


GENERATIONS
THE CAMPAIGN FOR
THE UNIVERSITY OF MINNESOTA
LAW SCHOOL

FALL 2011

IN THIS ISSUE

New Institutes • *MN Law Review* Symposium • Virtual Stacks

Perspectives

THE MAGAZINE FOR THE UNIVERSITY OF MINNESOTA LAW SCHOOL

Pro Bono:
Cui Bono?

Reaching out
to give back



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LAW SCHOOL

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CORRECTIONS

In the Spring 2011 issue, Thomas H. Rauenhorst ('95) was erroneously listed among deceased alumni. He is vice president of Private Wealth Management, JP Morgan, Minneapolis. In the Class Notes section, Susan Dickel Minsberg's ('84) name was misspelled. She is a solo practitioner in St. Paul. J. Stewart McClendon ('40) passed away at his home in New York City, not in Media, Penn. The alumni profiles, incorrectly credited to Todd Melby, were written by Karen K. Hansen, a Twin Cities-based freelance writer and clarinetist.



DEAN DAVID WIPPMAN

Self-Sufficiency by Any Other Name

“What’s in a name?” Juliet asks in Shakespeare’s *Romeo and Juliet*. Sometimes, quite a lot. The Law School’s transition to financial self-sufficiency over the past several years has mistakenly been called “privatization” by some. A rose by any other name might smell as sweet, but there is a world of difference between self-sufficiency and privatization.

Today only a very small fraction of the Law School’s funding comes from the state, and that fraction is directed entirely to the Law School’s library, a resource we share with the University and the community. In all other respects, the Law School depends entirely on tuition and private support to fund its operations.

But the change in the source of the Law School’s funding does not in any way diminish the Law School’s involvement in or commitment to the rest of the University. The Law School continues to benefit from (and pay for) University services on the same terms as other colleges. And we are actively expanding our collaborations across the University to build on shared strengths in health law, environmental law, business law, and international law, to name just a few. Our revenue mix has changed, but our role in the University has not.

Of course, the Law School, like other units across the University, has felt the effects of the recent sharp decline in state support. Some might suggest that in this challenging period, retrenchment would be the prudent strategy, but we believe the opposite. To not press forward now would potentially undo much of what we have built—in terms of our extraordinary faculty, the momentum in our clinics and internship programs, and new curricular initiatives that emphasize resource-intensive experiential learning.

With generous support from our alumni, we have managed to keep the Law School on a rising trajectory over the past three years. We have hired outstanding new faculty, revamped the curriculum, launched new institutes dealing with business law and criminal law, expanded our clinics, added multidisciplinary problem-based capstone courses, and matriculated the most academically gifted and diverse student body in the Law School’s 123 year history.

By joining a small number of other distinguished public law schools across the country in the move to financial self-sufficiency, we have positioned the Law School for continued success. But we need your support to help us continue to recruit the brightest students, develop new curricular innovations, and recruit and retain extraordinary faculty.

Seizing this opportunity means, crucially, generating the funds needed to make a cutting-edge legal education affordable. For that reason, the Law School’s GENERATIONS campaign has as its most important objective funding for student scholarships and support. But success also requires funding for strategic initiatives and core operations, the other two objectives of our campaign.

We ask the Law School community to help us deepen and diversify our base of support. Having the resources to power a first-rank law school will allow us to continue to offer one of the best legal educations anywhere. We can aspire to no less if we expect to attract and retain the best.

I thank you in advance for your generosity on behalf of the coming generations of students we seek to serve.

David Wippman
Dean and William S. Pattee Professor of Law

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> At the Law



Prof. Thomas Cotter receives 2011 Stanley V. Kinyon Chaired Teacher of the Year Award from Dean David Wippman



Discussions on *Citizens United* continue during break at *Minnesota Law Review* symposium



Campaign finance attorney Clela Mitchell participates on panel at *Minnesota Law Review* symposium

Curriculum Developments

New Concentrations

> This fall the Law School added three areas to its list of concentrations: Environmental and Energy Law, International Law, and Criminal Justice.

