

Fall 2001

LAW ALUMNI NEWS



Walter F. Mondale, former United States Vice President, and Jimmy Carter, former United States President, were reunited at the Mondale Hall naming ceremony.

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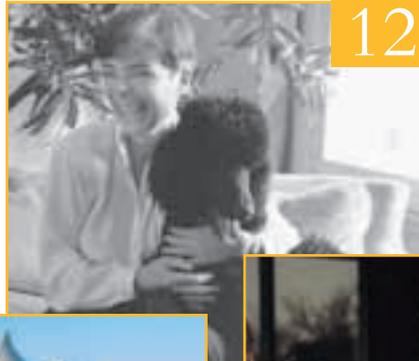


Contents

FALL 2001



4



12



Center



28

Features

Faculty Essay Paying Our Debts to Our Pets <i>By Judith T. Younger</i>	12
New Faculty Add Extra Dimension <i>By Tricia Baatz Torrey</i>	16
The Dedication of Walter F. Mondale Hall	Centerfold
Commencement 2001	24

Departments

The Dean's Perspective	1
Faculty News and Events	2
Faculty Research & Development	6
Law School News and Events	27
Distinguished Alumni	34
Class Notes	36
In Memoriam Tributes	42

Dean's Perspective

We still feel the glow of the marvelous dedication of Mondale Hall on May 17. The dedication of the building was a wonderful opportunity to gather alumni and friends of the Law School in celebration of the remarkable accomplishments of this institution, as well as the distinguished achievements of Walter Mondale. During the dedication, we were honored to have President Jimmy Carter as the principal speaker. The approximately 1000 alumni, friends, faculty, staff, and students who were in attendance were inspired by President Carter's remarks. He spoke of how proud he was of the historic transformation of the office of vice president of the United States while Walter Mondale was the vice president. He commented on the accomplishments of the Carter-Mondale administration, and he challenged us to make a difference in the lives of people, particularly those who are less fortunate. At the end of his remarks, we all knew why we had gone to law school and the clear responsibilities that flow from being a member of the legal profession. It was a spectacular day, followed by a gala dinner attended by approximately 450 people.

In dedicating the Law School building in honor of Walter F. Mondale, we recognize him for his contributions to the state of Minnesota, the United States, and the world, including his visionary efforts to ensure equality for all Americans, and to ensure peace and safety by promoting international dialogue regarding nuclear arms, global trade, environmental responsibility, and diplomacy.

The new addition to the Law School is enabling us to achieve our goal of integrating theory, doctrine, and ethics with skills and practice throughout the curriculum. The new addition is a beautiful complement to the original building that was dedicated in April of 1978. The new facility helps us increase our ability to specialize in skills training. It provides very handsome and comfortable space for our internationally recognized research centers, and it showcases our priceless rare books collection in an incomparable facility that will ensure the proper maintenance of the irreplaceable materials. Importantly, the new addition adds significant offices and areas for students and faculty, permitting the interaction among faculty, students, and staff in ways that will enable us to do a much better job of mentoring our students.

Elsewhere in this issue we showcase and introduce five new full-time faculty members and our five visiting faculty members. It obviously has been a busy and a successful hiring season for us.

We invite you to visit and to see our splendid new facilities in Mondale Hall and to meet our new faculty. Through the great generosity of our alumni and friends, we have been able to accomplish a substantial amount as we commence the 114th year of legal education at the University of Minnesota. Our appreciation to all of you!

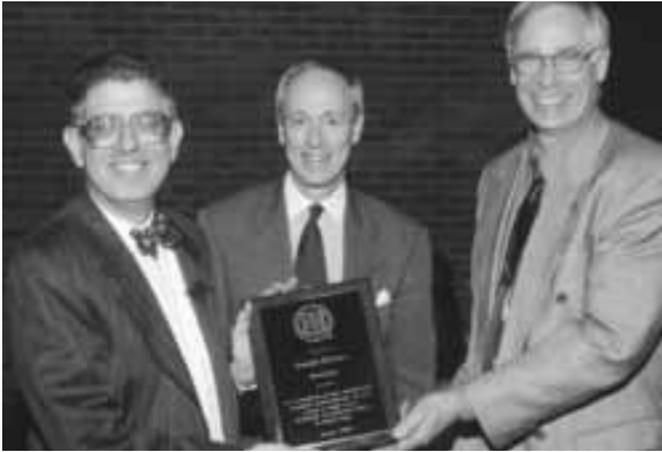


Dean E. Thomas
Sullivan

E. Thomas Sullivan

Dean and William S. Pattee Professor of Law

Faculty News and Events



Professor Daniel Farber accepting the plaque presented by Dean Sullivan and Provost Robert Bruininks.

Professor Daniel Farber, nationally recognized authority on constitutional law and environment law, delivered his appointment lecture as the McKnight Presidential Chair in Public Law entitled “It’s Not Easy Being Green: A Defense of Eco-Pragmatism,” on March 21, 2001. Professor Farber also has taught and published widely in several other areas, including contracts, jurisprudence and legislation. He became the first Henry J. Fletcher Professor of Law in 1987 and held the 1983–84 Julius E. Davis Chair in Law. Professor Farber also serves as Associate Dean for Faculty Research and Development. ■



Professor Edward S. Adams (second from the right) posed with his parents, Edward C. and June Adams, and his wife, Denise, before his presentation.

On April 18, 2001, Professor Edward Adams presented “Concepts in Modern Corporate Finance: Juxtaposing Agency Costs and Behavioral Finance,” on the occasion of his appointment as the Howard E. Buhse Professor of Finance Law. He specializes in commercial, bankruptcy and corporate law and teaches bankruptcy, creditors remedies/secured transactions, commercial paper, corporations and corporate finance. He was co-holder of the 1999–2000 Julius Davis Chair in Law and was the 1998 Vance K. Opperman Research Scholar. ■



Provost Robert Bruininks presented Professor John Powell the University Outstanding Community Service Award during the May Board of Regents meeting.

University of Minnesota honors Professor John Powell with Outreach and Community Service Award

John Powell, Professor of Law and Executive Director of the Institute on Race & Poverty, was recognized by the University of Minnesota at the third annual University Outstanding Community Service Awards ceremony during its Board of Regents meeting on May 11. The award recognizes outstanding contributions of faculty, staff and community members who have devoted their time and talents to make substantial and enduring contributions to the community.

According to the nomination made by Law School Dean E. Thomas Sullivan, “powell’s community service contributions have tied together issues of race, poverty, education and housing to identify barriers to success facing communities of color. He has established the Institute on Race & Poverty and has devoted a substantial amount of time to strategically reaching out to the community, making a difference in the lives of many people in the Twin Cities. His expertise at the national level, where racial segregation and poverty intersect, also has had a direct impact on our community.”

Professor Powell also has been named the Earl R. Larson Professor of Civil Rights and Civil Liberties Law at the Law School. ■

With Thanks, Karen

Karen C. Burke, Dorsey & Whitney Professor of Law, accepted this fall a position at University of San Diego Law School. Professor Burke was a member of the faculty at Minnesota a total of 14 years. She taught individual income taxation, corporate taxation, pension law, partnership taxation, and subchapter S taxation. She held the 1996–97 Julius E. Davis Chair in Law, and in 1999 was appointed the Dorsey & Whitney Professor of Law.



Dean Sullivan Elected to ABA Position

Dean E. Thomas Sullivan, William S. Pattee Professor of Law, was elected Chair-Elect of the American Bar Association Section of Legal Education and Admission to the Bar. Former Dean Robert Stein also served as Chair of the Section and this is the first time one school has had two chairs. He will serve as the 2002–03 Chairperson. Dean Sullivan has served as Vice-Chair and as Co-Chair of a strategic plan and self-study for the of the ABA Council

on Legal Education. He serves as a member of the ABA Committee on the Future of the Legal Profession. He is a Fellow of the American Bar Foundation and a member of the American Law Institute. This is the seventh academic year of his deanship at Minnesota. He is a former dean of the University of Arizona College of Law and former Associate Dean of the Washington University School of Law in St. Louis. ■

Faculty Appointments

Dan Burk has been named to the 2001–02 Julius E. Davis Chair in Law. Professor Burk is a nationally recognized scholar in the areas of intellectual property, copyrights, and patents.

Jim Chen has been named the inaugural holder of the James L. Krusemark Professorship in Law. Professor Chen teaches and writes in the areas of administrative law, agricultural law, constitutional law, economic regulation, environmental law, industrial policy and legislation.

Joan Howland was promoted to Associate Dean for Information and Technology. She also retains her title as Director of the Law Library. She supervises all activities for the Law Library and for technology at the Law School.

John H. Matheson has been named to the Melvin C. Steen and Corporate Donors Professorship in Law. Professor Matheson is an expert in the area of corporations law.



George Mundstock

George Mundstock has been named to the Dorsey & Whitney Professorship of Law. He was a Visiting Professor during the 2000–01 academic year and joined the Minnesota faculty in fall 2001. Professor Mundstock is a nationally recognized expert in taxes and corporate finance. ■

University of Minnesota Law School Professor Elected to Serve as U.N. Human Rights Chairperson

Professor David Weissbrodt was elected Chairperson of the United Nations Sub-Commission on the Promotion and Protection of Human Rights on July 30th in Geneva, Switzerland. He is the first United States citizen to head a U.N. human rights body since Eleanor Roosevelt chaired the U.N. Commission on Human Rights from 1947 to 1950.

The U.N. Sub-Commission on the Promotion and Protection of Human Rights is comprised of 26 members from all over the world. The membership of the Sub-Commission is allocated by region, so that seven members always come from Africa, six from Latin America, six from Asia, three from Eastern Europe, and the remainder from Europe and North America. The Sub-Commission develops human rights legal standards



David Weissbrodt

and engages in studies about path-breaking subjects. For example, members of the Sub-Commission are presently studying minority rights, terrorism and human rights, affirmative action, the land rights of indigenous peoples, discrimination on the basis of caste, etc.

Professor Weissbrodt has been a member of the Sub-Commission since he was elected by the Sub-Commission's parent body, the U.N.

Commission on Human Rights in April 1996. In 1998 he was elected Vice-Chairperson of the Sub-Commission. In April 2000 Weissbrodt was re-elected to serve a second four-year term as a member of the Sub-Commission, together with University of Minnesota Adjunct Professor Barbara Frey. In August 2000 Professor Weissbrodt was also named the U.N. Special Rapporteur on the rights of non-citizens and this year he has submitted a preliminary study on that subject. He also has been asked to prepare draft U.N. human rights guidelines for companies, which will be discussed this summer in Geneva by the Sub-Commission's Working Group on the Working Methods and Activities of Transnational Corporations.

Professor Weissbrodt has taught at the University of

Minnesota Law School since 1975 and is now the Fredrikson & Byron Professor of Law. He teaches International Human Rights Law, administrative law, immigration law and torts and has authored ten books and monographs as well as 100 articles principally about international human rights, but also about immigration law and torts.

He helped to establish and continues to work with several international human rights organizations in Minnesota, including the Center for Victims of Torture, the Minnesota Advocates for Human Rights, and the University of Minnesota Human Rights Center. He also has served on the Board of and/or represented Amnesty International, the International Commission of Jurists, the International Human Rights Internship Program, and the International League for Human Rights. ■



The second annual Lex Alumnae First-Year Luncheon was held on Wednesday, September 12, 2001.

Professors Levy and Byrden Celebrate Retirement



Dean Tom Sullivan welcomed colleagues, family, friends and guests to the Retirement Celebration for Professors Robert J. Levy and David P. Bryden on May 9, 2001.



Professor Emeritus John J. Cound.



Pictured are (from left to right) Professor Beth Virnig, Jon Levy, Professor Robert Levy and Judge Roberta Levy.



Sandra Gardebring ('73), Vice President for Institutional Relations.



Pictured are Professor David Bryden (right) with his wife Rebecca and son Daniel ('00).

Faculty Research and Development

Stephen F. Befort continues to be active on a number of projects relating to labor and employment law. This past summer he completed work on an article entitled "Labor and Employment Law at the Millennium: A Historical Review and Critical Assessment." He and co-author Tracey Holmes Donesky also published an article in the *Washington & Lee Law Review* entitled "Reassignment Under the Americans With Disabilities Act: Reasonable Accommodation, Affirmative Action, or Both?" A third article, "The Most Difficult ADA Reasonable Accommodation Issues: Reassignment and Leaves," was published in *2001 Employment Law Handbook* and presented at the Upper Midwest Employment Law Institute. Professor Befort also published a 2000–2001 Supplement to his *Employment Law and Practice* book for West Group. Along with Emily Hennen (3L), he contributed an article concerning "WARN Act Developments" for the most recent issue of *Labor and Employment Law News*, a publication of the Minnesota State Bar Association. On another MSBA project, Professor Befort is co-chair of a committee that has launched a new employment law web resource site containing contributions from more than fifty experts in the employment law field. Professor Befort currently is serving as the Law School's Associate Dean for Academic Affairs.



Dan L. Burk

Dan L. Burk has been named the Julius E. Davis Professor of Law for the 2001–2002 academic year. He continues to lecture and write on intellectual property and high technology issues for a diverse array of scholarly, professional, and lay audiences. In late February, Professor Burk traveled to Boston University School of Law to present an Intellectual Property Workshop on "Fair Use Infrastructure for Copyright Management Systems." This paper, coauthored with Professor Julie Cohen of Georgetown University, will appear this fall in the *Harvard Journal of Law and Technology*. In March, Professor Burk traveled to the University of Bologna in Italy to make a presentation on "Legal Protection for Technological Content Management Systems" at the International Meeting on Cultural Property and Information Technology. In April, Professor Burk returned to Boston University to present his paper on "Bioinformatics Lessons from the Open Source Movement" at a Symposium on Bioinformatics and Intellectual Property. In May, he returned to Italy to present a series of lectures on "Comparative Cyberlaw" at the Università Cattolica del Sacro Cuore in Piacenza. During August, he lectured on "Copyright and the Networked Academy" to faculty from the Minnesota State Colleges and Universities System at their annual retreat, then presented on "The Brave New World of Digital Rights Management" to an audience of computer graphics artists at

the annual SIGGRAPH conference in Los Angeles, California. Professor Burk also recently completed work on a paper co-authored with Professor Mark Lemley of University of California Berkeley, entitled "Is Patent Law Technology Specific?," which will be presented at the 29th Annual Conference on Communication, Information, and Internet Policy in Washington, D.C.

Jim Chen completed two articles, "Reconciling Intellectual Property with Biological Diversity: A Blueprint for Effacing Humanity's Footprint" and "The Most Dangerous Justice Rides Again: Revisiting the Power Pageant of the Justices." The former article will appear in the *University of Illinois Law Review*. The latter, co-written with Professor Paul Edelman of the mathematics department and the law school at Vanderbilt University, will appear in the *Minnesota Law Review*.

Brad Clary is working with co-authors Sharon Reich Paulsen and Michael Vanselow on a handbook on depositions for West Group, which is scheduled to be published late this fall. Professor Clary served as site chair for the national conference held at the Law School in July on the subject of integrating doctrine, skills, and legal writing across the law school curriculum. He is working as a co-editor on the book of conference proceedings, which West Group intends to publish in 2002. Professor Clary is currently serving a term on the governing council of the Minnesota State Bar Association Appellate Practice section and is also serving a term on the Communications Skills Committee of the American Bar Association Section Of Legal Education.

Laura Cooper has been elected as chair of the Labor Law Group, an international organization of scholars, founded in 1953, that authors labor and employment law textbooks. Four of the Group's books are published by West Group. In May, she made a presentation to the Hennepin County Bar Association, Labor and Employment Section, on employment arbitration. This summer Professor Cooper was a Law Faculty Fellow at the Straus Institute for Dispute Resolution at Pepperdine University in Malibu, California.

Daniel A. Farber completed work on a book with former University of Minnesota Professor Suzanna Sherry, entitled "Desperately Seeking Certainty: The Misguided Quest for Constitutional Foundations." Chapters from the book were presented at law school workshops at the University of Pennsylvania, Texas, Berkeley, Kentucky, Northwestern, and Duke. The book, which critiques leading constitutional theorists, will be published by the University of Chicago Press late this winter. In terms of articles, he is publishing articles or essays on "Rights as Signals" in the *Journal of Legal Studies*, on freedom of association in the *Minnesota Law Review*, and on the 1937 "switch in time" in the *Georgetown Law Journal*, as well as two book reviews in *Constitutional Commentary*. He has also co-authored 2001 Supplements for his environmental law

and constitutional law casebooks. Professor Farber is currently at work on another book, tentatively titled *Mr. Lincoln's Constitution: The Civil War and the Democratic Rule of Law*. The book explores fundamental issues of constitutional law, as brought to the forefront during the Civil War.

Barry Feld spoke at the Institute for Legal Policy, University of Wisconsin Law School, Madison, Wisconsin, April 3, 2001, on the topic of "Race, 'Get Tough' Politics, and the Transformation of the Juvenile Court." He also gave two presentations at the Governor's Conference on Juvenile Justice, Topeka, Kansas, June 5, 2001, on "Juveniles' Waiver of Legal Rights: Confessions, Miranda and the Right to Counsel," and "Extended Jurisdiction Juvenile Prosecution in Theory and Practice." Several articles and chapters recently appeared or are in press: "The Back-Door to Prison: Waiver Reform, 'Blended Sentencing,' and the Law of Unintended Consequences," *Journal of Criminal Law and Criminology* (Fall, 2001 in press), with Marcy Podkopacz; "The Juvenile Court: History and Philosophy" and "Juveniles in the Adult System" in *Encyclopedia of Crime and Justice* (New York: MacMillan, in press, 2001); "Race, Youth Violence, and the Changing Jurisprudence of Waiver," in *Behavioral Sciences & Law* (2001); "The Juvenile Court," in *Handbook of Justice Research in the Law* (J. Sanders and V.L. Hamilton, eds., Plenum 2001). Feld's recent book, *Bad Kids: Race and the Transformation of the Juvenile Court* (New York: Oxford University Press 1999), received the "Outstanding Book Award" from the Academy of Criminal Justice Sciences, April 5, 2001, Washington, D.C., and was cited as "An extraordinary contribution to the study of crime and criminal justice." In addition, he has been quoted extensively in local and national media in stories about juvenile and criminal justice.

Richard S. Frase helped staff of Minnesota Public Radio plan a summit on racial bias in Minnesota criminal justice, held on June 14th, and he wrote an essay for the Final Report of the summit, entitled "Now What? Five Steps for Reducing Racial Disparities in the Minnesota Criminal Justice System." Professor Frase also completed two articles. The first, entitled "Sentencing in Germany and the United States: Comparing Äpfel with Apples," was published as a monograph and on the web by the Max Planck Institute (Freiburg, Germany). The article examines sentencing laws and practices in the two countries, and concludes that German courts make much greater use of fines and other non-custodial sentences in cases of non-violent crime which would often result in jail or prison terms in the United States. It also examines the supposed barriers to broader use of non-custodial sanctions in the U.S., and concludes that they are not insuperable. The second article, entitled "A County-Level Comparison of the Propensity to Sentence Felons to Prison," was published in the *International Journal of Comparative Criminology*, and was co-authored with criminologist Robert R. Weidner of the Law School's Institute on Criminal Justice. This article analyzes 1994 felony sentencing practices in a sample of 203 U.S. counties in 42 states. As expected, several "legal" variables, such as the percent of the county's caseload that involves serious violent offenses, were significant predictors of the

proportion of felons sentenced to prison in that county. But two extra-legal variables were also independently significant predictors of higher prison rates: the percent of the county population that is Black, and whether the county is in a southern state.

