. Hallen has been performing and teaching improv comedy in the Twin Cities for 14 years.

1989

JEFFREY BENSON has joined Fredrikson & Byron as an officer in the firm's Real Estate Group. His practice focuses on providing commercial real estate legal services and advice to major regional and national corporations, REITs and other institutional holders of real estate and developers.

JIM CHOSY is General Counsel and a Managing Director at Piper Jaffray, the investment banking and brokerage firm Minneapolis-based U.S. Bankcorp spun off December 31, 2003.

JOHN M. DORNIK is among fifteen "2003 Attorneys of the Year" named by *Minnesota Lawyer* magazine. Mr. Dornik practices with the Minneapolis firm of Mackenzie & Hallberg.

NANCY STAUDT is a member of the faculty at Washington University School of Law in St. Louis.

1990

DEBORAH AMBERG was named to the position of Vice President, General Counsel, and Secretary to ALLETE, Inc. Ms. Amberg joined ALLETE as a Staff Attorney in 1990 and was named Senior Attorney in 1998. Her responsibilities have included energy, environmental and employment law applied to a broad variety of areas within ALLETE's utility operations.

1991

DIANE M. HANSON has been appointed to the first Judicial District trial court bench in Shakopee. Minnesota by Governor Pawlenty. Ms. Hanson has been an Assistant Scott County Attorney in Shakopee since 1996.

THOMAS J. ROHLEDER was promoted to Senior Vice President, General Counsel, and Secretary at Community First Bankshares, Inc. Mr. Rohleder joined Community First in 2001 as Vice President of risk management.

1993

TIM ANDERSON has opened his solo criminal defense practice in downtown Minneapolis, continuing to focus on federal and state criminal cases at the trial and appellate level with cases ranging from DWI to murder and with an emphasis on drug and white collar crimes.

DAVID BYRD has joined the law firm of Zuckerman Spaeder as an associate to the firm's White Collar and Civil Litigation Practice in Washington, D.C.

ERIC NICHOLSON has joined the Minneapolis-based investment banking firm, Green Holcomb & Fisher as a principal.

MARK PILON, an attorney with the Hanft Fride law firm in Duluth, was named a "Rising Star" in *Minnesota Law and Politics* magazine. He practices in the areas of business and commercial law.

BRIAN ROBERTS has rejoined the DC Public Defender Service as Coordinator of the Institutional Services Program in the agency's Community Defender Office.

1994

CHRISTINA HOEGLUND SPENCE was appointed to the Second Harvest Heartland Board of Directors. Ms. Spence is Tax Counsel to Cargill, Inc.

JEREMY HEEP was promoted to partner at the law firm of Pepper Hamilton in Philadelphia. Mr. Heep has a broad commercial litigation practice, with particular emphasis on antitrust, securities and international matters.

KEN HALL, along with Keri Barney, and Jodene Jensen opened "P.B. Loco," a quick-service restaurant in the Mall of America serving gourmet peanut butter sandwiches.

1995

MAUREEN B. CAVANAUGH has joined The Pennsylvania State University, Dickinson School of Law faculty with the rank of Professor. She previously taught at Washington and Lee University School of Law for six years, where she received tenure.

JONATHAN CLEVELAND was promoted to Managing Director at Houlihan Lokey Howard & Zukin law firm in Minneapolis.

PETER GRAY was named partner at the law firm of Rider Bennett.



Jim MacGillis, Becky Ortell, Joe Henderson and Matt Thibodeau.



Bill Otteson, Doug Utter, Dave Jaffe, Jon Neve, Roshini Rajkumar, and Sue Schommer.

Members of the class of 1997 celebrated their six-year reunion on October 25, 2003. Almost 100 classmates gathered for an exciting evening of dinner, drinks, and dancing at Chang O'Hara's Bistro in St. Paul. The reunion was such a success the class of 1997 is thinking of making it an annual event.

BERNARD L. "BRIAN" HENGESBAUGH III and Mary-Louise Kury were married on February 22, 2004, at the Cathedral of St. John the Evangelist in Milwaukee. Mr. Hengesbaugh is a senior associate at Baker & McKenzie in Chicago.

MATTHEW R. MCBRIDE was named as a new shareholder at Winthrop and Weinstine. Mr. McBride focuses his practice on commercial and construction litigation.