Professor Alexandra B. Klass is faculty chair of the **Concentration in Environmental and Energy Law**, and Professors Brad Karkkainen, Myron Orfield, and Hari Osofsky join her in teaching the core courses. Additional Law School faculty teaching required and recommended courses are Professors John Borrows, Ann Burkhart, Daniel Gifford, Michele Goodwin, Jennie Green, Ralph Hall, Kristin Hickman, Fred Morrison, Gregory Shaffer, David Weissbrodt, and Susan Wolf.

“Addressing our environmental and energy needs will be one of the great challenges of the 21st century,” Klass says. “Through this program, the Law School will train the lawyers, leaders, and problem-solvers we need to tackle those challenges.”

Among the multiple learning opportunities offered are courses and seminars in brownfields redevelopment and litigation, environmental justice, environmental law, international environmental law, renewable energy law, energy financing, water law, climate change, and land use. Two clinics are dedicated to environmental sustainability issues, one focusing on energy policy and another on land use policy, and the Environmental Law Moot Court addresses current issues in the field. Extensive environment and energy offerings are available through the Consortium on Law and Values in Health, Environment and the Life Sciences; the Humphrey School of Public Affairs; the Institute on the Environment; and departments across the University, including ecology, geography, conservation biology, and applied economics.

“Our new environmental and energy law concentration will cement the Law School’s role as a leader in the fields,

not only in Minnesota but nationally and globally,” says Karkkainen.

Professor Fred Morrison is faculty chair of the **Concentration in International Law**. Joining him in teaching core and recommended courses are Law School Professors Jennie Green, Oren Gross, Steve Meili, Fionnuala Ní Aoláin, Hari Osofsky, Ruth Okediji, Chris Roberts, Gregory Shaffer, Robert A. Stein ('61), David Weissbrodt, and David Wippman, as well as members of the University’s political science and sociology departments and the Carlson School of Management.

Courses in trade, business transactions, tax, intellectual property, foreign relations, and many other areas of international law are offered, along with seminars on use of force, contracts, transitional law, and the rule of law. Capstone courses on environmental justice and on climate change law and policy provide in-depth study of these topics. The Human Rights

School



Prof. Perry Moriearty discusses *J.D.B. v. North Carolina* in Constitution Day program



Commencement speaker former Vice President Walter Mondale ('56) acknowledges standing ovation. In background: Dean David Wippman, Regent Richard Beeson, Prof. John Matheson, Provost E. Thomas Sullivan, and Prof. Fionnuala Ni Aoláin



U.S. Senator Al Franken speaks on data privacy legislation at August breakfast in association with Twin Cities Privacy Network

Litigation and International Advocacy Clinic and the Immigration and Human Rights Law Clinic give students opportunities to represent clients in court, and the Philip C. Jessup International Law Moot Court Competition engages them in a hypothetical lawsuit between two countries.

The Concentration in Criminal Justice is led by Faculty Chair Professor Richard Frase. Core concentration faculty are Law School Professors Susanna Blumenthal, Stephen Cribari, Antony Duff, Barry Feld, Perry Moriearty, Kevin Reitz, Stephen Simon ('71), and Michael Tonry, along with members of the philosophy and sociology departments.

Criminal law and criminal procedure courses, plus seminars in criminal punishment, philosophy of punishment, sentencing guidelines, and sentencing policy, make up the foundation of the concentration. Multiple recommended offerings are available in advanced study of these topics, the death penalty, juvenile justice, comparative criminal procedure and process, criminalization, white collar crime, wrongful convictions, and much more.

Hands-on experience is offered through a variety of clinical programs: Child Advocacy and Juvenile Justice, Criminal Appeals, Federal Defense, Innocence Project, Misdemeanor Defense, Misdemeanor Prosecution, and Misdemeanor Defense and Prosecution combined.

With all of the new concentrations, student-edited journals offer preparation in legal writing and research, and student organizations host events and speakers to raise awareness of pertinent issues. Students can take courses in departments across the University and further immerse themselves in their field through public lectures, externship programs, and mentorship programs.

The Law School's concentration program builds on and complements the standard curriculum through interdisciplinary partnerships with other University programs. Students who complete a concentration receive a special notation on their transcripts after graduation. Concentrations are also offered in business law, health law and bioethics, human rights, and labor and employment law.