Daniel J. Gifford recently submitted a paper entitled "What is Monopolization Anyway? The D.C. Circuit Grapples with Some Perplexing Issues" for publication in the *Antitrust Bulletin*. The *Florida Law Review* has just published a paper on government appeal strategies which he had presented at an administrative law symposium at the University of Florida. He and Professor Leo Raskind have just sent the manuscript for a new edition of their antitrust casebook to the publisher. Professor Gifford will present a paper on comparative merger evaluation at the Canadian Law and Economics Association meeting in Toronto in late September. Earlier this year Professor Gifford discussed the monopoly-maintenance issues involved in the Microsoft antitrust litigation at a Minnesota Institute for Legal Education. He also lectured on intellectual property law at a University of Minnesota continuing legal education program.



Joan S. Howland

Joan S. Howland presented a paper entitled, "Coalition Building: Drink Long, Drink Deep" at the Chinese American Library Association National Conference in San Francisco in June. At the American Association of Law Libraries 2001 Annual Meeting, Professor Howland coordinated and spoke on a program entitled "The Young and the Restless: What Are the Realities of Professional Growth?" At the AALL conference she also presented a second paper "The Digital Divide in the Information Age: Seduction, Delusion, and Hope?" In September Professor Howland served as a delegate to the Second International Indigenous Librarians Forum, sponsored by the Saami community in Jokkmokk, Sweden. At this forum she spoke on the topic, "Ensuring Social Justice, Equal Access, Economic Opportunity, and Cultural Preservation for Indigenous Populations in Cyberspace." In January Professor Howland will moderate the President's Plenary Session on Technology and Scholarship at the 2002 Annual Meeting of the Association of American Law Schools. She also serves as a member of the AALS Nominating Committee, the American Bar Association Section on Legal Education and the Admissions to the Bar Committee on Accreditation. Professor Howland is co-editing a book entitled *Leadership in Librarianship* with Professor Herbert Cihak of Louisiana State University School of Law. She is co-authoring, with Teresa Neeley of the University of Maryland, a book entitled *Retention and Promotion Of Minorities in America's Libraries*. Professor Howland also is writing an article on the decisions of the courts of the Confederate States of America and an article on the trial of Archilla Smith, one of the first murder cases brought to trial in Indian Territory.

William G. Iacono supplements his research on the development of childhood and adult psychopathology and his administrative duties as Director of the Clinical Psychology Training Program with work on the use of polygraph tests to identify criminals and undesirable employees. This year he co-authored a chapter titled “The Case Against Polygraph Testing” in *Modern Scientific Evidence*, a three volume legal reference edited by David Faigman et al. and published by West. He was an invited speaker at the Los Alamos nuclear laboratories where he lectured on the government’s use of polygraph screening tests in the wake of the Wen Ho Lee case. He was also invited to address the U.S. Senate Judiciary Committee and a National Academy of Science panel, both of which were reviewing the government’s use of polygraph tests to screen government scientists, employees who deal with classified information, and law enforcement agents.

Timothy R. Johnson published an article titled “Information, Oral Arguments and Supreme Court Decision Making” in the July 2001 issue of the *American Politics Review*. Currently, he is completing a book manuscript titled, *The Efficacy of Oral Arguments in the United States Supreme Court*. In August Professor Johnson presented two coauthored papers at the annual meeting of the American Political Science Association, including a study of conference discussion dynamics at the Supreme Court, and an analysis of interplay between the President and the Senate during the Supreme Court nomination and confirmation process. His current research focuses on the relationship between the executive and judicial branches, as well as on decisionmaking in United States district courts.

Sally J. Kenney was awarded an Atlantic Fellowship in Public Policy. Established by the Foreign and Commonwealth Office in June 1994 to commemorate the fiftieth anniversary of D-Day and the U.S. contribution to the liberation of Europe, Atlantic Fellowships in Public Policy fund mid-career professionals to undertake policy research in Britain. The goal is that they benefit from British ideas and best practice, thereby enhancing their ability to make an innovative contribution to policymaking in the United States, as well as become part of a trans-Atlantic community of policy experts. Approximately 10 awards are made each year, and Fellows spend between 6 and 10 months in the U.K. Professor Kenney will spend six months in the U.K. (January–June 2002). She will be based in the Law Faculty of the London School of Economics and be researching judicial selection, focusing particularly on efforts to appoint more women to the bench. During the summer of 2001, Kenney has been working with the League of Women Voters on a national project on judicial independence. She has produced nine case studies of women’s movement organizations for distribution on the web. She is conducting a training on case teaching for the American Sociological Association annual meeting in August.

Jane E. Kirtley’s article, “Enough is Enough,” appeared in the Summer 2001 *Media Studies Journal*, a symposium issue on military and press relations. Her column, “First Amendment Watch,” appears each month in *American Journalism Review*. In January, she co-authored an amicus brief filed in the U.S. Court of Appeals (2d Cir.) in *Universal City Studios*

v. Reimerdes, as well as preparing comments on “Privacy and Public Access to Electronic Case Files” for the Judicial Conference of the United States. Prof. Kirtley received two Speaker and Specialist Grants from the U.S. Department of State and, in June and July, spent three weeks in the Philippines, China, Macau and Hong Kong lecturing on privacy and newsgathering, and, in August, spent one week in Brazil lecturing on freedom of information legislation and media ethics. She delivered speeches in February as part of the Impact Series at the University of Arizona, “International, Legal and Regulatory Pressures on the Free Flow of Information,” and in March at the Suburban Newspapers of America Publishers’ Conference in Las Vegas, “Protecting Our First Amendment Rights.” She was the chief facilitator for a workshop on “Hot Issues in Ethics” for the ABA Forum Committee on Communications Law annual meeting in Boca Raton, Florida in February, and in April, appeared on two panels at the Fourteenth Annual Media Law Seminar in Kansas City, Missouri, “Internet Communications III: Data Collection in a Time of Privacy” and “Ethics in Media Law: Situations Every Media Lawyer Encounters.” She also organized and moderated two panels at the Association for Education in Journalism and Mass Communication (AEJMC) annual convention in Washington, D.C. in August, “Behind the Scenes at the Supreme Court” and “The Anti-Violence Agenda”, and appeared as a panelist at the Scripps Howard National Roundtable, “Collision Course? Business and Journalism” in February in Washington, D.C. Prof. Kirtley designed and led a three-week undergraduate Spring Intersession Global Seminar, “Freedom of the Press in the United Kingdom,” in London and Glasgow during May and June. She served as a judge at the National First Amendment Moot Court Competition at Vanderbilt University Law School in April. Professor Kirtley was interviewed for the National Public Radio “Sound Portraits” radio special, “The Execution Tapes,” which aired on more than 25 public radio stations nationwide, and on Public Radio International’s “To the Point,” both in May, discussing camera access to executions. She was frequently quoted throughout the Spring Semester in a variety of news media including *USA Today*, the *Chicago Tribune*, the *Minneapolis Star-Tribune*, *Editor & Publisher*, the *Salt Lake Tribune*, MTV Cable’s “Future Tense,” WNYC radio’s “On the Media,” New Hampshire Public Radio, BNA’s *Media Law Reporter*, KARE-11 TV, *City Pages* and the Freedom Forum’s online newsletter. Professor Kirtley also appeared on Minnesota Public Radio’s “Midmorning” show in January, discussing the controversy over the *St. Paul Pioneer Press* editorial cartoon, “Venturland.” She served as the Professional Freedom and Responsibility Chair for the Law Division of AEJMC, 2000–2001, and was appointed to a two-year term on the Division’s Publication Policy Committee in August.

Samuel Krislov was Distinguished John Marshall Fullbright Professor at the Budapest University of Economic Science, sharing the chair with his wife, Judith Gillespie. He also taught in the Master’s of Law program of the University of Nevada (Reno) program for the National Center of State Courts. He reviewed Scott Pave’s book *The Warren Court for the Review of Politics and Author* and authored an entry on “Governance” for the *Oxford Companion To American Law*

(forthcoming). An article on "Federalism and Amorian Exceptionalism" which will appear in the fall issue of *Publius*. On July 1 he became Professor Emeritus. A symposium on Public Law has been organized by the Department on Political Science on October 27.

John H. Matheson was named as the Melvin C. Steen and Corporate Donors Professor of Law effective July 1, 2001. He also presented a paper, "Governance Issues in the Multidisciplinary Practice Firm," at a symposium titled Corporate Law Firms in the 21st Century, sponsored by the *Cincinnati Law Review* at the University of Cincinnati College of Law on March 9, 2001. The paper was published in the *Cincinnati Law Review*. He also published annual supplements to *Corporation Law and Practice* and his *Business Law Deskbook*, Volumes 18, 19 and 20 of the Minnesota Practice Series, as well as an annual supplement to his *Publicly Traded Corporations Treatise*. Professor Matheson continued to serve as Director of Continuing Legal Education Programs for the Law School and Co-Director of the Law School's Kommerstad Center for Business Law and Entrepreneurship.



Fred Morrison

Fred Morrison completed a two year term as chair of the University-wide Faculty Consultative Committee, the executive committee of the University Senate. During his period of service, the Senate had to confront the basketball scandal, issues relating to academic integrity, and the rising cost of health insurance. The budget issues of the University and the possible construction of a new stadium were also issues of special interest. Professor Morrison also was recognized for his expertise in comparative law by election to the International Academic of Comparative Law, the primary international comparative law organization. It is based in Paris.

Sharon Reich Paulsen has been appointed to serve on the Committee on Bar Admission and Lawyer Performance of the Association of American Law Schools. She also gave a plenary address at the biennial conference of the Association of Legal Writing Directors in July.

john powell was honored to accept the Earl R. Larson Chair of Civil Rights and Civil Liberties Law in June of 2001. He and other Institute on Race & Poverty staff members have recently published a book, *In Pursuit of a Dream Deferred: Linking Housing and Education Policies*, with Lang Publishing in New York. Professor powell received the University Outstanding Community Service Award during its Board of Regents meeting in May of 2001. In February, 2001, he delivered the keynote address, "Democracy and Education in South Africa and the United States: Building Nations and Transforming Lives through Race Conscious Strategies," at the Values, Education and Democracy in the 21st Century Conference hosted by the South African Minis-

ter of Education. He also appears in the public television documentary, "The Sprawling of America," which is airing throughout the United States this summer and fall. He continues to direct the Institute on Race & Poverty (IRP), which is becoming a leader on race and poverty issues at the national and international level. Current research projects focus on examining: strategies for promoting education integration, regional equity policies throughout the United States, disparities in the criminal justice system, public discourse on issues related to race and poverty, and several topics related to affordable housing. Professor powell accompanied several IRP researchers to the United Nations World Conference against Racism in Durban, South Africa, in September. In December 2000, IRP finished the national report, "Strategies to Eliminate Racial Bias in the Criminal Justice System," which was designed to assess and catalogue the efforts of civil rights groups and others committed to addressing racial disparities in the criminal justice system. As an outgrowth of this effort, the Institute examined traffic stop data for the St. Paul Police Department. The report is available at www.umn.edu/irp. In May 2000, IRP hosted a national presentation and panel response, "Education, Human Diversity, and Social Justice," featuring Dr. Edmund Gordon, John M. Musser Professor of Psychology, Emeritus, at Yale University and senior advisor to the President of the College Board.



Kathryn Sedo

Kathryn Sedo is the director of the Federal Income Tax Clinic at the Law School. For the past three years the Tax Clinic has received funding from the Internal Revenue Service to provide representation for low-income taxpayers. The grant also allows the Tax Clinic to hire a student director to continue the clinic's operation during the summer. During the summer of 2001, Professor Sedo and the student director were very busy

representing taxpayers at audits, appeals with collection issues and preparing cases on the U.S. Tax Court calendar in St. Paul in October. During the academic year, students enrolled in the Tax Clinic not only represent taxpayers before the IRS and in U.S. Tax Court, but also receive training in tax procedure and lawyering skills. The Tax Clinic will represent over 75 taxpayers this year. Professor Sedo serves as co-author of the Notes and Trends Tax column in the *Bench and Bar* and is currently the Treasurer of the Tax Council of the Minnesota State Bar Association.

Stephen M. Simon taught the Misdemeanor Defense and Prosecution Clinic in the spring semester of 2001. A student in the Prosecution Clinic researched and wrote an appellate brief for the state in a case appealed to the Minnesota Court of Appeals. The appeal arose from a small metropolitan jurisdiction which could not afford to pay for the research and drafting involved in appealing the trial judge's decision in this case. This was a very important case involving the trial judge's granting a jury trial in a DWI vehi-

cle forfeiture case. The Court of Appeals reversed the trial judge who had granted a jury trial in a DWI vehicle forfeiture case. This is a very significant decision affecting hundreds of DWI vehicle forfeiture cases pending in the Minnesota courts. The Law School has offered this appeal research and drafting service to prosecutors in other small Minnesota jurisdictions with limited financial resources. The Defense clinic is currently appealing one of its cases to the Minnesota Court of Appeals involving the issue of what is allowable undercover police activity when making an arrest for prostitution. The constitutional issue in the clinic case on appeal is an alleged due process violation based on police conduct which shocks the conscience. Professor Simon conducted Judicial Trial Skills Training Programs at the Law School for newly appointed Minnesota trial judges in January, February, March, April, May, June and July. The Minnesota Supreme Court Office of Continuing Education for State Court Personnel contracts with the Law School to conduct this program. It is mandatory for all newly appointed or elected trial judges in the State. In June he conducted a hearing management program for Minnesota Administrative Law Judges. He conducted a Judicial Trial Skills Program at the National Judicial College in March and July. Also in July, Professor Simon, with Judge James Morrow, taught a new Evidence in the Courtroom course at the Judicial College. Both of these programs were part of the General Jurisdiction Course offered by the National Judicial College three times a year for judges from throughout the United States. Professor Simon is currently engaged with James Cleary, a researcher with the research department of the Minnesota House of Representatives, in a research project investigating the relationship, if any, between DWI related vehicle forfeiture and recidivism. In 1998 Professor Simon, in his capacity as Director of the Minnesota Criminal Justice System DWI Task Force, was instrumental in the passage of a new administrative based DWI vehicle forfeiture law. This new law resulted in a very significant increase in the number of repeat DWI offenders who experienced vehicle forfeiture.

E. Thomas Sullivan completed the revisions for the 15th edition for *Federal Land Use Law* published by West with Professors Dan Mandelker and Jules Gerard, and also completed the *2001 Supplement for Antitrust Law, Policy and Procedure*, published by Lexis/Michie with Professor Herbert Hovenkamp. He also had an article published in *United States Law Week* entitled "The History of Antitrust Divestiture: Empirical Lessons for Microsoft." In June he was a speaker for the ABA Development Conference in Jackson Hole, Wyoming on "Managing Crisis and Development." At the annual ABA meeting in Chicago in August he was elected Chair-Elect of the ABA Section of Legal Education and Admissions to the Bar. He also was reappointed by the new ABA President to the ABA Committee on the Future on the Legal Profession. He also has been appointed to the Board of Advisors for the Weisman Art Museum at the University of Minnesota.

David Weissbrodt was elected on July 30, 2001 Chairperson of the United Nations Sub-Commission on the Promotion and Protection of Human Rights. Weissbrodt is the first U.S. citizen to head a U.N. human rights body since

Mrs. Eleanor Roosevelt chaired the U.N. Commission on Human Rights during the period 1947 through 1951. The U.N. Sub-Commission on the Promotion and Protection of Human Rights is comprised of 26 members from all over the world. During the summer of 2001 the third edition of the coursebook and documentary supplement on *International Human Rights Law* were published by Professor Weissbrodt and his two co-authors. He also co-authored an article on international efforts to combat slavery, which was published in the *German Yearbook of International Law*. In addition, he published a chapter on the U.N. Sessional Working Group on Transnational Corporations in a book concerning the *Liability of Multinational Corporations Under International Law*.

David Wilkins gave a presentation at the 15th Annual Indian Law Students Association at the University of Wisconsin/Madison College of Law titled "Tribal-State Affairs: An Examination of State Constitutional Disclaimers," Feb. 16-17, 2001. Professor Wilkins spoke at a symposium held at Arizona State University's College of Law titled "The Reinvigoration of the Doctrine of 'Implied Repeals: A Requiem for Indigenous Treaty Rights," March 6-8, 2001 and on March 22 at Pomona College titled "A Constitutional Confession: The Permanence of First Nations." He spoke at the Ralph Bunche Summer Institute held on June 21, 2001 at Duke University titled "Breaking the Chain of Dependency: Becoming Scouts for Your Communities." He will participate in a Working Group at the Harvard University's Project on American Indian Economic Development that is devoted to constitutional and governmental reform for tribal nations from October 11-13, 2001 to be held at the John F. Kennedy School of Government in Cambridge. Professor Wilkins will deliver a speech titled "First Nations & the American State: In Pursuit of the Indigenous Dream," at a "Genocide Prevention Conference" to be held in Vienna, Austria, November 7-10, 2001. An article, titled "Judicial Definitions: The American Courts & Indigenous Identity," is slated for publication in the fall of 2001 by *Western Legal History*. His two books: *Uneven Ground: American Indian Sovereignty and Federal Law*, co-authored with Tsianina Lamawaima, and *American Indian Politics and the American Political System* also were published in fall 2001.

Susan M. Wolf drafted an article on genetic testing and disability insurance for a project she co-directs funded by the National Human Genome Project at the National Institutes of Health (NIH). She also published a letter in the *Journal of the American Medical Association* (JAMA) on "Negative Outcomes of Infant Home Apnea Monitoring." She lectured at Harvard on genetics and the law and spoke at University of Minnesota conferences on physician-assisted suicide and conflicts of interest in genetic research. She continues to direct the University's Joint Degree Program in Law, Health & the Life Sciences and to chair the Consortium on Law and Values in Health, Environment & the Life Sciences. Those programs will co-sponsor the Faegre & Benson Lectures Series on Law, Health & the Life Sciences and a new Lunch Series on the Societal Implications of the Life Sciences in 2001-02, offering seven major speakers on the revolution under way in stem

cell, genetic, and reproductive technologies. The programs will also co-sponsor a conference in February 2002 on "Pharmacogenomics: The Legal, Ethical & Clinical Challenges." Professor Wolf has joined the Ethics Advisory Board of the University's Stem Cell Institute and the Children's Hospital Ethics Committee. In the coming year she will serve as the Brin Visiting Professor at Johns Hopkins University and will lecture at the NIH, St. Louis University Law School, the University of Texas Southwestern Medical School, and the American Society for Bioethics and Humanities national meeting in Nashville. She recently appeared on MPR to discuss cloning and was quoted in *The New York Times Magazine* in articles on preimplantation genetic diagnosis combined with stem cell transplant and on maternal-fetal surgery.

Judith T. Younger wrote "Paying Our Debts to Our Pets" which appears in this issue of the *Law Alumni News*. She wrote a paper on "Post-Divorce Visitation for Infants and Young Children: The Myths and the Unknowns," which she will present at a Conference on Divorce Custody Law and Practice in honor of Robert J. Levy here at the Law School in Spring 2002. The paper will appear in the *Family Law Quarterly*. She also wrote an article on antenuptial agreements to be presented at a family law symposium at William Mitchell Law School in the Spring of 2002 and published in the November issue of that school's law review.

Mark G. Yudof, president of the University of Minnesota, was recently inducted into the American Academy of Arts and Sciences. Earlier this year, he accepted a position on the board of the Education Testing Service (ETS). The fourth edition of his book, *Education Policy and the Law*, is slated for publication this year. ■

The University of Minnesota Law School Lectures 2001–2002

Professor John H. Matheson

*Melvin C. Steen & Corporate Donors Professor of Law
University of Minnesota Law School*

"Multidisciplinary Practice: An Opportunity for Entrepreneurial Activity"

Tuesday, October 16, 2001, 3:30 p.m.