ELIGIO C. PIMENTEL was named to the Board of Directors at McAndrews, Held, & Malloy in Chicago. Mr. Pimentel specializes in all areas of intellectual property litigation.

DR. ERIK UGLAND is an Assistant Professor at the Department of Broadcast and Electronic Communication at Marquette University in Milwaukee, Wisconsin.

KRISTI K. WARNER has been elected a partner in the firm of Brownson & Ballou in Minneapolis. She will continue her practice defending individuals and companies in civil litigation, with an emphasis on toxic exposure, products liability, and general liability cases.

1996

NICOLA HESKETT has been named a partner with Shook, Hardy & Bacon law firm in Kansas City, Missouri. Ms. Heskett focuses her practice on products liability defense, primarily in the areas of tobacco and pharmaceutical litigation.

NORMAN L. JONES III was named as a new shareholder at Winthrop and Weinstine law firm. Mr. Jones practices in the areas of partnership, corporate taxation and municipal finance.

WENDY MAHLING was named partner at the law firm of Faegre & Benson in Minneapolis.

CATHERINE O'REILLY was awarded the first annual Equal Access to Justice Pro Bono Publico Award by Legal Assistance of Dakota County (LADC) at the First Judicial District Bar Association meeting. Ms. O'Reilly has held several offices on the Association's Board of Directors as well as regularly volunteering on LADC cases. She became a shareholder with the law firm of LeVander, Gillen & Miller, in January. Her practice focuses on civil litigation, including employment, corporate, contract, criminal and real estate law.

WILLIAM A. PHILLIPS, a commercial lawyer in the Detroit office of Pepper Hamilton, has been elected Of Counsel. Mr. Phillips focuses his practice on commercial matters with an emphasis on sports, corporate, real estate, public finance and venture capital issues.

RACHNA SULLIVAN was named partner of Rider Bennett law firm.

PAUL YECHOUT was named principal in the Gray, Plant, Mooty, Mooty and Bennett law firm.

1997



JOHN J. BURSCH has been elected to the Board of Trustees for the Hugh Michael Beahan Foundation. The foundation was established in 1982 to provide scholarship support for students who want to attend St. Andrew's School in Grand Rapids but cannot afford the full cost of tuition. Mr. Bursch co-Chairs Warner Norcross & Judd's Appellate Practice Group in Grand Rapids, Michigan.

GREG ERICKSON was named partner at the law firm of Rider Bennett.

PATRICK LEPINE joined the Northville, Michigan, law firm of Nuyen, Tomtishen, and Aoun as a shareholder. Mr. Lepine practices health care law with a focus on transactional and regulatory matters for health systems, hospitals, and physicians. Prior to joining Nuyen, Tomtishen and Aoun, he was a partner at Honigman Miller Schwartz and Cohn in Detroit, Michigan.

PETER MICHAUD has been named as partner at the Lindquist and Vennum law firm.

1998

CHRISTOPHER FOWLKES was selected by *Minnesota Lawyer* as one of the "2004 Up and Coming Attorneys."

JON HEGRE was named partner at the law firm of Rider Bennett.

STEVE KLUZ, JR., was named partner at Rider Bennett law firm.

CHRISTINE (SETCHELL) MIDDLETON has joined the law firm of Lindquist & Vennum in the Family Law Department.

RINKY S. PARWANI accepted a position with Wells Fargo Financial as Assistant General Counsel in her hometown of Des Moines, Iowa.

PATRICK D. ROBBEN was selected as one of the "2004 Up and Coming Attorneys" by *Minnesota Lawyer*.

1999

CRAIGHTON T. BOATES and John P. Welty ('00) with Sam Crump founded the law firm Boates, Welty & Crump in Phoenix, Arizona. His practice focuses on commercial and business litigation, construction law, estate planning, real estate law, Internet law and criminal law.

JOHN HAUGE was named as partner at Rider Bennett law firm.

KEVIN MAGNUSON was selected as one of the "2004 Up and Coming Attorneys" by *Minnesota Lawyer*.

RYAN MANTHEY has been named an associate at Koepke & Daniels law firm in Minneapolis.

CHRISTOPHER ROTH is a newly elected shareholder at Banner & Witcoff in Washington, D.C. Mr. Roth practices in the chemical patent prosecution and litigation areas.

2000

TIM COLE joined the Los Angeles office of Ladas & Parry to direct its Digital Brands Practice department on the West Coast.