Professor Thomas C. Grey

Nelson Bowman Sweitzer & Marie B. Sweitzer Professor of Law, Stanford Law School

William B. Lockhart Lecture: "The New Formalism"

Monday, October 29, 2001, 12:15 p.m.

Professor David L. Goodstein

*Vice Provost and Professor of Physics
and Applied Physics, California Institute of Technology*

Horatio Ellsworth Kellar Distinguished Visitor Lecture:
"What is Science?"

Monday, November 12, 2001, 12:15 p.m.

Professor George Mundstock

*Dorsey & Whitney Professor of Law
University of Minnesota Law School*

"The End of Taxation as a Separate Discipline"

Tuesday, February 12, 2002, 3:30 p.m.

Professor Jeremy J. Waldron

*Maurice and Hilda Friedman Professor of Law
Columbia University Law School*

John Dewey Lecture in the Philosophy of Law:
"Is the Rule of Law a Contested Concept?"

Thursday, February 28, 2002, 12:15 p.m.

Professor Jim Chen

*James L. Krusemark Professor of Law
University of Minnesota Law School*

"Taxation by Tariffication"

Tuesday, March 12, 2002, 3:30 p.m.

Professor Brian Bix

*Frederick W. Thomas Professor for the Interdisciplinary
Study of Law & Language*

University of Minnesota Law School

"The Past and the Future of Legal Positivism"

Tuesday, April 9, 2002, 3:30 p.m.

All Lectures will be held in Lockhart Hall, University of Minnesota Law School. One hour of CLE credit has been requested for all Lectures. For more information e-mail to shimm011@umn.edu or call 612-625-2023.

Paying Our Debts to Our Pets



Judith T. Younger with her companion, William.

By *Judith T. Younger*,
Joseph E. Wargo and Anoka County Bar Association
Professor of Family Law

We humans would be diminished without our animal companions and pets. They add immeasurably to the quality of our lives. They love us, obey us, make us healthy, stand by us in good times and bad, and all without complaint or question. Like human children, they depend on us and we have dominion over them. Therefore, we must owe them something. At a minimum, it is our duty to care for them well during our lives and to assure their continued care for as long as they survive us. This is certainly a moral duty, but humans do not always take their moral duties seriously, even when they are owed to other humans. Non-human creditors fare less well; conscience-shocking instances of cruelty to animals abound.¹ That is why our animal friends need the protection of the laws.

Theoretically, pets have legal protection from state and federal statutes now in effect.² At the heart of these are state anti-cruelty laws, which make cruelty to animals a crime, punishable as a misdemeanor or a felony.³ Like virtually all animal protection laws, these can be enforced only by public officials. There are no statistics on the number of charges made or prosecutions undertaken pursuant to these laws, but it is generally thought that penalties are too weak, and enforcement too infrequent, to discourage the widespread abuse. One city attorney, speaking of her experience here in Minnesota, tells the story succinctly: “Animal cruelty happens every day but prosecutions are rare. Animals can’t testify. And when cases are prosecuted successfully, the crime is only a misdemeanor, or, for repeated infractions, a gross misdemeanor.” Animal anti-cruelty laws may take on new vigor and importance, however, as recent studies⁴ reveal a link between abuse of animals and abuse of humans. The man who, unprovoked, burns a cat to death in a microwave oven, or beats a dog to death with a

baseball bat, may be just a step away from murdering his co-workers or firing random shots into a crowd of children.⁵ This discovery has given impetus to a movement to encourage legislators to increase penalties for animal cruelty, and to encourage prosecutors to pursue perpetrators more vigorously. At the last legislative session in Minnesota, for example, municipalities, police departments, women’s groups and humane societies, joined together to support and lobby for legislation increasing the maximum penalty for cruelty to animals from a gross misdemeanor to a felony.⁶

One form of cruelty not addressed by Minnesota law or the law of any other state is the abandonment of pets whose owners have died. There is no legal requirement in Minnesota, or in any other state, that an owner provide either a good substitute caretaker for the animal or funds for its continued care, when the owner dies. Neither is there any certainty that provisions made by caring owners for their surviving pets will be enforced. Compare the fate of animals whose owners die with the fate of children whose parents die: parents can completely disinherit children—even minor children—in every state except Louisiana.⁷ Owners can similarly “disinherit” their pets in every state. If, however, a caring parent makes a posthumous provision for a child, the law provides for appointment of a guardian to represent the child if it is a minor, and for enforcement of the gift. When it comes to animals, however, the picture changes. Though gifts and trusts for animal charities are valid and enforceable in this and other states, gifts and trusts for specific animals have a more uncertain fate. Depending on the jurisdiction in which the pet owner dies domiciled, gifts for pets will be treated in one of three different ways:⁸ 1) they will be invalid; 2) they will be tolerated, but unenforceable; 3) they will be valid and enforceable, if they are in trust. The nine states in group three⁹ which enforce gifts in trust for specific animals do so because the legislatures

in those states have enacted validating statutes supporting that result. The states in group two,¹⁰ where such gifts are tolerated but are unenforceable, lump such gifts into a category of so-called “honorary” trusts like those for the upkeep of gravestones or the recital of masses. Their common characteristics are that they are for non-charitable purposes and have no beneficiaries who can enforce them. They are considered permissive, and bind only the conscience of the trustee. If the trustee fails to care for the animal, the funds provided by the deceased owner for that purpose return to the deceased’s estate. In the states in group one, in which such gifts are held to be invalid, the courts explain their results in a number of ways. They say animals cannot hold title to property;¹¹ that such gifts do not benefit the community since they are not charitable but are rather for the benefit of a specific pet;¹² and that because the duration of such gifts is typically for the life of an animal rather than a human, the gifts violate the Rule Against Perpetuities.¹³ Here at work must be what animal rights advocates call “speciesism”¹⁴—discrimination against, or exploitation of, animals by humans based on the assumption of human superiority. To those of us who love our pets and know what we owe them, such exploitation and discrimination is intensely personal, and even more despicable than if visited on us directly. Pets are enormously important to their owners and there is no acceptable reason for the law’s refusal to enforce an owner’s posthumous provision for a pet’s continued care.

This issue took on enormous importance to me when I faced the prospect of open heart surgery in summer 2000. My main concern was for my pet, best friend, companion, and only remaining dependent. My dog, William the Conqueror,¹⁵ is a supremely confident black standard poodle. He was characteristically unconcerned, but I was frantic. If, instead of surviving the operation, “I joined the feathered choir,” in the euphemistic words of Noel Coward,¹⁶ there had to be a plan in place that would ensure William’s continued care in the style to which he was accustomed. As a teacher of wills and trusts at a national law school, I should have known the general state of the law on posthumous gifts for the care of animals, and I did. I assumed, however, that Minnesota—with its large population of hunters and their dogs, non-hunters and their dogs, and non-dog owners and their pets—must have considered the question of enforcing posthumous provisions for the care of pets and settled it in favor of the pets. I further assumed that the method of settlement had been adoption

of section 2-907(b) of the Uniform Probate Code¹⁷ which makes trusts for pets valid and enforceable. I went off to the Law Library to make sure. To my surprise I found nothing on the subject—no case law and no statute. While Minnesota is a Uniform Probate Code state, having first adopted the Code in 1974,¹⁸ it never adopted section 2-907(b).

At this point, with only four days to go before the scheduled surgery, I remembered the old adage: “She who represents herself has a fool for a lawyer.” I decided to consult someone else. I called a former student, now practicing in the field.¹⁹

“I need to provide for my dog,” I said. “What’s best?”

“Nothing’s much good in a crunch,” she answered. “You name it; its probably unenforceable.”

“This is Minnesota,” I exclaimed. “What about all those hunting dogs?”

“Same as for your dog,” she calmly replied.

I ran through the gamut of possibilities just to remind her that I knew something about the subject.

“What about an outright gift to William? What about a gift to some human on condition that he or she care for William? What about a trust for William’s benefit?”

“Unenforceable,” she said.

I called another former student, also practicing in the field.²⁰ He agreed with the first. Without the benefit of a validating statute, provisions for specific pets are at risk. They might be invalid altogether or, at best, tolerated but unenforceable. In the latter case, they would depend on the good will of both the designated caretaker (to care for the pet after the owner’s death) and on the good will of the owner’s next of kin (to refrain from challenging the gift).

I realized that I had two basic options. I could trust my family and friends to care for William, or I could move to a state which had a statute specifically authorizing and validating trusts for the care of pets. There was no time to move. Thus, I had to trust.

One form of cruelty not addressed by Minnesota law or the law of any other state is the abandonment of pets whose owners have died.

I used the remaining days to call a long list of family and friends; my daughter, Rebecca, in Australia, and my daughter, Abigail, in Minnesota, were among them. Both girls assured me that William would be fine. Rebecca said that, if necessary, she would come and take William home with her to Melbourne. Visions of obdurate customs officials and William, pinning in quarantine, danced through my head. Abigail said that she and her husband, John, would adopt William, walk him, feed him, and treat him in all respects as I had in my life. All this failed to calm me. What if something happened so that the girls couldn't take the dog? I continued my calls, amassing a long list of people who promised to care for him. I stopped only when an old friend said, "Of course, I'll take William; I'd rather have him than you while you're in this crazy mood!" Finally, I reduced my instructions to writing, and went off to my fate.

Now that I have survived, am repaired, and reunited with my pet, the "inhumanity" of the law's treatment of pets and pet owners who want to provide for them after death, rankles within. There ought to be a law that allows pet owners to die, secure in the thought that their pets are provided for and that provisions for that purpose will be valid and enforced. "Why hadn't Minnesota passed section 2-907(b)," I wondered. It would be hard to resurrect a provision once considered and rejected. I hoped that was not the case and began a search for the history of the section.

Section 2-907 first appeared²¹ in the 1990 version of the Uniform Probate Code in Article II, which also contained the completely redesigned spousal elective share provision. Section 2-907 was buried in subpart two, part nine of Article II, immediately following the Uniform Statutory Rule Against Perpetuities. It was called an "optional provision" and titled "Honorary Trusts; Trusts for Pets." It had two sections: (a) authorizing "honorary trusts" (essentially trusts for lawful non-charitable purposes with no beneficiary who can enforce them) for no longer than 21 years; and (b) validating trusts for pets. It reappeared,²² still labeled "optional" with some revisions, in the 1993 version of the Code. The revised Code was then studied in Minnesota by the Byron Committee.²³ The subcommittee of the Byron Committee which dealt with part nine of Article II, did not deal with the substance of section 2-907. It merely suggested, in its report, that if the subject of "honorary trusts" was to be addressed, it ought to be done in conjunction with a consideration of M.S.A. Chapter

501B, governing trusts.²⁴ Happily, then, valid trusts for pets are still a viable option here in Minnesota. The enactment of section 2-907(b) would be a desirable way of providing for them.

Minnesota pet owners certainly need a statute validating their posthumous provisions for care of their pets. In a nutshell, section 2-907(b) would: 1) make trusts for the care of designated pets valid and enforceable; 2) allow such trusts to continue for the lives of the pets; 3) allow the pet owners to designate trustees to care for their pets and persons to enforce their trusts; and 4) provide that if no one is so designated, or if one so designated fails to serve, the court could appoint successors in their stead.

As an interested pet owner, and a disinterested law professor, I say, "There is no time like the present; let's go ahead and make section 2-907(b) a part of Minnesota law!"

FOOTNOTES

1. See, e.g., PAMELA D. FRASCH ET AL., ANIMAL LAW 612-72 (2000). See also Evelyn Nieves, *Driver Who Tossed Dog is Convicted of Cruelty*, N.Y. TIMES, June 20, 2001, at A12, and Kim Ode, *One Saturday, One Dead Dog—And For What?*, STAR TRIB. (Minneapolis), June 30, 2001, at E1.
2. For selected federal and state civil statutes, and some cases under them, see *id.* at 455-599. For an overview of state criminal provisions, see *id.* at 601-12. See also Cass R. Sunstein, *Standing for Animals (With Notes on Animal Rights)*, 47 UCLA L. REV. 1333, 1337-42 (2000).
3. See FRASCH, *supra* note 1, at 601.
4. For some examples, see FRASCH, *supra* note 1, at 602 n.e.
5. See FRASCH, *supra* note 1, at 695-706.
6. Josephine Marcotty, *Pet Abuse May Become Felony; The Family Dog or Cat is Often the First Victim in Domestic Violence, Crime Experts Say*, STAR TRIB. (Minneapolis), Apr. 27, 2001, at 1A.
7. Louisiana's forced share for children is called a *legitime*. It protects children who are under the age of twenty-three, mentally infirm, or physically disabled. LA. CIV. CODE ANN. art. 1493-1494 (West 2000).
8. See generally Gerry W. Beyer, *Pet Animals: What Happens When Their Humans Die?*, 40 SANTA CLARA L. REV. 617 (2000).
9. At last count these were Alaska, Arizona, Colorado, Michigan, Montana, New Mexico, New York, North Carolina, and Utah. For citations to these statutes, see *id.* at 655 nn.297-304, 656 n.306.

10. *E.g.*, California, CAL. PROB. CODE § 15212 (West, WESTLAW through 1999-2000 Reg. Sess.); *See also*, *e.g.*, Missouri, MO. STAT. ANN. § 456.055 (West, WESTLAW through 2000).
11. *See, e.g.*, In re Estate of Russell, 444 P.2d 353 (Cal. 1968).
12. *See, e.g.*, AUSTIN WAKEMAN SCOTT & WILLIAM FRANKLIN FRATCHER, THE LAW OF TRUSTS 261 & n.1 (4th ed. 1987).
13. *See, e.g. id.* at 263-64.
14. THE OXFORD ENGLISH DICTIONARY ONLINE, at http://dictionary.oed.com/cgi/entry_main/00232642?case_id=kmps-10YAiT-3631.
15. Irreverent law students call him “Billy the Konk.”
16. From the words of Noel Coward in the song, *In a Bar on the Piccola Marina*.
17. UNIF. PROB. CODE § 2-907(b) (West, WESTLAW through 2000 Annual Meeting Nat. Conf. of Commissioners Unif. State Laws).
18. Uniform Probate Code, ch. 442, 1974 Minn. Laws 1022.
19. Bronwen L. Cound, '88, Chair of the Estate Planning and Trusts Group at Fredrikson & Byron.
20. M. Shane Swanson, '98, practicing estates and trusts law at Parsinen, Kaplan, Rosberg & Gotlieb.
21. UNIF. PROB. CODE § 2-907 (West 1991).
22. UNIF. PROB. CODE § 2-907 (West 1993).
23. Named after its chairman, John P. Byron, '52, of Fredrikson & Byron.
24. I am indebted to Andrea Breckner, Olson & Breckner, for this information. She graciously unearthed the subcommittee report from her own archives, and read it to me. I am also indebted to Gary McDowell, '68, Lindquist & Vennum, a member of the subcommittee, for discussing the report with me. ■



Alumni and friends gathered in Chicago on August 3, 2001 for the annual Minnesota Law School Alumni Breakfast during the American Bar Association Annual Meeting.

New Faculty Add Extra Dimension

By *Tricia Baatz Torrey*

Last spring a student from New Mexico who had just been accepted to the University of Minnesota Law School came to visit. “Wow!” he exclaimed, “I knew that this was a great school, but just look at this place!” His enthusiasm for the beauty of the new addition with its many aspects and angles of light was becoming familiar; many visitors made such felicitous remarks. The integration

of the established structure with the new was a definite success. The renovation can be further analogized, beyond the surfaces of walls and floors, in the addition of our new faculty. Complementing our distinguished faculty are our new professors, some full-time, others visiting or affiliated faculty who teach in other areas and departments at the University. They bring with them their own frame of reference, education and expertise to enhance and build on the reputation of the University of Minnesota Law School.

“A teacher affects eternity; he can never tell where his influence stops.”

—*Henry Adams*



Shayna Sigman

Shayna Sigman

Shayna Sigman first felt an attraction to the law at the age of eleven while studying Talmud. “Going to law school wasn’t even ever a question for me,” she said, “From the time I was in the sixth grade, I was really working hands-on with legal analysis argument that’s a very Socratic dialogue-oriented, and I was very happy with it.” She didn’t care what the subject matter was, and remembers an instance where she and her classmates studied a very complicated legal doctrine, “to get at the nuances and the purpose of it,” just to be told at the end of the portion that this particular situation never occurred. “I learned that the point of it was the intellectual exercise, that we’d be much better

at analyzing things that are important by going through the process. It was a process I was very attracted to.”

Professor Sigman is a new Associate Professor at the Law School; she teaches creditor’s remedies/secured transactions, remedies and sports law. She graduated from the University of Chicago Law School in June, 2000 and was a judicial clerk for Judge Richard Posner on the United States Court of Appeals for the Seventh Circuit in Chicago. “I’m virtually right out of school,” she said, adding that she is excited to be in a city that supports so many amateur women’s hockey clubs. Among her varied experiences, Sigman coached kids in basketball in an after-school program in Roxbury, Massachusetts, and wrote her undergraduate senior thesis at Boston University on the antitrust exemption in baseball. She earned her undergraduate degree in political science and economics. Through writing her thesis, she was excited to discover that sports “has a legal, historic side to it,” and that it was an area in which she could merge her love of and participation in sports to her interest in law.

The first lawyer in her family, Professor Sigman met with a strange reaction from her parents, both of whom are math teachers, when she expressed her intent to study law. “They thought I should go into engineering, math, the sciences. To them, law is what people did when they were unable to get any other insight into what they should do. Her parents have since come around and I think they appreciate that there is so much you can do with a law degree.”

Professor Sigman moved from Chicago this past summer with her husband, Jonathon Sigman, a structural engineer, and her pet turtle, Tzavi, who has been her companion for the past fifteen years. In fact, she wrote and signed her first contract when she was ten, promising to take Tzavi, her pet turtle, wherever she

went. She has honored her contract, and says the turtle is well-traveled. Both she and her husband were happy with their selection of the University of Minnesota and the Twin Cities for relocation. "We wanted to be at a school that's known for its academic reputation and has great people doing great things. Beyond that we wanted to be at a place where people stayed and built a community. When I did my presentation here, I was so impressed by the fact that the students felt comfortable asking me questions in front of the faculty. I felt that this is a student body very alive and interested in learning about the law. Also, Minneapolis as a community is everything we were looking for. We've already made friends in our neighborhood and at the synagogue."

Jamie Grodsky

Just prior to her appointment as Associate Professor at the University of Minnesota Law School, Jamie Grodsky was the Senior Advisor to the General Counsel of the United States Environmental Protection Agency, a position that called on her education and experience in both law and the natural sciences. At EPA, she advised on such issues as biotechnology, environmental justice, Everglades restoration, and a wide range of legal matters.

Professor Grodsky said she became interested in the law after pursuing research in the biological sciences and the technology area. "I was at Woods Hole Oceanographic Institution and then was an Analyst at the congressional Office of Technology Assessment (OAT). Increasingly, I became interested in the public policy issues surrounding the sciences, and then found myself gravitating toward the legal aspects. I think part of it was an intellectual fascination and part of it was, as de Tocqueville observed, that many public policy issues resolve themselves through legal means. It was an evolutionary process for me."

Professor Grodsky earned her J.D. as well as her Bachelor's in History and Human Biology/Natural Sciences at Stanford University; and attended the University of California at Berkeley for her masters degree. She clerked for Chief Judge Procter Hug on the United States Court of Appeals for the Ninth Circuit Court, served as a Counsel to the United States Senate Judiciary Committee and also as Counsel to the Committee on Natural Resources of the U.S. House of Representatives.

She cited several reasons for choosing the University of Minnesota Law School for her

newest endeavor. "First of all, the faculty is just superb, I mean really first-rate. They are extremely talented academically, and also personable, supportive, and genuinely proud of each other's accomplishments. Many of them are Renaissance scholars, involved in several different areas of the law. The school seems to encourage that; no one is pigeon-holed. Another reason I chose Minnesota is that the school is committed to interdisciplinary work. When I visited the campus, I was introduced not only to Law School faculty, but also to faculty in the biology and natural resources departments. There is a unique opportunity to tap into these broader resources at the University, and it's important to me that the school supports and encourages interdisciplinary relationships among the faculty. Finally, I met some great students—they demonstrated a combination of intellectual ability, poise, and a broad vision of what they wanted to do with their law degrees."

Teaching environmental law and natural resources law, Professor Grodsky is also creating a seminar course called "Science, Technology, and the Constitution." This course will explore the constitutional implications of a variety of new technologies, with focus on the First and Fourth Amendments as well as equal protection issues.

Brian Bix

An accomplished and erudite young scholar, Brian Bix is nonetheless self-deprecating. When asked about a forthcoming article, "How to Plot Love on an Indifference Curve," Bix commented that Law School Professor Michael Paulsen "is one of my role models on trying to write interesting titles. The problem is, unlike Michael, my texts are often all downhill after the title." He did add, however, that this particular article and two others he's writing deal with the use of economic analysis, which he believes has become pervasive in legal scholarship and teaching. "It's somewhat belatedly coming to family law," Bix said, "and the reference in the title of my article is a discussion on the possibilities and limits of economic analysis in discussing family law matters."

Professor Bix is the Frederick W. Thomas Associate Professor for the Interdisciplinary Study of Law and Language; he holds a joint appointment with the Law School and the Department of Philosophy. He joined the faculty of the University of Minnesota this year, where he teaches contracts and family law, as well as two



Jamie Grodsky



Brian Bix

courses for the Philosophy Department, “Critics of the Enlightenment” and “Temporary Moral Problems.”

As an undergraduate, Professor Bix studied philosophy, political science and biology, earning his B.A. *summa cum laude* from Washington University in St. Louis. His J.D. is from Harvard University Law School and he holds a D. Phil. in Law from Balliol College at Oxford University. He said he is “interested in the use of law for social change and progress and also law as a sort of applied ethics or morality; how do we resolve questions of how to live, how to structure society?”



Gregg Polsky

Before coming to the University of Minnesota, Professor Bix taught law most recently at Quinnipiac University School of Law; he was also a visiting professor at Georgetown University, and a lecturer in Law at both King’s College, University of London and St. Edmund Hall at Oxford University. He was interested in coming to the University of Minnesota Law School “partly because it’s a wonderful school with a national reputation, and partly because I grew up here.” Bix remembered attending a high school program at the Law School and commented that he has been visiting the law library ever since then.

Professor Bix is married to Karen Helfand Bix, who is finishing her dissertation in English Renaissance Literature at the University of Maryland. In September of this year their first child, David was born.

Gregg Polsky

While every faculty member at the Law School seems to share an interest in the law through sustained academic pursuits, not all of them realized their occupational achievement as a childhood dream. When he was an undergraduate, Gregg Polsky thought he might pursue medicine since his father was a doctor, but decided instead to choose law, since he “enjoyed analytical things. When I started law school I found I really liked it, so it seemed like a lucky guess. I was twenty-one years old and didn’t know much of anything at that point, so I feel that I sort of fell into it. I’m glad I chose something I was interested in.”

After earning his B.A. in psychology from Florida Atlantic University, Polsky entered law school at the University of Florida College of Law, where he earned both his J.D. and an LL.M. in Taxation. He was also a Visiting Assistant Professor at his law school last year, where

he taught tax courses and legal accounting. Polsky said he originally took a tax class in law school thinking it would be good background to have and found himself falling in love with the subject. “I liked both the analytical aspect of it as well as the complexity,” he said, “I found I was able to enjoy it more than other people. Other students complained about the very things I found interesting. I think tax law is very similar to a puzzle, where you are given a complex problem and you’re asked to figure out a way to make things work. I really enjoyed it. So I took more law classes and realized that this is what I wanted to do.”

The prospect of teaching at the University of Minnesota Law School “was a dream come true for me,” Polsky said. He continued, “The quality of the students and the quality of the scholars here is exactly what I need to be the best teacher and the best scholar that I can be. My wife and I have a one-year-old child, Hailey, and the Twin Cities are a great place to raise children. My wife was astounded at all the playgrounds, and how immaculate they are here.” Professor Polsky’s wife, Rina Lyndkim, is an attorney who works for United Health Group in Minnetonka.

Visiting Faculty

Maja Kirilova Eriksson

The Visiting Professor from Uppsala University this year, Maja Kirilova Eriksson, is actually a native of Bulgaria. She is teaching a seminar fall semester on European Human Rights Law. Eriksson said she was interested in visiting the University of Minnesota because “You have such a great teacher in human rights, David Weissbrodt, who is one of the leading persons on the topic today.” She added that she is impressed by the “advanced questions” the students in her seminar ask. She is also, however, dismayed at what Americans take for granted. Professor Eriksson spoke these words in late August, before the terrorist attacks on the United States: “It is shocking to me to see Americans take freedom for granted, because you must fight every day for democracy. It is not something that is given forever. You must fight for it each day, everywhere. Many people living in the western world take it for granted. That way, I think that my teaching role here is very important to make them remember these values that are so fundamental to us. You must be aware of them and fight for them the whole time. Everything changes, and you have to be aware, also of the weaknesses of the legal system. As we have experienced in the Latin



Maja Kirilova Eriksson

American world, changes occur overnight. Undemocratic laws can come slowly, so you have to be awake to see the signs when certain freedoms or rights are limited step by step.”

“Maybe I’m much more aware of this problem because I’m from the Balkans, where we still have this situation with religious and ethnic conflicts. Everything changed during the war in Yugoslavia. It makes me much more aware of the suppression of some group’s rights, limitations, great breaches of human rights. These things lead, sooner or later, to such conflicts. It’s very dangerous in the long run.”

In her seminar, Eriksson is covering topics such as freedom of expression, refugee law and family law. She also will discuss the humanitarian intervention in Kosovo as well as the current situation in the Balkans.

Professor Eriksson earned her German law degree in 1975, and an LL.D. from Uppsala University in 1984. She is a Professor of International Law at the Uppsala University, where her daughter, Maria, who is also visiting the University of Minnesota Law School, is a law student. She met her Swedish husband, Kjell Eriksson at the University of Sofia in her home country of Bulgaria, where he was teaching Scandinavian language and literature. She speaks Bulgarian, Russian, German, Swedish and English. Of her scholarly interests, she said “I think it is quite logical for a person who has grown up in a former Communist country to have an interest in human rights law, where certain rights were limited or restricted, where you feel that these are important things, especially freedom of religion, freedom of speech, of expression, so I think it is my background that makes me realize that without certain freedoms you cannot have a decent life or a life of dignity”

Calvin Pang

With a background in anesthesiology and gerontology, Calvin Pang seemed an unlikely candidate for law school, yet is visiting us this year as a Clinic Professor from the University of Hawaii School of Law, where he has been teaching since 1994. Professor Pang explained his academic path as part of his philosophy of fate. “I see life as a series of opening doors. At least I see my life that way. I actually started college thinking I’d be an urban planner. I was a kid who grew up in a rural part of Oahu. I decided to go to Case Western Reserve University in Ohio partly because no one else in my class was going there, but also

because I had heard that there is snow in Ohio.” There he started studying urban planning, found it was not his subject after all, and entered a program Case Western offered in anesthesiology. He did well, graduated, and entered the Peace Corps, and found himself in the jungles of Africa practicing anesthesiology in ways that had never been taught to him, looking at a 1950s textbook while he dripped ether into a mask. After that experience he decided he wanted to do something in health, entered graduate school and earned his Masters in Public Health at the University of Hawaii. He said, “It was there that I understood that the concept of health had something to do with medicine per se, but it also came to me that laws very much determine the well-being or the good health of a community, and that’s how I kind of moved from urban planning to the natural sciences to the law. I never thought I’d be teaching law, it’s another door that was opened for me. I feel real blessed, I feel blessed to be here in Minnesota.”

Professor Pang is on a sabbatical from the University of Hawaii School of Law. He said he desired to see the world through different eyes, and Minnesota seemed like a good place to do so. He also wanted to play with his young family in the snow. He is here with his wife, Liane Pang, their ten-year-old daughter Hanna and four-year-old twins Naomi and David. Professor Pang is filling in as a clinical professor for Professor Maury Landsman who is focusing on developing a course on lawyering skills in a classroom-learning environment.

Ruth Gana Okediji

Last year, Ruth Okediji, Professor of Law at the University of Oklahoma, was invited to present a paper at our law school; the topic was on international fair use, a topic that Okediji considers to be “a quintessentially American Doctrine, an important part, in my perspective, of constitutional mandate, of intellectual property and copyright.” She was curious to learn through her research how the move toward globalization was going to impact those things she thought of as quintessentially American. At her presentation in Minnesota, she said, “It is rare for me to give a paper and to feel so comfortable and connected. This was a critical but safe place for me to present an idea that hasn’t really been written about before. It was a wonderful experience for me.”

Though Professor Okediji was not available to visit Minnesota for a full year, she was able to commit to a short time to teach a seminar in



Calvin Pang



Ruth Gana Okediji

international intellectual property during fall semester. She describes the subject as “my passion because of the reach of it, it’s not arcane. It touches everything: human rights, trade, cyberspace there is so much about everyday living that has affected by intellectual property. It’s become like contracts in that it’s about people and our lives and the affect it has on us every day.”

Besides intellectual property, Professor Okediji has a great scholarly passion, both intellectually and personally, for issues of racial equality and justice. “I really was one of those people who came to law school thinking I was going to change the world,” she commented. She learned the very first day of class that law “is really not about justice, but how we make the best of a fallen world in which people are created with a free will. How do we encourage behavior that we think is good, right and yet recognize the limits of that, that we cannot enforce it, so we enforce what little is absolutely necessary to create order and to maintain basic values that has been the backdrop within which I have viewed all my scholarship. I want to make an attempt to challenge us to go beyond the minimum in all areas, while recognizing that some of this is moral conviction.” Among other projects, Professor Okediji is working on a paper about affirmative action called “We’ve Come This Far by Faith.” About that project she said “The area of racial issues I really began to think about when the debate about affirmative action and race issues in general were the talk of the day. I really began to recognize that like every other value that is rooted in something other than efficiency or fairness, that is just rooted in moral conviction, that there is very little you can do, that the law can do, to change the heart of someone who says I choose to hate you. The paper is being birthed in my greater calling as a legal scholar to explore how it is that the law can only take us so far if we’ve made progress at all, it’s because there are deeper moral values that a generation believed in. We can’t reason justice and equality into existence. It’s a piece that comes straight from my heart and my head.”



Friedl Weiss



William Kelley

Friedl Weiss

Visiting us this fall from the University of Amsterdam, where he teaches international economic law and organizations, is Friedl Weiss. This semester he is teaching European Law and International Trade at the Law School.

Professor Weiss explained his choice to visit the University of Minnesota Law School thus: “In

my days in the law department of the London School of Economics, the following wisdom was one shared between law teachers: What is the difference between American law students and those from the United Kingdom? If you enter a classroom with American students and you say ‘Good morning,’ they answer back with ‘Good morning!’ If you enter a classroom with students from the United Kingdom and you say ‘Good morning,’ they write it down. Since then I’ve discovered repeatedly—teaching in summer schools for various American law schools—that this is not far off the mark, and certainly a good enough reason to have a stint in one of the more prestigious ones amongst them, such as the University of Minnesota.”

Professor Weiss studied public international and European Community law at the Universities of Vienna, (Dr.iur., 1970), Brussels (Free University of Brussels, Licence spéciale en Droit Européen, July 1972, grande distinction), and Cambridge (Downing College, LL.B, 1974). He also completed the academic stage of the United Kingdom Bar examination in Common law.

William Kelley

Visiting the University of Minnesota Law School during the fall semester is William K. Kelley, Associate Professor at Notre Dame Law School, where he teaches Constitutional Law, Administrative Law, Federal Court Jurisdiction, Appellate Moot Court and a seminar called Statutory Interpretation. He is teaching a timely seminar called “Legal Issues of Election 2000” at Minnesota. His most recent article is the forthcoming “Avoiding Constitutional Questions As a Three-Branch Problem.”

Professor Kelley received his J.D. from Harvard Law School and his B.A., *summa cum laude*, from Marquette University. He was a law clerk to Judge Kenneth W. Starr, United States Court of Appeals for the District of Columbia Circuit from 1987 to 1988 and to Justices Warren E. Burger and Antonin Scalia, United States Supreme Court from 1988 to 1989.

Affiliated Faculty

Timothy Johnson

An Assistant Professor of Political Science at the University of Minnesota, Professor Johnson’s specific interests include American politics, judicial politics and Supreme Court decision-making. He received his B.A. from

Gustavus Adolphus College, and both his M.A. and Ph. D. from Washington University in St. Louis, all in political science.

“I had a choice to go to law school or graduate school, and at the time, graduate school seemed more appealing, it was sort of a toss-up,” Johnson recalls, “But I had this great advisor in graduate school, Lee Epstein, who taught a seminar in Supreme Court decision-making. After I wrote my first research paper for that seminar I realized I didn’t want to do anything else.”

Johnson combines his interest in the judiciary with his training as a political-social scientist. “There’s sort of a dichotomy and argument that goes on with different aspects of those who study the law. The traditional law school approach says that judges just have precedence, and they just have to do what the law says, there’s no interpretation. The law says ‘x’, and you do x, the law says ‘y’, and you do y, and just interpret what the law says. What I like about his law school is that this is not completely the outlook. There’s some really good social scientists in the law school and some people are really interested in the behavioral aspects of decision-making and that’s where my interests lie. The premise I base much of my arguments on is that judges really are policy makers in some respects. When they rule on a case, they really are making policy when they decide, for example, what the Americans with Disabilities Act says, they are clearly interpreting and making policy about that Act. My research focuses on how it is that they get to the policy outcome that they want to have.”

Johnson teaches American Politics, Judicial Process and a seminar on the Supreme Court through the Political Science department, where he has been teaching for a little over a year. He is married to Julie Maynard-Johnson who is currently working on a master’s in Library Science at the College of St. Catherine. They have a six-year-old son named Alexi.

William Iacono

Presently holding such notable positions as Distinguished McKnight University Professor and Director of the Clinical Science and Psychopathology Research Training Program for the Department of Psychology at the University of Minnesota, Professor William Iacono has this year been invited to be an affiliated faculty member at the University of Minnesota Law School.

Known for his participation and research in the area of twin studies on schizophrenia, Professor Iacono also does work on lie detection, which is more specifically how he became associated with the area of law.

In one of his research studies concerning the reliability of lie detection, Iacono found “That if the test is defined by what you get from the psychological tracing, if you objectively score these records, that innocent people only do slightly better than chance on these conventional lie detector tests. For guilty people, it’s very hard to use the existing research to determine how well they actually work. One thing we’ve learned in the last several years and this has been other people’s research and not my own, is that guilty people can learn to use what are called counter measures to manipulate their response to the polygraph to affect the outcome. This has led me to conclude that these conventionally applied polygraph procedures have serious problems. Their accuracy is greatly exaggerated by the polygraph professionals. Certainly, in my view, the results of such tests should not be use in court, and I’ve tried to keep them out of courtroom proceedings or a kind of proceedings where it may be interpreted as evidence bearing on a person’s guilt or innocence.”

Professor Iacono has been looking at alternatives to conventional lie detection, which measures a subject’s physiological responses. In laboratory studies Iacono and others have looked at an alternative lie detection procedure called “guilty knowledge” that measures a subject’s brain response instead of autonomic responses such as blood pressure, galvanic skin response and respiratory activity used in conventional lie detection tests. “These latter signals are actually easy to manipulate,” Iacono said, “If you cough or bite your tongue, all the signals change but people have a hard time figuring out how to change their brain response to a stimulus that has been flashed on a computer screen, because the response materializes over a fraction of a second, and it’s very difficult to process it, decide how to respond, and have that response take place before it’s over in your brain.”

Professor Iacono has been on the faculty at the University of Minnesota since 1985. He received his B.S. in Psychology from Carnegie-Mellon University and his Ph.D. in Psychology from the University of Minnesota. He is married to Jane Iacono, with whom he has four children, Krista, Alex, Serina and Narissa. His office is literally filled with paintings done by his children, which include a series of smoking



Timothy Johnson



William Iacono

animals done by his son. Viewing them through the lens of his profession, Iacono remarked, "Girls like to do more rabbits and horses. Boys like to paint more aggressive animals and video game characters."

Jane Kirtley

The director of the Silha Center for the Study of Media Ethics and Law at the University of Minnesota Journalism School, Professor Jane Kirtley also is a graduate of Vanderbilt University Law School, and has joined the affiliated faculty here at Mondale Hall.



Jane Kirtley

With an active interest in issues concerning freedom of the press, Professor Kirtley spent several weeks in Asia last summer, specifically in the Philippines and China, lecturing on freedom of the press. "At the University of the Philippines, we were discussing the different roles of journalists and judges and I told them that in my view, the most significant difference between journalists and judges is that journalists pursue the truth, and judges pursue justice. I've actually used the same line here and have received the same reaction, which was extreme anger, you know, how dare you suggest that we don't care about the truth! And I explained that it's not that they don't care about the truth, but the reality is that when they have a trial, certain evidence is excluded because of a whole variety of reasons, so the jury isn't getting the whole truth, so it's not the same they have very interesting situations in the Philip-

ines. They have a very vibrant press that has constitutional guarantees, but they've got some ethical issues."

From her tour of the Philippines, Professor Kirtley lectured in China in Beijing, Shanghai and Guangzhou. "It's only a couple hours away, but worlds apart," Professor Kirtley remarked. There she spoke to a hundred different journalists. "You're not dealing with a country that considers a free press a very desirable situation, so a lot of things have to be discussed on multiple levels, and you can't exactly say what you intend to say, but everyone knows what you're talking about, and I think those journalists are very concerned about their role, especially as the Internet is globalizing communications. The Chinese are still blocking a lot of Internet sites, and I was thinking, what in the world is Beijing going to do when it gets the Olympics in seven years?" Professor Kirtley said she left China with mixed feelings, knowing that many of the journalists in China today are young and realize there's something more than "just repeating the Party line," but there are still a lot of crackdowns by the government that makes things difficult for them.

Professor Kirtley's most recent publications include "Privacy and the Press in the Millennium," an article published in the *University of Arkansas Little Rock Law Review* and "Obtaining Information Under FOI Laws," which is forthcoming. ■



Professor Nadine Strossen (pictured here with Dean Sullivan), President of the American Civil Liberties Union, spoke on "Defending Pornography: Free Speech, Sex and the Fight for Women's Rights," at the Law School on April 2, 2001. She is a Professor of Law at New York Law School and is the first woman and the youngest person to be elected President of the ACLU. She is a native Minnesotan and practiced law in Minneapolis for nine years before leaving for New York. Professor Strossen publishes in the areas of constitutional law and civil liberties. The program was sponsored by the Federalist Society law student organization.



Toshiaki "Tag" Taguchi, head of Toyota North America, and Walter Mondale toast the occasion.



Carl A. Auerbach, Dean Emeritus, attended the ceremony.

The Dedication



Commencement 2001



Pictured from left to right: Natasha Frost, Excellence in Public Service Award recipient; Sarah Greenberg, 2000-01 Law Council President; Amos Cohen, Most Promising Lawyer Award recipient; Heather Mills, J.D. Graduation Address; and Claire Durand, LL.M. Graduation Address.



Professor Ann Burkhart received the Stanley V. Kinyon Teaching and Counseling Award.