DAVID S. KENDALL has joined the law firm of LeVander, Gillen & Miller as an associate attorney. His legal practice is focused on criminal prosecution and municipal law.

JOHN P. WELTY and Craighton T. Boates ('99) with Sam Crump founded the Boates, Welty & Crump law firm in Phoenix, Arizona. He focuses his practice on corporate and business law, estate planning, and Indian law.

2001

CINDY BAUMANN has joined the law firm of Leonard, Street & Deinard.

NICHOLAS M. LEWANDOWSKI joined the Larkin, Hoffman, Daly, & Lindgren law firm.

PAMELA J. SPAULDING was selected by *Minnesota Lawyer* as one of the "2004 Up and Coming Attorneys."

ANITA AROCKIASAMY WILLS was selected as one of the "2004 Up and Coming Attorneys" by *Minnesota Lawyer*.

2002

NATHAN BUSCH was Consulting Counsel before and during the hearing before the Supreme Court of Canada in the case *Schmeiser v. Monsanto* on behalf of appellant Schmeiser.

JESSICA CLAY and Andrew Urbanski were married on October 25, 2003, at St. Paul's United Church of Christ in Wausau, Wisconsin.

CATHERINE P. HEAVEN has joined Faegre & Benson as an associate in the firm's Corporate Finance Group.

JENNIFER E. JOSEPH and ERIN K. TURNER opened their new firm Joseph & Turner law firm in Minneapolis. Their practice areas include: family and juvenile law, litigation, criminal defense, small business, immigration, personal injury and wills.

KIRSTEN LINDGREN joined the law firm of Messer and Stilp in Chicago as an associate.

DAVID WYMORE was named as an associate by the law firm of Koepke & Daniels in Minneapolis.

2003

ANDREW BECKWITH, a second Lieutenant with the United States Marine Corps, is currently a Judge Advocate with the Marine Corps and licensed to practice law in the Commonwealth of Massachusetts.

RYAN BRAUER was named as an associate at the law firm of Fredrikson & Byron in the securities and energy group.

MATTHEW GRAHAM joined Fredrikson & Byron in Minneapolis as an associate in the Intellectual Property Group.

JONATHAN HOBBS has joined Morrison Fenske & Sund law firm in Minnetonka as an associate attorney. Mr. Hobbs will be primarily practicing tax law in addition to business and real estate work.

JOSEPH LEE joined the law firm of Merchant & Gould in Minneapolis as an intellectual property attorney.

MELISSA LISTUG KLICK has joined Paul, Plevin, Sullivan & Connaughton law firm in San Diego.



PUNEET MOHEY and colleague, Zachary Bossenbroek, started a new company called Lexadigm Solutions. Lexadigm is a legal outsourcing company that hires talented attorneys in India, most of whom have been exposed to American law, and provides inexpensive legal research and/or writing services to U.S. attorneys practicing in all areas.

PAUL ONDERICK has joined the intellectual property law firm of Patterson, Thuente, Skaar & Christensen as an associate attorney. Mr. Onderick will focus his practice on patent prosecution and litigation in the areas of the mechanical arts, medical instruments, and biomechanical devices.

AMY SALMELA has joined the intellectual property law firm of Patterson, Thuente, Skaar & Christensen as an associate attorney. Ms. Salmela's practice focuses primarily on patent prosecution in the electrical and mechanical industries.

RHONA SHWAID joined Fredrikson & Byron in Minneapolis as an associate in the International Group.

BERNARD STATLAND joined the law firm of Arent Fox in its Washington, D.C. offices.

RYAN E. STROM has joined the law firm of Fruth, Jamison & Elsass.

THERESA WEBER has joined Fredrikson & Byron in Minneapolis as an associate in the firm's International and Corporate Groups.