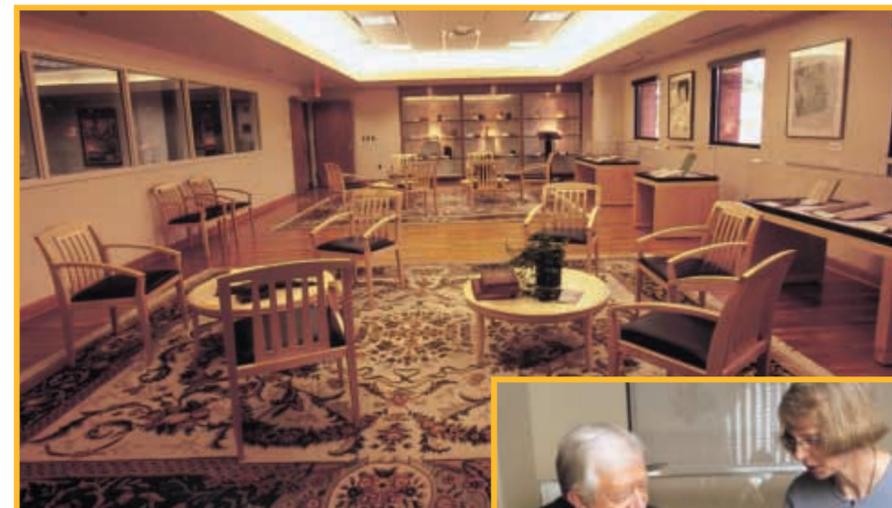


The Stanley V. Kinyon Clinical Teaching Award was awarded to Professor Beverly Balos.



Dean Sullivan, Judge Ann Montgomery, Keynote Speaker and Regent Dallas Bohnsack.

Reception Room and Exhibit Hall, Riesenfeld Rare Books Research Center



Katherine Hedin, Curator of the Rare Books and Special Collections, shares with former President Jimmy Carter one of the treasures of the Rare Books Collection: *Novellae constitutiones*, published in Venice in 1498. This book is the fourth part of the *Corpus Juris Civilis*, the great system of Roman law compiled under the direction of the emperor Justinian in the 6th century.

*For out of olde felde, as men seyth,
Cometh al this newe corn from yer to yere,
And out of olde bokes, in good feyth,
Cometh al this newe science that men lere.*

—Geoffrey Chaucer
The Parliament of Fowles

The Stefan A. Riesenfeld Rare Books Research Center provides a secure and climate-controlled space for the Arthur C. Pulling Rare Books Collection and assures the preservation of these treasures—these “olde bokes,” in Chaucer’s words—for future generations. In addition to compact shelving, the Center includes an attractive and spacious reading room, a preservation lab, and a stunning reception space and exhibit hall.

The foundation for the Rare Books Collection was laid during the tenure of Arthur C. Pulling, Library Director from 1912 to 1942. Over the past six decades the collection, which now contains 25,000 volumes, has continued to increase both in size and quality, and is internationally recognized as one of the finest legal rare book collections in the United States. The

Riesenfeld Center is designed to provide the finest environment possible for these irreplaceable volumes—including the first edition of Sir Edward Coke’s *Reports* (1600), wherein appears Coke’s memorable paraphrase of Chaucer:

Out of ould fields must spring and grow the new corne.

We invite alumni to visit the Riesenfeld Center.

—Katherine Hedin
Curator of Rare Books and Special Collections

The Dedication of Walter F. Mondale Hall

Alumni, faculty, friends, staff and colleagues attended the dedication ceremony at 1:00 p.m. on Thursday, May 17, 2001.

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Dean Sullivan is pictured here extending a welcome to the over 1000 guests in attendance at the dedication ceremony. Seated to his left are the speakers: Saumil Mehta, 2001-02 Law Council President; Elliot Kaplan, Law School’s Capital Campaign Chair; Mark Yudof, University of Minnesota President; Walter F. Mondale, former U.S. Vice President and guest of honor; Jimmy Carter, former U.S. President and Keynote speaker; and Patricia B. Spence, Chair University of Minnesota Board of Regents.



Former President Jimmy Carter.

Walter F. Mondale ('56)





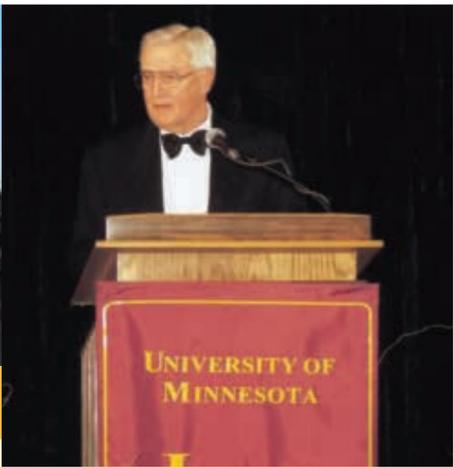
After the dedication ceremony, the stage was set for the Walter F. Mondale Hall Dedication and Lockhart Club Dinner.



The Robins, Kaplan, Miller & Ciresi Concourse



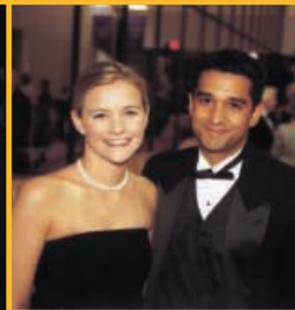
The Dedication Dinner Program began shortly after dessert was served.



Walter F. Mondale, Keynote Speaker



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The black-tie dinner was held in a tent next to the Law School. As the sun began to set, guests gathered in the Robins Kaplan Concourse for a reception.



Mark Yudof



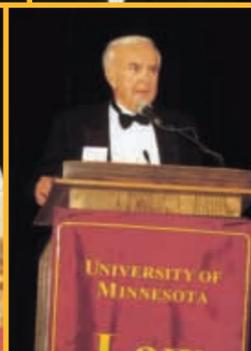
Elliot Kaplan



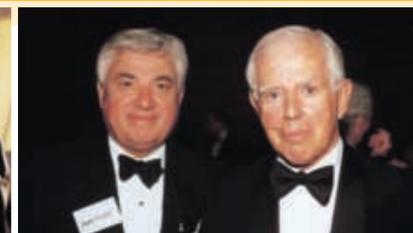
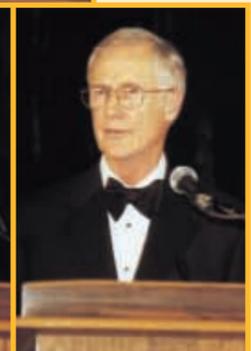
E. Thomas Sullivan



Joan Adams Mondale, wife of Mr. Mondale, accepting a gift.



Testimonials were given by Warren Spannaus ('63); Harry MacLaughlin ('56), District Court Judge; and Dr. George Millard.



Three Outstanding Alumni Receive Awards

Three prestigious alumni received Honorary Doctor of Laws degrees from the University of Minnesota May 14th during the 2001 Law School Commencement Ceremonies.

Russell M. Bennett II is known as the “lawyer’s lawyer” in the legal community where he has been a leader for almost 50 years. He also has been the consummate volunteer to the University and the community-at-large.

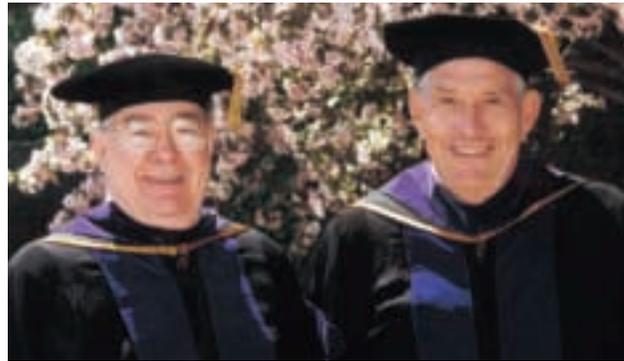
He received his B.S.L. degree and his LL.B. degree from the University of Minnesota in 1950 and 1952, respectively. He has been a senior partner at Gray Plant Monty since 1954. In addition to Mr. Bennett’s legal acumen, he also has been an exemplary leader in the community and within the University of Minnesota. On two occasions, including the present, he has served as the Chair of the University of Minnesota’s Capital Campaign. In 1992 he received the University of Minnesota Regents Award and in 1987 he received the University’s Outstanding Achievement Award. In addition, he has been a member of the Carlson School of Management Board of Overseers and the its Leadership Gifts Committee.

Mr. Bennett has made other civic contributions including former Director of the: Hennepin County United Way, former Director of the Minnesota Outward Bound School, Junior Achievement of Minneapolis, Pillsbury Citizen’s Service and Minneapolis War Memorial Blood Bank. He also is the former State Chair of the United Negro College Fund and the Minneapolis Children’s Health Center. Mr. Bennett has served as a trustee for the Minneapolis Institute of Art, F & M Bank and St. Therese’s Catholic Church. Further, he served as Chair of The Blake School during the time when the Blake School merged with Northrup Academy. He is a former Mayor of Deephaven and served as a Trustee of Lakewood Cemetery Association.

William D. Hawkland is “a giant in the field of commercial law as his legal scholarship attests and his work on the Uniform Commercial Code stands alone as remarkable in its sweep, depth and sophistication,” commented Dean Sullivan in nominating Chancellor Hawkland for this honor.

Professor Hawkland earned his B.S. degree in 1942 and his J.D. degree in 1947 from the University of Minnesota. He received his

LL.M. degree from Columbia University Law School in 1949. Professor Hawkland was the Chancellor and Professor of Law at Louisiana State University from 1979 to 1989 and has held the title of Professor Emeritus since that time. He received the university’s highest professorship when he was awarded the Boyd Professorship at Louisiana State University. Professor Hawkland also has received the Outstanding Teacher of the Year Award at several institutions including the University of Illinois and the University of Minnesota.



Mr. A.W. Clausen ('49) and Mr. Russell M. Bennett II ('52), Honorary Doctor of Laws degree recipients.



Professor William D. Hawkland ('47), third recipient of Honorary Doctor of Laws degree.

He has taught at numerous universities, including the University of Minnesota, University of Illinois, New York University, University of Texas, State University of New York at Buffalo, University of Tennessee and the University of California at Los Angeles. Professor Hawkland also has been a lecturer and visiting faculty member at several universities in France on numerous occasions.

A.W. Clausen has been called a “renaissance man.” He is an astute executive and exceptional administrator whose business acumen took him to the heights of corporate America.



LL.M Class of 2001



A. W. Clausen received his J.D. degree from the University of Minnesota Law School and is a graduate of the Advanced Management Program of the Harvard Business School. Mr. Clausen is the former Chairman and Chief Executive Officer of Bank of America and former President of World Bank. He is the immediate past Chair of the World Affairs Council of Northern California; sits on the Board of Directors of the University of California San Francisco Foundation; and is a member of the Advisory Board of the Walter A. Hass School of Business at the University of California, Berkeley. He also is a Trustee of his undergraduate alma mater, Carthage College. Mr. Clausen has been a long time Trustee of the Asia Foundation, a member of the Bretton Woods Committee, a member of the Board of Directors of Population Action International, and a member of the Board of Overseers of the International Center for Economic Growth. In addition, he is a member of the Korea-United States Wiseman Council and as advisor to the Japan Foundation's Center for Global Partnership.

He has served as the President of the International Monetary Conference and is the recipient



2001 graduates celebrate with family and friends.

ent of numerous awards from the governments of Italy, Japan, South Korea, Spain and Venezuela. He holds honorary degrees from Carthage College, Gonzaga University, Lewis and Clark College, University of Notre Dame, University of the Pacific and the University of Santa Clara. He also is the recipient of the prestigious University of California San Francisco Medal. Mr. Clausen has been the recipient of the California Industrialist of the Year Award. The University of Minnesota has awarded him the Outstanding Achievement Award and he is a recipient of the Harvard Business School Alumni Achievement Award. ■

Law School News and Events



A reception was held in the Toyota Courtyard for the conference participants.

Erasing Lines

The Association of Legal Writing Directors (ALWD) held its biennial conference at the University of Minnesota Law School July 26–28, 2001. Entitled “Erasing Lines,” the conference focused on the subject of integrating doctrine and skills across the American law school curriculum. One hundred sixty speakers and attendees explored the reasons to pursue integration, the barriers to its achievement, and devices for its implementation. The Law School and West Group were co-sponsors of the dialogue on curriculum innovation.

The distinguished group of presenters included five members of the Council of the ABA Section of Legal Education: Deans John Sebert, Steven Smith, and E. Thomas Sullivan, Justice Elizabeth Lacy, and Professor Randy Hertz. Other presenters included Deans Nancy Rapoport and Kent Syverud, Associate



Pictured are: Judge Paul Michel, U.S. Court of Appeals Federal Circuit; Justice Elizabeth Lacy, Virginia Supreme Court; Judge John Tunheim, U.S. District Court of Minnesota; and Adjunct Professor J. Cunyon Gordon, Seattle University School of Law.

Dean Byron Cooper, Judges Paul Michel and John Tunheim, President David Weisbrot of the Australian Law Reform Commission, and Professor Elliott Milstein, among others.

Brad Clary, University of Minnesota Law School Clinical Professor who served as Site Committee Chair, closed the conference with the thought that, “One view of our mission might be to teach students how to think like lawyers, and another might be to teach students to think like lawyers to solve problems. In either case, we further our mission when students integrate doctrinal knowledge with a variety of skills.”

West Group has agreed to publish the Conference proceedings, including the scholarship that was presented. Copies will be distributed to AALS law schools in 2002. The Conference program and other information may be found on ALWD’s web site (<http://www.alwd.org>). ■

Career Services in Changing Times: *How Alumni Can Help*

Before the events of September 11, the job market was unpredictable, and the Career Services Office had stepped up outreach initiatives in support of our students and graduates in Minnesota and around the country.

Director Susan Gainen and Associate Director Nora Klaphake had visited more than 70 employers in 2000–2001, extended invitations to thousands of public and private employers to fall and spring on campus interviews, and to employers in Washington D.C., New York and Chicago for off campus interviews, and urged employers around the country to use our web-based job posting system, www.eattorney.com, to advertise jobs for students and alumni.

While these and other activities will continue, the single most reliable constant in a changing market is University of Minnesota Law School Alumni. It is more important than ever that each of you urge your employers to reach out and hire students and alumni through the University of Minnesota Law School Career Services Office.

For information about recruiting on or off campus or using our web-based posting system, please contact Susan Gainen (612/624-9881 or gaine001@umn.edu) or Nora Klaphake (612/626-9467 or klaph002@umn.edu).



Terrorism Symposium

On Monday, September 17, 2001 the Law School sponsored a symposium consisting of a panel of faculty who specialize in international law that discussed relevant issues with the Law School community. Pictured (from left to right) are the Professors who participated on the panel: Fred Morrison, an expert in public international law and treaties; David Weissbrodt, an expert in international human rights; Richard Frase, an expert in international and comparative criminal law; and Ruth Okediji, an expert in international trade and commerce. Not pictured is Dean Tom Sullivan who served as the panel moderator. ■

National Security and the Constitution in Times of War and Crisis—New Course Offered

In response to the September 11, 2001 attack on United States civilian and military targets and the resulting actions of Congress and the President in putting the nation on a war

footing, the University of Minnesota Law School added to the curriculum, a specialized one-credit course in the constitutional law governing issues of national security in times of war and crisis. The course, entitled “National Security and the Constitution in Times of War and Crisis,” began on Tuesday, October 2, and will run Tuesday and Thursday lunch hours for six weeks. Fifty-seven students enrolled in the course, adding to their already scheduled class load.

Michael Stokes Paulsen, Briggs & Morgan Professor of Law, is instructing the course. Professor Paulsen teaches and writes in the areas of civil procedure, criminal procedure, legal ethics, constitutional law, and law and religion. This course is an opportunity for students to begin learning about some of the most important legal issues that will be confronting our nation in the upcoming weeks, months and years. The course may also be a valuable first step for students whose career choices may change as a result of the attack of September 11 and who may wish to consider options in the areas of law enforcement, security, intelligence, foreign service or the military. ■



Pictured here are Justice Alan Page and members of Law Council.

The first annual Law Council Distinguished Alumni Award was presented to Justice Alan Page ('78) at a reception on March 20, 2001. The new award was created to honor alumni who have demonstrated commitment to the legal community and have a heightened sense of civic involvement. A plaque for the Law School, that listed Justice Page's name and provided space to record future recipients of the award, was presented to Dean Sullivan.

Student Award Winners

Two of our 2001 graduates, Amy Jerdee and Kari Dahlin, were recognized for their academic and career achievements last spring.

Amy Jerdee, who worked at the Mayo Clinic in Rochester, Minnesota as a cardiac critical care nurse before entering law school, won the Elaine Osborne Jacobson Award. This award, sponsored by the Roscoe Pound Foundation, is designated for women who have demonstrated an interest in health care advocacy. While a law student, Ms. Jerdee initiated a project through the Minnesota Justice Foundation called the “Medicare Appeals Project,” in which law students help elderly people appeal the denial of Medicare benefits. Ms. Jerdee also worked as a law clerk with the Office of General Counsel, where she focused primarily on health care issues. She will continue to work in health care law at the firm of Reinhart, Boerner, Van Deuren, Norris & Rieselbach in Milwaukee.



Kari Dahlin

Kari Dahlin, who was one of ten national recipients of the Burton Award for Legal Achievement, was recognized for her article “Actions Speak Louder than Thoughts: the Constitutionally Questionable Reach of

the Minnesota CLE Elimination of Bias Requirement,” which appeared in the *University of Minnesota Law Review* last year. Ms. Dahlin felt her association with the *Minnesota Law Review* as an editor, and the help she received from faculty and students was a fortunate aspect of her success.

Ms. Dahlin is working as a clerk for Judge Jill Holbrooks of the Minnesota Court of Appeals, and will later work for Judge Kenneth Ryskamp of the United States District Court in West Palm Beach, Florida.

Other graduates receiving awards for outstanding achievement and scholarship include **Kari Jahnke**, the Steven M. Block Prize; **Amos Cohen**, the Federal Bar Association Foundation’s Judge Edward J. Devitt Award; **Abigail E. Crouse**, **Michael Rosow** and **Jill Pearson** for the Leonard, Street & Deinard Law Review Award; **Katherine A. Moerke**, the Sidney J. Kaplan Legal Scholarship Fund; **Kathryn Nash**, the Kommerstad Center Entrepreneurial Grant; **Blong Yang** and **Jessica Richardson**, the 2000 Albert and Anne Mansfield Fellows; **Rachel S. Brass**, the Ralph M. McCareins Antitrust Prize and **Tracy Fischer**, The John Mooty Award.

For the Law Review Volumes 35 & 36 Memorial Awards, recipients included **Kari Dahlin** and **Ryan Winkler** for Excellence in Writing Awards; **Amy Jerdee**, Best All-Around Achievement Staff Award; **Katherine A. Moerke**, Dorsey and Whitney Editor



Amy Jerdee at the American Trial Lawyers Association convention in Montreal receiving the Elaine Osborne Jacobson award for her work in health care law.



Pictured (from left to right) are the winners of the 2000–01 National Moot Court Competition, Petitioner’s Regional Best Brief Award: Nick Lewandowski, Lindsey Beck, Professor Brad Clary, coach, and Carrie Smith.



The winners of the 2000–01 ABA Moot Court, Best Brief Award were: Anna Restovich and Teresa Lavoie.

in-Chief Award; **Kari Dahlin**, Lee Bearmon Award in Legal Ethics and Professional Responsibility Award; **Sherry Bertschinger**, Kent Wen-

nersrom Award; **Natasha Frost**, Excellence in Public Service Award; and **Amos Cohen**, Most Promising Lawyer Award. ■

Order of the Coif, 2001

Rachel S. Brass
Theodore M. Budd
Benjamin Jon Butler
Thomas D. Cobb
Amos Cohen
Abigail E. Crouse
Jennifer Dellmuth
Julie Anne Erskine
Tracy Fisher
Mark Andrew Hamre
Heather Nicole Hoecke
Laura Johnson
Allison Michele Kohler
Christopher Leff
James R. Mayer
Katherine A. Moerke
Jesse R. Orman
Chris Polking
Steven John Purcell
Heather Dawn Redmond
Michael Rosow
Eric Carl Sjoding
Erin C. Skold
Jeffrey R. Sprain
Michael G. Tierney



Heather Mills ('01) enjoys a visit with her Scholarship benefactor, Patricia Johnson, and husband, Lyle R. Johnson.



Class of 2004 Profile

- Entering Class: 235 students
- 46% female
- 22% students of color
- Average age is 25 years.
- Age range: 21–53
- 33 states and 7 foreign countries represented
- 121 colleges and universities represented

LSAT

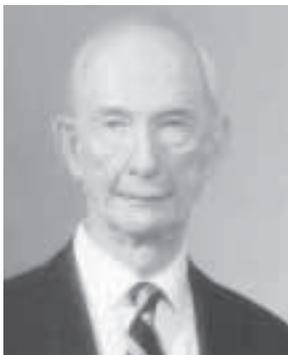
75th/50th/25th percentiles:
165/163/160
(the median, which is 163, is at the 90th percentile nationally)

GPA

75th/50th/25th percentiles:
3.8/3.6/3.4

Faculty Law Library is Named in Honor of Curtis B. Kellar

Curtis Kellar ('40) exemplifies qualities the University of Minnesota Law School strives to foster in its students. He is a deeply thoughtful man, an accomplished lawyer, a man of keen intellect, integrity, courtesy, charm and compassion. Kellar retains the characteristic Minnesota lack of pretense, despite being a sophisticated citizen of the world. He served his country with distinction as a gunnery officer in the U. S. Navy during World War II where he was awarded the Bronze Star and the American Defense Medal with Fleet Clasp. Following retirement after a legal career at Mobil Oil Corporation he engaged in pro bono work for a charitable foundation. The Law School is pleased to recognize his long-standing support and to honor him by naming the Faculty Law Library in his honor.



Curtis B. Kellar

Born in Albert Lea in 1916, Kellar is a fourth generation Minnesotan, whose great grandfather was a territorial pioneer. His father, Horatio Ellsworth Kellar, was a banker. In memory of his father, Curtis Kellar in 1996 created The Horatio Ellsworth Kellar Distinguished Visitors Program. Reflecting his father's many interests, the lecture series is interdisciplinary, connecting emerging issues in the law with other disciplines

such as art, drama and literature. Prior to that he had established a fund in memory of Professor William L. Prosser.

Kellar's leadership, big-picture thinking and business acumen were revealed early in life. In 1936 as an undergraduate student in the College of Liberal Arts at the University, Kellar was elected unanimously by the All-University Council to head the Freshman Week Committee that had become heavily in debt. Under Kellar's management, the Committee was reorganized, its deficit was paid off and it ended up with a \$10,000 surplus. Kellar enjoyed playing clarinet in the concert and marching bands and wrote for the *Ski-U-Mah*. He graduated from the Law School in 1940 as a member of the *Minnesota Law Review*.

Following admission to the bar, Kellar thought it "might be a good idea to have a commission in one's hip pocket." He applied for and was accepted into an intensive four month Navy training program leading to a commission in March 1941 as Ensign in the Naval Reserve. Kellar volunteered later for active duty. He requested assignment to a cruiser in the Far East and typically, Kellar jokes, the Navy ordered him to a battleship in the United States, the *U. S. S. Washington*, then under construction at the Philadelphia Navy Yard. In March 1942 the *Washington* joined the British Home Fleet in Scapa Flow escorting convoys to Murmansk and Archangel. Kellar's

early days in Minnesota prepared him better than most of his shipmates for the bitter cold north of the Arctic Circle where, "we wore everything we could find."

The German super-battleship, the *Von Terpitz*, a sister ship of the *Bismarck*, had eluded the British in the North Sea and escaped to a Norwegian fjord where she was poised to attack the convoys. *The Washington* was the only Allied ship deemed a match for the *Von Terpitz* and her mission was to engage the enemy ship if it sortied. It never did.

In June 1942 *The Washington* returned to the states for repairs and then set sail for the South Pacific. "We had very few ships out there in 1942," says Kellar, "compared to the Japanese fleet." Guadalcanal lay ahead. To halt the Japanese advance in the Pacific, the Americans had to take this tiny island. They landed in August 1942 and the occupation was completed in February 1943, after some of the most desperate and savage fighting recorded. In less than two months, the U. S. Navy and the Imperial Japanese Navy clashed in five major engagements as the Japanese sought to reinforce its troops. The turning point came in a midnight battle on November 13th and 14th when the *Washington*, *South Dakota* and four destroyers turned back a major Japanese task force after heavy losses on both sides.

Following the battle for Guadalcanal, Kellar was assigned to a 2,100 ton destroyer, then under construction, as gunnery officer. His ship, the *Caperton*, joined the fast carrier task forces in the South Pacific in 1943 where U. S. naval power had increased dramatically. Kellar recalls that the fleet stretched over the horizon and was capable of putting 1,200 planes into the air. Kellar fought in six battles. His understated comment, "We slept very little."

In July 1944, Kellar received word that his father had died and requested a month's emergency leave. The day he left his ship the Captain summoned him to the bridge. Kellar was read a Citation for Heroic Achievement and awarded the Bronze Star.

The day before his leave expired Kellar received orders transferring him to the Naval Training Station in Norfolk, Virginia, where he became Officer in Charge of the C. I. C. School. Kellar was a Lieutenant Commander at the end of the war and, although invited to make the Navy his career, decided to stay with the law. He had served for five years in every theatre of war.

He returned to Minnesota in 1945 and visited then-Dean Everett Fraser to seek help in finding a job. The Dean invited him to lunch at the Faculty Club and mentioned that if he were interested in teaching he might be able to get him a fellowship at the University of Michigan Law School. Kellar was appreciative but said he felt he first would like some experience practicing law, if possible with a Wall Street law

firm. With Dean Fraser's support, he got a job with former Secretary of War Henry L. Stimson's firm, Winthrop, Stimson, Putnam & Roberts, where he was assigned to the corporation department.

After several years with the Stimson firm and a brief period at W. R. Grace & Co., he joined the Office of General Counsel at Mobil Oil Corporation as the corporate and financial lawyer. Later he moved to the international division where he oversaw legal matters in the marketing and refining areas of Mobil's foreign interests. His responsibilities took him to a number of interesting places, including Singapore, Hong Kong, Southern Africa, India, Australia and, of course, Europe.

Curtis Kellar retired from Mobil in 1981 as an Associate General Counsel. Following retirement he devoted his time to *pro bono* work for the Innovative Design Fund, a charitable foundation established by Bonnie Cashin to provide financial assistance to talented young designers. Bonnie Cashin, who became his close companion, was a ground-breaking fashion designer. Her international impact and renown were celebrated by a retrospective of her work mounted by the Fashion Institute of Technology after her death in January 2000.

The Kellar family apparently carries the genes for a renaissance sensibility and high-level accomplishment. Kellar's oldest daughter Lucia is a graduate of Mt. Holyoke College and earned her Ph.D. in psychology at Columbia University. She is a senior psychologist at Bellvue Hospital where she directs the Neuropsychology Assessment Service. She also maintains a private psychotherapy practice. His son, Bill, former marathon runner who now does the triathlon, had successful careers in marketing at Mobil and as a financial adviser at Morgan Stanley Dean Witter; At 50 he decided to leave the broker's life and is preparing for a new career in alternative medicine. His daughter, Betsy, earned a Ph.D. at the University of Arizona and is on the faculty of the University of New Mexico where she teaches language, literacy and sociocultural studies in the College of Education. His daughter, Martha, went to Mt. Holyoke College where she majored in English and was elected to Phi Beta Kappa. She became Director of the Rockefeller University Press where she initiated the Press's move into book publishing, later resigning to get married. Mr. Kellar's oldest son, Curtis Jr., is deceased. ■

Alumni Recognitions



Clinton Schroeder

Clinton Schroeder ('55) received the 2001 Hennepin County Bar Association's Professionalism Award on May 24, 2001 in recognition of his advocacy for *pro bono* efforts by lawyers and his lifelong commitment to providing personal *pro bono* representation. Mr. Schroeder, a tax lawyer and partner with Gray Plant Mooty law firm, has spent more than 30 years directly representing the poor and leading the legal community's efforts to fund legal services. While Minnesota State Bar Association President, he helped create and successfully promoted the mandatory Interest on Lawyer's Trust Accounts (IOLTA) and the first legislative funding for civil legal services. Together, these two programs now provide over one-third of legal services funding annually in Minnesota.

The Association gives the award annually to a member of the bench or bar who best exemplifies the pursuit of the practice of law as a profession, including a spirit of public service and promotion of the highest possible level of competence, integrity and ethical conduct.

Richard L. Pemberton ('57) received the Minnesota State Bar Association Profes-

sional Excellence Award at the convention luncheon on June 3, 2001. Recipients of the award are selected for their substantial efforts to advance the legal profession and the administration of justice. Mr. Pemberton is a senior partner in the law firm Pemberton, Sorlie, Rufer & Kershner.



Joyce A. Hughes

Joyce A. Hughes ('65) received the Honorary Doctor of Laws degree from Carleton College in Northfield, Minnesota on June 9, 2001. She also was recognized for her 30-year career as a law professor and the many "firsts" in her life during a Minority Alumni Dinner at Northwestern University School of Law on April 13, 2001.

She was the first Black woman to: graduate from the University of Minnesota Law School; clerk in the United States District Court in Minnesota; teach at Northwestern University School of Law; and the first Black woman to achieve tenure in any department at Northwestern University. Professor Hughes graduated from the University of Minnesota Law School in 1965, where she was a member of the *Minnesota Law Review*. She served as a clerk to United States District Court Judge Earl R.

Larson following Law School and joined the law firm of Howard, LeFevre, Lefler & Hamilton in 1967. She became an Associate Professor in 1971 at the University of Minnesota Law School and then joined the faculty of Northwestern University School of Law in 1975.

Professor Hughes teaches Evidence, Civil Procedure, Immigration Law and a seminar on Refugees and Asylum. In addition to her scholarship, she served as General Counsel for the Chicago Transit Authority from 1984 to 1988. She also was the first Black woman to hold that position.

Judge Diana E. Murphy ('74), United States Court of Appeals for the Eighth Circuit, was selected as one of two joint recipients of the 19th Annual Edward J. Devitt Distinguished Service Award. Judge Murphy was appointed to the appellate bench in 1994 by President Clinton, having served in the state and federal trial courts since 1976. Judge Murphy's professional activities include past service as an organizer and president of the Federal Judges Association and Chair of the American Judicature Society (AJS). She organized and chaired the Eighth Circuit Gender Fairness Task Force and currently chairs the United States Sentencing Commission. Under her leadership the Sentencing Commission is again functioning as designed following a prolonged period of inactivity. Judge Murphy has been described by colleagues as "brilliant, intellectually honest, and jurisprudentially objective;" in dealing with people, "kind, considerate, understanding, and fair;" "in manner, soft-spoken, solicitous, and persuasive."

The Devitt Award, named for the late Edward J. Devitt, is made annually and honors Article III judges whose careers have been exemplary, measured by their significant contributions to the administration of justice, the advancement of the rule of law and the improvement of society as a whole.

Thomas Heffelfinger ('75) was appointed the United States Attorney for the District of Minnesota. He was a partner with Best and Flanagan when he received the appointment and previously was a partner with Bowman and Brook from 1993 to 2000. Mr. Heffelfinger served as the United States Attorney for the District of Minnesota (1991–1993), as Assistant U.S. Attorney (1982–1988), and an Assistant Hennepin County Attorney (1976–1982).

Married couple **Grant Aldonas** ('79) and **Pam Olson** ('80) both recently received appointments in the federal government.



Grant Aldonas

Grant Aldonas was confirmed as Under Secretary for Internal Trade on May 10, 2001. As head of the International Trade Administration at the United States Department for Commerce, he is responsible for managing 2,400 ITA employees and advising the Secretary of Commerce on international

trade issues. Mr. Aldonas also has been appointed by President Bush to serve on the Congressional Executive Commission on the People's Republic of China. The panel monitors human-rights abuses in China among other duties. He recently joined the faculty of the Georgetown University Law Center as an Adjunct Professor of Law, teaching courses on the resolution of international trade disputes. Prior to joining the Department of Commerce, Mr. Aldonas was Chief International Trade Counsel to the Chairman of the Senate Finance Committee and formerly a partner with the Washington, D.C. law firm of Miller & Chevalier.



Pam Olson

Pam Olson is the Deputy Assistant Secretary (Tax Policy) for the United States Department of the Treasury. She has supervisory responsibility for the legal advice and analysis provided by the Office of Tax Policy with regard to all aspects of domestic and international issues of Federal taxation, including legislation proposals, regulatory guidance and tax treaties. She also was the first woman to chair the Tax Section of the American Bar Association in 2000. Prior to her appointment as Deputy Assistant Secretary, she was a partner in the Washington, D.C. office of Skadden, Arps, Slate, Meagher & Flom. ■

Distinguished Alumni

Kurt V. BlueDog

Class of 1977

Kurt V. BlueDog is the Managing Attorney for the law firm of BlueDog, Olson & Small and has been in the active practice of Federal Indian law for the past 24 years almost exclusively on behalf of Indian Tribal governments and the various instrumentalities of Tribal government.



Kurt V. BlueDog

Mr. BlueDog was born and raised on the Sisseton-Wahpeton Sioux Indian Reservation in South Dakota. After he graduated from the University of South Dakota in 1972, he served as a Commissioned Officer in the Army paratroopers. He received his J.D. degree from the University of Minnesota Law School in 1977. He worked for the non-profit Native American Rights Fund (NARF) in Boulder, Colorado as a Staff Attorney prior to the past fifteen years of private practice. BlueDog, Olson & Small law firm is involved in litigation, administrative and legislative activity and serves as General Counsel to several American Indian tribes.

Mr. BlueDog has served as an adjunct professor at William Mitchell College of Law and Hamline University Law School in St. Paul, Minnesota. Additionally, he serves as the Chief Judge for three different Tribal Court systems. He is a present and former board member for numerous organizations including the National Indian Gaming Association, Augsburg College, the Minnesota Zoo, the Minnesota Innocence Project and the American Indian Religious Freedom Act Project.

Patrice H. Halbach

Class of 1980

Patrice H. Halbach is a Vice President in the Global Tax Business Unit of Cargill, Incorporated.

She is responsible for managing tax aspects of acquisitions, dispositions, corporate restructuring and on-going business operations. Cargill has 80,000+ employees in 60 countries and over 500 subsidiaries.

Ms. Halbach received her B.A. in History in 1975 and her juris doctorate, *cum laude*, in 1980 from the University of Minnesota, where she was a member of Phi Beta Kappa. After law school, she worked as an attorney at Fredrikson & Byron from 1980 to 1983. She joined Cargill in 1983 as a Tax Attorney. She was selected as the Vice President in the Global Tax



Patrice H. Halbach

Business Unit in 1998 and has responsibly for Cargill's worldwide tax, planning, audit & compliance and oversees the staff of 100 tax professionals in 20 countries.

Ms. Halbach has served as 2000–01 Chairman of the Federal Committee of the Tax Executives Institute. She is a Conference Board Executive Committee Member for the Council of Tax Executives. She is a member of the Cargill University of Minnesota Steering Committee and a member of the Law Alumni Association Board of Directors.

James T. Hale

Class of 1965

James T. Hale is Executive Vice President, General Counsel and Corporate Secretary of Target Corporation. He is responsible for legal and board matters, government affairs, corporate audit and Target Brands, Inc., the Corporation's brand management and compliance company. During his 20 year tenure at Target he also has had responsibility for corporate real estate and strategic planning as well as geographic and consumer research.



James T. Hale

Mr. Hale received his B.A. degree from Dartmouth College, *summa cum laude*, and was a member of Phi Beta Kappa and his J.D. from the University of Minnesota Law School in 1965, *summa cum laude*, where he was on the Board of Editors for *Minnesota Law Review* and is a member of the Order of the Coif. He was law clerk to Chief Justice Earl Warren, United States Supreme Court from 1965 to 1966. He joined the Minneapolis law firm of Faegre & Benson in 1966, where he specialized in corporate financing and mergers and acquisitions. In 1979, he became Vice President and Director of Corporate Growth and later Vice President-Control and Administration at General Mills, Inc. He joined Target Corporation in 1981.

Mr. Hale is a member of the Board of Directors of the Carlson School of Business and the Ordway Center for the Performing Arts. He is past Chairman of the Board of Twin Cities

Public Television and a Past Trustee and member of the Executive Committee of the International Council of Shopping Centers. He was an Adjunct Professor of Law at the Minnesota Law School from 1967 to 1973 and from 1989 to 1991. He is a frequent lecturer on issues relating to retailing.

Thomas E. Holloran

Class of 1955

Thomas E. Holloran is a professor of Management in the Graduate School of Business at the University of St. Thomas in Minneapolis.



Thomas E. Holloran

Mr. Holloran completed his B.S. degree in 1951 at the University of Minnesota and served in the United States Navy during the Korean War from 1952 to 1954. He received his J.D. degree from the University of Minnesota Law School in 1955, where he was President of the senior class and an Associate Editor of *Minnesota Law Review*. After graduation, he was a law clerk for Justice Thomas Gallagher of the Minnesota Supreme Court.

He joined Fredrikson & Byron law firm as an associate in 1955 and became a partner in the firm in 1957. In 1967, Mr. Holloran became Executive President, and in 1973 President, of Medtronic, Inc., one of the world's leading medical technology companies. He was elected the Chairman and Chief Executive Officer of Dain Rauscher, Inc. (formerly Inter-Regional Financial Group, Inc.) in 1976. He has served as Professor of Management at University of St. Thomas, Graduate School of Business since August of 1985.

He sits or has sat on boards of public and privately held corporations including Medtronic, ADC Telecommunications, MTS Systems Corporation, National City Bancorporation, Flexsteel Industries and Malt-O-Meal and has served on the board of numerous not-for-profit organizations including the Bush Foundation and Center for Ethical Business Cultures. He has been a trustee for the College of St. Thomas, College of St. Scholastica, and Independent Siberian University in Novosibirsk, Russia. Mr. Holloran also has engaged in public service as: Mayor of Shorewood, Minnesota and Chair of the Minneapolis-St. Paul Metropolitan Airports Commission. He lectures and consults in the field of corporate governance.

Edward S. Wilson

Class of 1974

Edward S. Wilson is a Ramsey County District Court Judge.



Edward S. Wilson

Judge Wilson received his B.A. from Macalester College and his J.D. in 1974 from the University of Minnesota Law School. He was on the 1973-74 Dean's List and served on the Black American Law Student Association. After graduation, Judge Wilson worked as a Research Analyst at the University of Minnesota. He became a Staff Attorney at the Legal Aid Society of Minneapolis in 1976, where he represented low-income persons on a wide range of civil legal matters.

In 1979 he accepted a Staff Attorney position with the Neighborhood Justice Center in St. Paul. There he represented indigent clients in district, municipal and juvenile courts approximately 200 criminal cases per year. Judge Wilson also taught Litigation Practice Class at Hamline University School of Law from 1985 to 1987. In 1987, Edward Wilson was appointed a District Court Judge in Ramsey County.