THE 25th ANNUAL SUMMER PROGRAM of CONTINUING LEGAL EDUCATION SEMINARS

was held JUNE 1-11, 2004

- June 1 War, National Security, and the Constitution: The Constitution after September 11
Professor Michael Stokes Paulsen
- June 2 M.B.A Concepts for Lawyers
Professor Edward S. Adams
- June 3 Recent Developments in Employment Law
Professor Ruth Okediji
- June 4 Understanding the Current State of the Law in Trademarks, Copyright and Related Areas of Intellectual Property
Professor Daniel J. Gifford
- June 5 Ethics and the Practice of Criminal Law (morning) and Identifying and Eliminating Bias and Discrimination in the Legal System: Codes, Cases and Other Constraints (afternoon)
Professor Stephen M. Simon
- June 7 Recent Developments in Sports Law
Professor Shayna M. Sigman
- June 8 Paradigms Old and New in the Law of Regulated Industries
Professor Jim Chen
- June 9 Property Taxes the Unexamined \$156,100,000,000 Annual Charge To Business Revenues
Professor Ferdinand P. Schoettle
- June 10 Campaign Finance Law after McConnell
Professor Guy-Uriel Charles
- June 11 New Developments in Internet Law
Professor Dan Burk

JACOB ZIMMERMAN has joined Robins, Kaplan, Miller & Ciresi as an associate attorney in Minneapolis.

DAVID J. ZOLL has joined the law firm of Lockridge, Grindal, Nauen as an associate practicing in the Class Action Litigation Group with a focus on securities and antitrust law. ♦

Class Notes News

NAME _____

CLASS YEAR _____

NEWS/COMMENTS _____

Change of Address

NAME _____

CLASS YEAR _____

FRIM/COMPANY _____

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Louise Saunders

Class of 1950

Louise Herou Saunders passed away on November 20, 2003 from congestive heart failure at the age of 82.

Ms. Saunders attended the University of Minnesota, where she lettered in golf and was elected one of the 100 outstanding students in 1949. She was a member of the Editorial Board of the *Minnesota Law Review* and in 1950 received her J.D. degree from the Law School. Following graduation, Ms. Saunders served as law clerk to Justice Leroy Matson of the Minnesota Supreme Court. Ms. Saunders then joined the law firm of Larson, Loevinger, Lindquist, Freeman and Fraser, now Lindquist & Vennum, in Minneapolis. She made partner at the firm, which was a rare occurrence for a woman in the 1950s.

Ms. Saunders married Charles W. Saunders in 1959, owner of Charlie's Cafe Exceptionale, and assumed the management of the restaurant upon her husband's death in 1964. In 1970 she was elected to the Hall of Fame sponsored by *Hospitality* magazine and in 1972 received the Ivy Restaurateur of Distinction Award sponsored by *Institutions* magazine.

Ms. Saunders was appointed by President Carter as Commissioner of the White House Conference on Small Business in 1979. She served on numerous boards including the Minneapolis Downtown Council on which she served two terms as President, the Minnesota Orchestral Association and the University of Minnesota Patty Berg Development Fund. She also served on the Law School's Law Alumni Association Board of Directors from 1953-56, and was elected Secretary in 1956.

She was a strong supporter of the University throughout her life.

Ms. Saunders also left a bequest to create a scholarship fund in the University of Minnesota athletics department and created a Charitable Remainder Unitrust from her estate for the Law School. No immediate family members survive her. ♦

In Memoriam

As of April 30, 2004.

CLASS OF 1937

Bertram C. Gire
Dover, NH
October 29, 2003

CLASS OF 1938

Richard C. Hunter
Falls Church, VA
February 25, 2004

CLASS OF 1946

Honorable Walter Mann
St. Paul, MN
February 11, 2004

CLASS OF 1947

Horace E. Hitch
Carmel, CA
February 17, 2002

CLASS OF 1948

James Wanvig
San Francisco, CA
April 12, 2004

CLASS OF 1950

Louise Saunders
Minneapolis, MN
November 21, 2003

CLASS OF 1951

Oscar C. Adamson
North Oaks, MN
October 16, 2003

CLASS OF 1954

James P. Corson
Bloomington, MN
March 13, 2004

CLASS OF 1959

Bertin A. Bisbee, Jr.
Bloomington, MN
February 14, 2004

CLASS OF 1960

Paul Kunert
Edina, MN
February 6, 2004

Donald C. Petersen

Minneapolis, MN
March 4, 2004

CLASS OF 1980

Sheldon R. Strouts
St. Louis Park, MN
February 2, 2003

CLASS OF 1981

Virginia Anne Pomeroy
Germantown, WI
March 21, 2004

CLASS OF 1983

Harlan M. Goulett, Jr.
Minneapolis, MN
April 19, 2004



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Charles Noerenberg '82, *St. Paul, MN*

Alex Johnson, Jr., *Dean*

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