He is a member of the Minnesota Sentencing Guidelines Commission, the Minnesota Association of Black Lawyers and the National Bar Association. He is a principal organizer of the Summit/University Frogtown Sentencing Circles Initiative, which is a collaboration between the African-American community in St. Paul's ward and Ramsey County Courts. The project is designed to use innovative methods to sentence offenders.

Judge Wilson served as a member of the Board of Directors of Hallie Q. Brown Community Center, Inc. from 1985 to 1996 and has served as Chair of the Board of Directors of Project Remand, Inc. He volunteered with Save Our Sons, an organization that facilitates mock trials for at-risk youth and through the Minnesota Advocates for Human Rights, Somalia Refugee Project traveled to Kenya to examine United States Immigration and Naturalization Service policies toward Somali refugees in February 1992. In 1994 he was honored with the Minnesota Minority Lawyers Association Judicial Service Award. ■

Class Notes

1950

C. Paul Jones, Professor of Law at William Mitchell College of Law, retired at the end of the 2000–01 academic year after teaching at William Mitchell College of Law for nearly 50 years. The law school Board of Trustees established the C. Paul Jones Public Service Fund Endowment in honor of Professor Jones. Interest from the endowment will be used to help William Mitchell graduates employed in public service positions repay law school loans.

1954

Thomas Wolf has been board certified as a Trial Advocate by the National Board of Trial Advocacy (NBTA). NBTA is the only national board certification for trial attorneys.

1955

Clinton Schroeder received the 2001 Professionalism Award from the Hennepin County Bar Association. This annual award is given to a member who best exemplifies the pursuit of law as a profession, demonstrating a spirit of public service, competence, integrity and ethical conduct. Mr. Schroeder is a partner at the law firm Gray Plant Mooty.

1958

William E. Mullin was elected President-elect of the Minnesota Chapter of the American Academy of Matrimonial Lawyers.

1961

Justin Dingfelder has been elected President of The Foundation of the Federal Bar Association.

1962



Michael P. Sullivan

Michael P. Sullivan, former President and Chief Executive Officer, and current Chairman of the Board for International Dairy Queen Inc., has been appointed Of Counsel to the firm of Gray Plant Mooty.

1963

Thomas A. Clure has been appointed a Duluth Seaway Port Authority Commissioner by the Duluth City Council. Clure is a shareholder of Clure Eaton Law Office and an active member of several organizations including the Maritime Law Association of the U.S. Lake Superior Marine Museum, First Witness Child Abuse Center, Duluth's Pioneer National Bank, and the American Bar Association.

HAPPY BIRTHDAY CENTENARIANS

Our records show the following alumni have reached the golden age of 100 or more years. Best wishes to all of you!

John H. Farley	1918
Alfred H. Winter	1924
Lewis E. Solomon	1924
Reuben G. Lenske	1924
Alfred A. Burkhardt	1926
Benno F. Wolff	1927

Stephen E. Lee was named a partner at Jennings, Strouss & Salmon in Arizona. Stephen has practiced tax, corporate and transactional law, most recently with Brown & Bain. He has also been a Professor of Law at Arizona State University.



Rolf Nelson

Rolf Nelson was recertified as a Certified Elder Law Attorney (CELA) by the National Elder Law Foundation. Nelson became Minnesota's first CELA in April 1996, and is one of only 200 CELAs in the United States.

1965

James T. Hale, Target Executive Vice President, has joined the Tennant Company's Board of Directors. Tennant Company manufactures non-residential floor maintenance, outdoor cleaning equipment, and related offerings.

Professor Joyce Hughes was honored at a minority alumni dinner held at Northwestern University School of Law with many of her former and current students celebrating her 30-year career and many achievements.

1967

Ronald Henke has been named director of the Department of Veteran's Affairs (VA) National Compensation and Pension Service. He is responsible for direct management of VA procedures to provide financial assistance to veterans, their dependents and survivors, and will also keep VA programs in line with changes in law, court rulings and emerging veteran needs.

1968



Harry Sieben

Harry Sieben was voted one of the Top 100 *Super Lawyers* by attorneys in a Minnesota statewide survey, and has been listed in the *Super Lawyer* survey every year since 1996. He is president of the personal injury law firm of Sieben, Grose, Von Holtum & Carey.

1970

James Crassweller joined the litigation department of Rider, Bennett, Egan & Arundel. He practiced in the litigation department of Doherty, Rumble and Butler for more than 25 years.

Neil Hamilton has joined the University of St. Thomas School of Law as Director of the Mentor Program and Professor of Law. He has served for 21 years as Trustees Professor of Regulatory Policy at William Mitchell College of Law.

Patrick Hart was named President-elect of the Minnesota Banker's Association (MBA) at the annual MBA convention, held this year at Madden's Resort on Gull Lake in the Brainerd Lakes Area. Mr. Hart is the president of Paragon Bank in Wells, Minnesota and has served his community in many ways, especially by providing legal assistance to the needy.

Allan A. Ryan, Jr. recently accepted the position of Director of Intellectual Property at Harvard Business School Publishing. He previously served in the Office of the General Counsel at Harvard University.

1971

Robert C. Dawes has been an editor of *Social Security Advisory Service*, published by James Publishing, Inc. (ssas@ssas.com) since 1998. He also continues to maintain his private practice, specializing in Social Security disability law and Colorado Workers' Compensation law in the Durango, Colorado.



Richard Mark

Richard Mark was named President-elect of Briggs and Morgan. He will assume the position of President in early 2002 for a five-year term. He currently chairs the firm's litigation department and has served on the Board of Directors, as Vice President, and as Business Development Chair.

1972

Philip S. Garon has been named one of 15 lawyers in the nation to receive the 2001 Burton Award for excellence in legal writing. Mr. Garon authored "Maximizing Shareholder Value: The Funco Experience" which reviewed the law of



Philip S. Garon

corporate mergers in the context of the 2000 acquisition of Minnesota-based Funco Inc. by Barnes & Nobles' Babbage's unit.

Phyllis Reha was appointed by Governor Jesse Ventura to the Public Utilities Commission. Reha is an Administrative Law Judge with the Office of Administrative Hearings, where she specializes in public utility, transportation, and environmental regulation.

Dennis Verhaagh published an article in the *Wisconsin Defender* entitled, "Will Wisconsin Adopt the *Daubert* Rule?"

1973

Randall D.B. Tigue, past President and National Chairman of the First Amendment Lawyers Association received the "Hal Freeman Freedom Isn't Free" award from the Free Speech Coalition at their 14th annual "Night of the Stars" ceremony. The honor is awarded to individuals that the Coalition believes have waged significant First Amendment battles. The Free Speech Coalition's gala honors those who have advanced the cause of free speech through their work, community effort, or political action.

1974

Gary J. Haugen was again elected to the Governance Committee of Maslon Edelman Borman & Brand.

Diana Murphy, judge for the United States Court of Appeals Eighth Circuit, was the recipient of this year's Devitt Award.

1975

Thomas Heffelfinger has been nominated and confirmed for United States attorney for the District of Minnesota.

Lawrence Johnson was named Anoka County District Judge by Governor Jesse Ventura. He is a shareholder in the firm of Barna, Guzy and Steffen and specializes in business law.

1976

John B. Blatz has been named Vice President of Environment, Health and Safety for the Great Lakes Chemical Corporation. In this position, he will oversee the company's broad-based health and safety initiatives and lead the company's environmental compliance activities.

Fred M. Soucie has been board certified as a Trial Advocate by the National Board of Trial Advocacy (NBTA). NBTA is the only national board certification for trial attorneys.

1977

Aviva Breen is retiring from her position as Director of the Legislative Commission on the Economic Status of Women. As head of the state agency responsible for researching and promoting women's issues at the State

Legislature, she has advocated support for women's issues including pay equity, domestic violence, parental leave, child support, and child care.

Peter Riley was elected Vice President of the Minnesota Trial Lawyer Association at the Minnesota Trial Lawyer Association's annual convention in Alexandria, Minnesota. He is with the Minneapolis law firm of Schwebel, Goetz and Sieben. Mr. Riley has practiced for 24 years and specializes in cases representing victims of injury or wrongful death.

Paul Weingarden was named a Super Lawyer by *Minnesota Law and Politics* and *Twin Cities Business Monthly*.

1978



Kareen Ecklund

Kareen Ecklund has been elected chair of the Minnesota Humanities Commission (MHC). MHC is a non-profit organization providing educational humanities programs and resources for all Minnesotans. She continues to work at the law firm of Felhabier, Larson, Fenlon and Vogt.

Todd Freeman gave several presentations at the 30th Annual Advanced American Law Institute-American Bar Association Course of Study,

"Representing Professional and Personal Service Organizations: Qualified Plans, Other Employee Benefits, Taxation, Insurance, and Health Care." He practices in health law.

Charles E. Lundberg received the 2001 Minnesota Defense Lawyers Association President's Award in recognition of his leadership and service on the Amicus Curiae Committee and consistent support of the Minnesota Defense Lawyers Association. He is with the firm Bassford, Lockhart, Truesdell & Briggs.

1979

Grant Aldonas has been appointed by President Bush to serve on the Congressional Executive Commission on the People's Republic of China, monitoring human rights abuses in China. Mr. Aldonas is the Undersecretary of Commerce for International Trade.

David R. Cleveland has begun his own law practice, in St. Paul, Minnesota.



Mark K. Maher

Mark K. Maher has been appointed shareholder in the firm of Smith, Gendler, Shiell, Sheff, Ford & Maher. He serves as a commercial property tax litigation attorney, and has 20 years experience in the public sector,

most recently with the Hennepin County Attorney's office.

1981

Bradley Forrest, a partner at Schwegman, Ludberg, Woessner & Kluth, was elected President of the Minnesota Intellectual Property Law Association. He specializes in patent and trademark protection for electronic and computer architecture, hardware, and software.



Carol Taylor

Carol Taylor has been named Vice President-Counsel at the Amerisure Insurance Corporate Headquarters in Farmington Hills, Michigan. Amerisure Insurance is one of the nation's largest regional property and casualty insurance groups.

1982

William Harvey was elected a partner with Brobeck, Phleger & Harrison.

Steven Thai was named a Super Lawyer by *Minnesota Law and Politics* and *Twin Cities Business Monthly*.

1983

David Bolt was voted one of the top 25 plaintiff's personal injury lawyers by *Minnesota Law and Politics Super-*

Lawyer poll, and was one of the top 25 Alternative Dispute Resolution Lawyers listed in *Law and Politics 2001 Guide to Who's Who in ADR*. David practices in Anoka, Minnesota with Soucie, Buchman and Bolt.

B. Todd Jones joined the firm of Robins, Kaplan, Miller & Ciresi and works in commercial litigation including the areas of intellectual property and electronic commerce. He was formerly a partner at Greene Espel law firm and served as United States Attorney in Minnesota from 1997 to 2000.

1984

John T. Buchman was named a Super Lawyer by *Minnesota Law and Politics* and *Twin Cities Business Monthly* for demonstrated excellence in his practice of law. Mr. Buchman works with the Soucie, Buchman & Bolt law firm in Anoka, Minnesota.

Brad Keil has been appointed Chief Executive Officer of Oppenheimer Wolff & Donnelly law firm. Mr. Keil specializes in employee-benefit and executive compensation law.

Sheryl Walter was appointed Acting Assistant Attorney General for Legislative Affairs at the United States Department of Justice.

Clark T. Whitmore was again elected to the Governance Committee of Maslon Edelman Borman & Brand.

1986

Karim El-Ghazzawy was named a Super Lawyer by *Minnesota Law and Politics* and *Twin Cities Business Monthly*.

Elena Ostby has opened the law firm of Elena L. Ostby and Associates. The new firm will concentrate in the areas of labor and employment law, immigration law, and alternative dispute resolution.

Andy Tanick joined the labor and employment group of Rider, Bennett, Egan, & Arundel.

Anne Weyandt was named President of Anoka-Hennepin Technical College by the Minnesota State Colleges and Universities Board of Trustees. She has served as interim president since May 2000.

Z. Alex Zhang will supervise the Shanghai, China office recently opened by Dorsey & Whitney. Zhang is a partner with Dorsey & Whitney, a native of Beijing, and holds law degrees from China and from the University of Minnesota.

1987

Jonathan Jay was named a partner with Patterson, Thunte, Skaar & Christense.

1989

John M. Dornik has been elected Treasurer of the Hennepin County Bar Association. He is a shareholder with Mackenzie and Halberg and specializes in personal injury, medical negligence and product liability litigation.

Jon H. Hoppensteadt was accepted for inclusion in *Marquis Who's Who in America*, 56th Edition, 2002 for his work promoting the acquisition of practical mate-

rials in libraries for the use of survivors of crimes, their advocates and their lawyers. He has been successful at getting materials of this nature into libraries in Minnesota, Nevada, Florida and California and with affecting informational policy towards victims' rights in many other states including New York States, North Carolina and New Jersey. He submitted 308 pieces of his correspondence on this issue of access to practical information to the Library of Congress for their acquisition. He hopes that these will be used by legislators, scholars, and the general public for new approaches to providing information to survivors. At present, he is volunteering at two public libraries, Palm Harbor Library and East Lake Community Library, in Palm Harbor, Florida.

Natalie Tyrrell was elected the first woman judge for the North Las Vegas Justice Court Department 2. Previously, she served as Justice of the Peace pro tempore and as an alternate Municipal Court Judge.

1990

Eric Cooperstein is now Assistant Senior Counsel in the Office of the Monitor of *Pigford v. Veneman*, a class action by African-American farmers against the United States Department of Agriculture. Cooperstein formerly served as a Senior Assistant Director of the Office of Lawyers Professional Responsibility.

1992

Hitoshi Hasegawa is a new partner with Morrison & Forester at their Tokyo office.

Gary O'Connor started the Edward Coke Appellate American Inn of Court in Washington, D.C., the first Inn of Court in the country that specializes in appellate practice. He currently is the Secretary/Treasurer of the Inn. Members include some former Solicitors General of the United States, as well as judges of the D.C. and Federal Circuit Courts of Appeals. In addition, Mr. O'Connor had two law review articles published: "Did Decide or Should Have Decided: Issue Exhaustion and the Veterans Benefits Appeals Process," in *American University Law Review* in 2000 and "Rendering to Caesar: A Response to Professor O'Reilly," in *Administrative Law Review* Spring 2001.

Kevin Wolf was promoted to partner with St. Louis-based Bryan Cave. Mr. Wolf specializes in corporate compliance and defense as well as international trade.

1993

Gena M. Chapman was named a shareholder of Kinney and Lange in January of 2001. She continues to practice Intellectual Property litigation and related counseling.

Paul P. Kempf was named a shareholder of Kinney and Lange in January of 2001. He continues to practice Intellectual Property litigation and related counseling.



Timothy Pramas

Timothy Pramas has joined the St. Paul office of the law firm of Felhaber, Larson, Fenlon & Vogt. His litigation focuses on commercial disputes, products liability, insurance and class action matters.

1994

Jane Barton (Jacimore) currently is an associate with the law firm Twomey, Latham, Shea & Kelley located in Eastern Suffolk County, Long Island, New York.



Matt Forsgren

Matt Forsgren has been elected shareholder in the firm of Briggs and Morgan.



Mike Moberg

Mike Moberg has been elected shareholder in the firm of Briggs and Morgan.

Timothy Mulrooney has joined Henson & Efron of Minneapolis. He was formerly an attorney with the Hennepin County Attorney's office.



Steve Ryan

Steve Ryan has been elected shareholder in the firm of Briggs and Morgan.

1995

Lisa Montague Ingalls has been appointed General Counsel for Intrepid USA Inc., a national home care and supplemental medical staffing agency headquartered in Edina, Minnesota.

1996

Nancy A. Newark has joined the firm of Burns & Levinson. She focuses her practice on employment law and represents both employers and employees in all aspects of the employment relationship and litigation process.

Nicole (Hendricks) Putnam joined the law office of Edward L. Daniels as an associate in April 2001 and is practicing litigation with a focus on domestic relations, personal injury, real estate and agricultural law. She was deputy district attorney in Linn County, Oregon for two years, and married in June 2000. Ms. Putnam lives in Albany Oregon with her husband Michael.

Nadeem A. Siddiq and Wajeeha G. Siddiq are pleased to announce the birth of their son, Qasim A. Siddiq. Qasim was born on July 13, 2001 with a birth weight of 8 lbs. 6 oz. In addition, Nadeem has joined the Bank of Montreal Head-office Law Department located in Toronto, Canada where he will practice in the areas of Corporate and Consumer Finance. Mr. Siddiq was formerly of the Toronto office of Donahue Ernst & Young.

Charles D. Wilson joined the law firm of Gray Plant Mooty as a member of the Real Estate Practice Group, with litigation experience in representing businesses and individuals in commercial and residential real estate transactions.

1997

Mark Petersen has been named Co-chair of the Securities Law Section of the Hennepin County Bar Association. He practices securities law and mergers and acquisitions.

Roshini Rajkumar became Consumer Reporter in March 2001 at WTVF-TV in Nashville. She joined the station as General Assignment Reporter in November 2000.

David M. Walter joined the Houston office of Bracewell & Patterson in the Real Estate, Energy, and Finance Group.

1998

Andrew M. Baese has joined the law firm of Briggs & Morgan in their Estate Planning section.

Jeffrey A. Ellis has joined the law firm of Gray Plant Mooty and practices in the areas of taxation, business transactions and general corporate law.

Sharon English spent the first two years after graduation caring for her son after he became disabled due to a vaccination injury. She is now a staff attorney for the 20th Judicial Circuit in Florida which encompasses Lee, Collier, Charlotte, Glades and Hendry counties. Ms. English also is working on a masters degree in Information Studies from Florida State University.



Lisa R. Gordon

Lisa R. Gordon has been named associate at the law firm of Kilpatrick Stockton in Raleigh, North Carolina.

Rinky (Manson) Parwani has joined the entertainment law firm of Pierce & Gorman in Beverly Hills, California.

1999

Michael Hellwich joined the Minneapolis office of Robins, Kaplan, Miller & Ciresi as an associate.



Carl H. Johnson

Carl H. Johnson was admitted to the Alaska Bar and recently began work as an associate at Landye Bennett Blumstein in Anchorage. Since his firm represents primarily Alaska Native corporations and Tribal governments, Mr. Johnson will be practicing primarily in business law, corporate law, environmental law and Indian law-related issues. He recently published an article in the *Alaska Law Review* entitled

“A Comity of Errors: Why *John v. Baker* is Only a Tentative Step in the Right Direction,” and is serving as the Vice President of the Young Lawyers Section of the Anchorage Bar Association. Mr. Johnson also has been active in his photography, volunteering as a photographer for the Special Olympics World Winter Games, serving on the Board of Directors for the Alaska Society of Outdoor & Nature Photographers and publishing a photography web site at www.carlhjohnson.com.

Jason Ruedy is working for Allingham Law Offices and also is pursuing his goal of owning a hunting and fishing resort in Alaska. He specializes in intellectual property, real estate, and labor law issues.

Krista Schwarting was admitted to the Alaska Bar and recently began work as an associate at Jermain Dunagan & Owens in Anchorage, where she will be practicing primarily in education and employment law. She edits the Anchorage Bar Association page in the *Anchorage Journal of Commerce*, is a member of the Soroptimists International of Cook Inlet and has been serving as an instructor and advisor for the Anchorage Youth Court. Ms. Schwarting recently completed her master’s degree in journalism, writing her thesis on telecommunications law. She also has been active in the Anchorage theater scene, performing in four plays in community and professional theaters, and was a reader at the Edward Albee Last Frontier Theater Conference in Valdez.

2000

Benjamin W. Johnson joined Dorsey & Whitney’s Billings, Montana office in the Tax Department.

Brad Lovelace is working with the law firm of Wingert Grebing Brubaker & Ryan and practices in the areas of wills, trust and estate litigation.

Roshan Rajkumar has joined the Minneapolis office Bowman & Brooke.



Eric J. Riensche

Eric J. Riensche joined the Twin Cities law firm of Felhaber, Larson, Fenlon and Vogt. He will focus his practice on litigation.

Christina A. Svalstad joined Hightower & Rudd in Miami, Florida as an associate in the litigation department. ■

Class Notes News

Name: _____

Class Year: _____

News/Comments: _____

— OR —

Change of Address

Name: _____

Class Year: _____

Firm/Company: _____

Business Address: _____

Business Phone: () _____

Fax: () _____

E-mail: _____

Home Address: _____

Home Phone: () _____

I prefer my mail to be sent to my:

Home Work

Send your Class Notes or Changes to:

Law Alumni Association
 472 Mondale Hall
 229 19th Avenue South
 Minneapolis MN 55455
 or e-mail to Terri Mische at misch002@umn.edu
 or fax to Terri Mische at 612/625-2011.

In Memoriam Tributes

Joseph Levstik, Foreign, Comparative and International Law Librarian from 1964 to 1986.

By Joan S. Howland, Roger F. Noreen Professor of Law and Associate Dean for Information and Technology

The Law School community was very sorry to learn of the death in March of Joseph Levstik, the foreign, comparative and international law librarian at the University of Minnesota Law Library from 1964 to 1986. Mr. Levstik was a superb reference librarian and an equally outstanding collection development librarian.

Born in Yugoslavia in 1916, Mr. Levstik received a classical education, typical for students studying in the elite Eastern European institutions prior to World War II. A review of Mr. Levstik's transcript from the Classical Gymnasium at St. Vid and Ljubljano indicates that he consistently received marks of "Excellent" in a wide range of courses including mathematics, history, religion, astronomy, Latin, Greek, French, German, Slovenian, and Serbo-Croatian. Upon completion of his studies at the Gymnasium in 1937, he entered the Law School at the University of Ljubljana. He graduated with highest honors in 1943, and began his legal career as a lawyer with the Yugoslavian postal department. However when the Communists took control of the government in 1945, Mr. Levstik decided to move to Austria and eventually to Italy. In 1948 he immigrated to Canada where he worked initially in the agricultural industry and later in business. He came to the United States in 1962 to attend the graduate program in library science at Western Michigan University. Upon receiving his masters' degree in 1963, he was hired as a cataloger at the Harvard Law Library.

In 1964 Mr. Levstik was recruited by Professor Bruno Greene for the position foreign, comparative, and international librarian at the University of Minnesota Law Library. Although Mr. Levstik had been employed at Harvard for less than a year, Earl Borgeson, the Director of the Harvard Law Library, encouraged him to pursue this new professional opportunity. Professor Borgeson, a 1949 graduate of the University of Minnesota Law School, had worked in the Law Library as a student and was cognizant of the depth and breadth of the library's international collections. He also knew that Mr. Levstik, with his legal training and excellent language skills, would be able to successfully meet the challenge of serving a research oriented faculty and student body. Mr. Levstik joined the University of Minnesota Law Library staff on March 1, 1964.

During his 22-year tenure at the Law Library, Mr. Levstik was the primary selector for international, foreign, and comparative law materials. He was particularly astute at identifying

new areas of growth, and was responsible for building the Library's collections of primary and secondary sources from Africa, South America, and Asia. He also oversaw the Library's efforts to purchase statutory materials, case law, and treatises from all major jurisdictions throughout the world. According to the Law Library's Curator for Rare Books and Special Collections Katherine Hedin, "Just as Arthur Pulling should be given credit for developing the Library's rare book collection, Joseph Levstik should receive credit for developing our truly global collection of primary and secondary sources."

Mr. Levstik's personnel file at the Law Library contains letters of appreciation from generations of faculty, students, and visiting scholars who benefitted from his reference skills and in depth knowledge of both civil law and common law. The letters are replete with comments about Mr. Levstik's language abilities, and the ease at which he could translate materials written in a wide range of languages including Italian, French, German, Russian, Greek, and Latin.

Professor George Grossman, who was Director of the Law Library from 1973 to 1979, commented recently, "The University of Minnesota has one of the finest foreign, comparative, and international law collections in the country, and for many years Joe Levstik maintained it without any assistance. He carried the burden gracefully, with a row of sharpened pencils always arrayed on his desk, and the Law School is richer for his efforts."

The current Law Library staff members, who had the privilege of working with and learning from Mr. Levstik, speak of him with high praise and great fondness. He is remembered as a dedicated librarian who "knew the collection like the back of his hand" and "dropped everything to help every patron who came to his office." Several members of the staff describe Mr. Levstik as a "walking encyclopedia" who could answer questions on law, world history, religion, philosophy, art history, poetry, and gardening with equal ease. He also is described as "a true gentleman" who exemplified "'old world' charm and courtesy."

Mr. Levstik is survived by his wife Giovanna. He will be remembered by the Law School community with the greatest respect, fondness, and gratitude. ■

Hiram S. Mendow Class of 1915

Hiram Z. Mendow died at the age of 107 in San Diego, California on May 11, 2001 after an eight decade career as a lawyer. He worked five days a week in his Minneapolis office until his retirement at the age of 100.



Hiram S. Mendow

Judge Mendow was born in Minneapolis in 1893, the son of a Romanian fruit and junk peddler. He graduated from the University of Minnesota Law School in 1915 and, after a brief career as a criminal law attorney, joined the United States Army Air Corps in 1917. He returned to the practice of law during Prohibition. He was appointed a Municipal Court Judge in Anoka County by Governor Preus in 1923, but Judge

Mendow declined reappointment because he had decided he would rather help keep people out of jail than send them there. Although he returned to a primarily civil law practice in Minneapolis, over the years he also represented gangsters and bootleggers, including Al Capone and the Kid Cann mob, and litigated large antitrust cases against companies such as General Electric and RCA. He also was active in the anti-defamation work of the B'nai B'rith.

In an interview in 1994, Judge Mendow stated that his most important criminal case was one in which "he was assigned by the court to represent an American Indian charged with murder during the 1935 Minneapolis market riots. The defendant had been pictured in *Time* magazine wielding a baseball bat above a prone figure." He proved his client's innocence by producing the 'victim' alive and well and also won a subsequent suit against *Time* magazine.

Mr. Mendow was predeceased by his wife Josephine after 75 years of marriage and is survived by his daughter, Abigail Mendow Sands of San Diego. ■

Irving S. Shapiro Class of 1941

Irving S. Shapiro died at the age of 85 on Thursday, September 13, 2001.

The eldest son of Lithuanian-born immigrants who settled in Minnesota, Irving Shapiro began working in the family dry-cleaning shop when he was eight.

He credits the chance to attend the University with changing his life. Mr. Shapiro graduated from the Law School in 1941, and in less than two years joined the Department of Justice. He and Charlotte Farsht (Social Work '38) were married in 1942; they have two children, Stuart and Elizabeth.

He went to Washington after law school to practice with the Office of Price Administration and in 1943, he joined the Criminal Division of the Justice Department. In 1951 Irving Shapiro began his career with E.I. duPont de Nemours & Co., and in 1974 became the first person in the then-173-year history of the world's largest chemical firm to rise to the top through a career in law and the first non-family member to head DuPont. After retiring from DuPont in 1981, Shapiro joined the law firm of Skadden, Arps, Slate, Meagher and Flom and was credited with bringing Skadden Arps into the vanguard of the movement to integrate business practices into the legal profession. He was still Of Counsel to the firm when he died.

Mr. Shapiro was elected chairman of the Business Roundtable, a group of well-known chief executives often called upon for advice from Washington. He also was one of President Jimmy Carter's personal advisers, and was a strategist in forming the legislative and political response to the 1977 boycott that some of the Arab countries placed on American companies doing business with Israel.

Irving Shapiro has been a lifetime supporter of the Law School. He established the Law School's Irving S. Shapiro Fund, which maximizes opportunities to advance teaching, learning and research by providing discretionary funds to the dean of the Law School. In 1998 he made an outright gift of \$1,000,000 to create an endowment from which emergency loans are made to law students in times of crises. His service to the University includes: National Chairman of the campaign to establish the Hubert H. Humphrey Institute of Public Affairs, Trustee Emeritus, University of Minnesota Foundation, and National Chair for the Law School's annual Partners in Excellence fund drive. He was presented with the University of Minnesota's Outstanding Achievement Award in 1975.

Mr. Shapiro is survived by his wife, Charlotte, of Greenville, Delaware; his son, Stuart, of New York City; his daughter, Elizabeth, of Rockland, Delaware; and four grandchildren. ■



Irving S. Shapiro

Stephen F. Keating Class of 1942

Stephen E. Keating passed away on August 27, 2001 in Wayzata, Minnesota. He was 83.

Mr. Keating earned both his B.S. and J.D. degrees from the University of Minnesota, where he was President of *Minnesota Law Review* and a member of the Order of the Coif. After graduation, he worked as an agent for the Federal Bureau of Investigation and served as a Naval combat intelligence officer in the Pacific during World War II. He entered private practice after the war with the firm of Otis, Faricy and Burger in St. Paul. After a 32-year career at Honeywell, he retired in 1981. Following his retirement from Honeywell, he became Chairman of the Executive Committee at Toro, on whose board he had served since 1966.

He was a director of General Mills, Dayton Hudson Corporation, First Bank System, PPG Industries, Donaldson Company, and ECOLAB, Inc. He was active in a number of Minnesota non-profit organizations: 1968 First President of Urban Coalition of Minneapolis, Chairman of the Board of Trustees of the Mayo Foundation, Chairman of the Minnesota State Arts Board, President of the United Way of Minneapolis, and President of the Minnesota Business Partnership. He also served as a member of the: Board of Trustees of University of Minnesota Foundation, Board of the National United Way, Nature Conservancy and Board of McKee Gardens in Vero Beach, Florida.

He is survived by his wife, Mary Davis Keating; son, Stephen Keating & wife Isabel, Long Lake, Minnesota; daughter, Elizabeth Schroeder & husband Frank Baltimore, Maryland; son, Thomas Keating & wife Karen, New York City; daughter, Mary Keating, Wayzata, Minnesota; grandchildren, Stephen and Jessie Keating, Kate, Libby and Luke Schroeder, David and Anne Keating; brother-in-law, Wilson Davis, Keokuk, Iowa; and numerous nieces and nephews. ■

William Edward Mussman Class of 1946

William E. "Bill" Mussman died on Sunday, February 11, 2001 at 5:00 a.m. at Memorial Hospital in Modesto, California. He was 82.



William Edward Mussman

Bill Mussman served in the U. S. Marine Air Corp. from 1942 to 1945, rising to the rank of Captain, and receiving many honors including the distinguished flying cross. After the war, he returned to the University of Minnesota, receiving his J.D. in 1946. His Law School distinctions included serving as editor of the *Minnesota Law Review*, and being appointed to the Order of the Coif.

Upon receiving his J.D., he was admitted to the Minnesota bar, and joined the faculty of the Minnesota Law School as a professor.

In December of 1948 he married the former Janet Skittone of Modesto, California and in 1949, he and his wife moved to San Francisco to begin the practice of law. Initially, he became a Professor at the University of California's Boalt Hall. In 1950 he was admitted to the California bar and joined the law firm of Pillsbury, Madison & Sutro in San Francisco, where over the next 25 years, he rose to become a senior partner in that firm. In 1975, he left the private practice of law to become Vice President and Director of Standard Oil Company of California (now Chevron Corporation) to head the company's legal department.

Upon his retirement in March 1984, he returned to private practice in San Francisco, co-founding the firm of Carr & Mussman. His son William Mussman, III joined with him at the firm shortly thereafter.

In 1999, Bill and Janet Mussman sold their Bay Area home of 33 years to move with their entire family to Modesto and its rural atmosphere. Bill Mussman & his son continued in practice together, forming Mussman & Mussman, a business litigation law firm.

He is survived by his wife, Janet Jonn; his daughter Ann Mussman; his son William Mussman, III and daughter-in-law, Carol Lynne; his brother, Robert Mussman of Moraga, California; and three granddaughters, Katherine Ann, Laura Lynne and Elizabeth Ashley. ■

Melvin J. Peterson Class of 1949

Melvin J. Peterson died on May 26, 2001 in Long Beach, California at the age of 76.

Judge Peterson attended the University of Minnesota Law School after he served as a German interpreter in the United States Army during World War II. He received his law degree in 1949 and later served as the Chief Counsel for the State of Minnesota Conservation Department from 1955 to 1957. Governor Orville Freeman appointed him to the position of Hennepin County Probate Judge in 1958. Judge Peterson retired early from the bench due to complications of injuries sustained when he was pushed down an escalator in 1988 at Hennepin County Government Center. He served as a Probate Judge for 31 years.

He is survived by his wife, Olive; son Melvin Jr. of Maple Grove; daughters Sharon of St Paul and Debbie of Long Beach; stepsons Thomas Rowlette of Minneapolis and Gerald Rowlette of Long Lake; brother Lester of St. Cloud; sisters Edith of Milaca and Ellen Rasmussen; three grandchildren and six step-grandchildren. ■

Jon L. Lunde Class of 1971

A Special Tribute to a Classmate and Friend

By Barbara Neilson

Administrative Law Judge Jon L. Lunde passed away on March 31, 2001, after a long struggle with cancer. He was 58.

Judge Lunde earned his Bachelor of Arts degree from the University of Minnesota in 1967 and went on to graduate *cum laude* from the University of Minnesota Law School in 1971. He was a member of the *Minnesota Law Review* from 1969 to 1971. After graduation, he worked for the U.S. Department of Housing and Urban Development. He left HUD in 1973 and was in private practice with the firm of Watson and Lunde until 1975. He then returned to public service, becoming an Unemployment Compensation Judge for the Minnesota Department of Economic Security. In 1979, Judge Lunde joined the Minnesota Office of Administrative Hearings (OAH) as an Administrative Law Judge, where he remained for the next 22 years.

Judge Lunde's extensive experience, quick legal mind, and thoughtful consideration of issues made him an outstanding judge. He was well respected by his colleagues as well as the attorneys who appeared before him. He was assigned the most complicated cases handled by the OAH, including the St. Paul firefighters human rights case, lengthy physician license revocation hearings, and nursing home rate cases with complicated accounting disputes. After he was diagnosed with cancer, Judge Lunde dealt with his illness in a remarkable way. He accepted his illness without bitterness, continued to work as long as possible, and maintained his extraordinary sense of humor.

At the OAH's twentieth anniversary celebration in 1995, Judge Lunde received the Award of Judicial Excellence named in honor of Administrative Law Judge Bruce D. Campbell, his long-time friend and fellow Law School alumnus. In 1996, Judge Lunde received the Career Achievement Award from the Public Law Section of the Minnesota State Bar Association.

Judge Lunde is survived by his wife of 36 years, Rochelle; his children, Holly (Bill) Lindsey of Egan and Zachary and Kristofor of St. Paul; his granddaughter, Cassandra; his mother, J. Helen Hanson of San Diego, California; his sister, Sally Wise of Phoenix, Arizona; and many other in-laws, nieces, nephews, and friends. ■

In Memoriam

Class of 1915

Honorable Hiram Z.
Mendow
La Jolla, CA
May 11, 2001

Class of 1931

Fred H. Holmsten
Shreveport, LA
February 9, 2001

Class of 1933

Waldo F. Marquart
Minneapolis, MN
August 11, 2001

William F. Thiel
Minneapolis, MN
April 15, 2001

Class of 1934

Sheldon S. Larson
Winthrop, MN
May 6, 2001

Class of 1935

John J. McBrien
Farmington, MN
June 5, 2001

Class of 1936

Eileen H. Buckley
St. Petersburg, FL
July 25, 2001

Class of 1937

Leslie A. Grant
Chevy Chase, MD
April 18, 2001

Class of 1938

Karl F. Diessner
Edina, MN
September 21, 2001

Class of 1940

Robert C. Holtze
St. Louis Park, MN
December 31, 2000

Theophil Rusterholz
St. Paul, MN
August 20, 2001

Class of 1941

Frank B. Krause
Ponte Vedra Beach, FL
April 4, 2001

Irving S. Shapiro
Greenville, DE
September 13, 2001

Class of 1942

Stephen F. Keating
Wayzata, MN
August 27, 2001

Class of 1947

John E. Volden
Arlington Heights, IL
April 3, 2001

Class of 1948

Michael J. Welsh
St. Louis Park, MN
March 14, 2001

Class of 1949

Honorable Ralph J.
Erickstad
Bismarck, ND
July 12, 2001

Honorable Melvin J.
Peterson, Sr.
Plymouth, MN
May 26, 2001

Class of 1950

Richard C. Cross
Dunnellon, FL
March 2, 2001

Roy A. Schwappach
Hopkins, MN
February 21, 2001

Class of 1951

Robert W. Oelke
Edina, MN
March 23, 2001

Class of 1952

Arthur C. Wangaard
Edina, MN
May 16, 2001

Class of 1954

Perry G. Voldness
Bloomington, MN
May 22, 2001

Class of 1955

David J. Rocheford
Edina, MN
February 1, 2001

Class of 1958

Ross M. Muir
Rochester, MN
September 10, 2001

Class of 1960

George S. Livermore
Phoenix, AZ
August 6, 2001

Class of 1964

James C. Carroll
Edina, MN
December 31, 2000

Class of 1965

David A. Johnson
Brooklyn Center, MN
June 11, 2001

Class of 1968

Robert L. Lowe
Roseville, MN
August 15, 2001

Class of 1971

Honorable Jon L. Lunde
Falcon Heights, MN
March 31, 2001

Class of 1973

Raymond D. Rossini
Plymouth, MN
July 15, 2001



University of Minnesota Law Alumni Association

Officers

Robert M. Kommerstad '52, *President*
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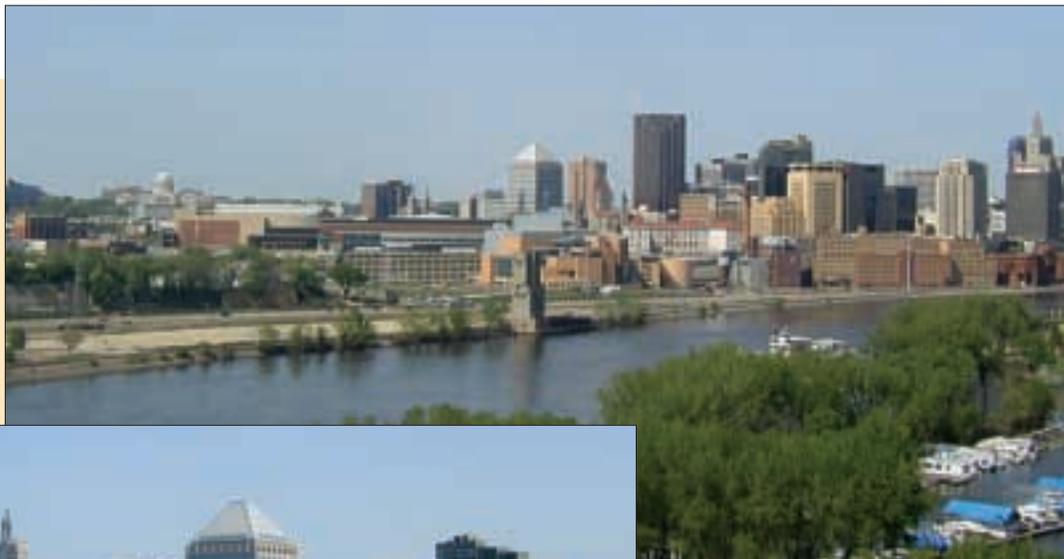
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