Business Law LL.M.

The Law School has added a Business Law LL.M. program to provide foreign business lawyers with the broad array of legal skills and knowledge crucial to the global practice of business. Students must satisfy requirements of the Law School's Business Law Concentration by completing such courses as Bankruptcy, Business Associations/Corporations, Contract Drafting, International Business Transactions, and Mergers & Acquisitions. A wide variety of additional core and specialized courses and seminars, on such topics as white-collar/corporate crime and tax law, are also available.

Presentations, with question-and-answer sessions, by guest speakers from area corporations complement classwork and are specifically geared to Business Law LL.M. students. Site visits provide a look at the inner workings of such Fortune 500 companies as 3M, Piper Jaffray, and UnitedHealth Group.

Students can plan a one-to-one independent research and writing project with a business law faculty member on a topic of mutual interest and can take classes at the Carlson School of Management. They also have access to the Business Law Association, which provides student-led networking and career-related opportunities with students, alumni, and faculty.



Hail and Farewell, **CLASS OF 2011**



> **“We have done our utmost to provide you one of the finest legal educations anywhere,”** Dean David Wippman told the Law School’s graduating Class of 2011 at the May 14 commencement ceremonies. “Use that education wisely.”

Among the faculty providing that fine education were winners of the annual Stanley V. Kinyon (’33) Teaching Awards for Excellence in Education, named for the commercial law scholar and 40-year faculty member. The 2011 honorees were Thomas F. Cotter, Chaired Teacher of the Year; Stephen Meili, Clinical Teacher of the Year; Amy B. Monahan, Tenured Teacher of the Year; and Charles N. Nauen (’80), Adjunct Teacher of the Year.

Professor Dale Carpenter received the Dr. Matthew Stark Award for Civil Rights and Civil Liberties, given for

distinguished service and leadership in civil and social justice and rights.

Student award winners, selected by their classmates for outstanding contributions inside and outside the classroom, were Steve C. Schmidt, who received the Excellence in Public Service Award, and Chelsea Brennan, who received the Most Outstanding Contribution Award. The faculty selected Cicely Rosemary Miltich for the William B. Lockhart Award for Excellence in Scholarship, Leadership, and Service. Many additional student awards and honors were presented at a special ceremony on May 13.

Outgoing Law Council President Catherine Kedzuff presented the Class of 2011’s innovative class gift: graduates’ pledges to contribute financially to the Law School for the next five years. Kedzuff and Christopher Luehr

also presented a framed collage of memorable photos to Dean Wippman for “his commitment to student learning.” In recognition of class members’ significant pledges, the Office of Advancement contributed funds for a piece of artwork dedicated to the class and a postgraduate fellowship for a 2011 graduate to pursue public interest work.

Carla Wessolek of Berlin was chosen by her peers to deliver the LL.M. graduation address, and she thanked fellow students and faculty for her experiences. “I have never in my life met people who love so much what they are doing and who are so passionate about it,” Wessolek said.

Kate Baxter-Kauf, chosen by the J.D. class to give the graduation address, recalled some favorite memories: the tranquil period between com-



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1. Christopher Luehr, Justin Goetz, Adam Tomczik, Matthew Webster, Steven C. Schmidt, Matt Roberts, Chelsea Brennan, Catherine Kedzuf, Holly Overgaard, Cicely Rosemary Miltich, Kate Baxter-Kauf, and Laura Vanelli
2. Steven C. Schmidt (left) receives Excellence in Public Service Award from Adam Tomczik
3. Commencement 2011 in Mariucci Arena
4. LL.M. Class speaker Carla Wessolek of Berlin and International and Graduate Programs Director Khary Hornsby
5. TORT singers Christopher Luehr, Justin Goetz, Matt Roberts, Laura Vannelli, and Holly Overgaard lead singing of school song
6. Prof. Alexandra B. Klass, Associate Dean for Academic Affairs; former Vice President Walter Mondale ('56); and Prof. Fionnuala Ni Aoláin, Associate Dean for Research and Planning
7. Provost E. Thomas Sullivan, Dean David Wippman, Former Vice President Walter Mondale ('56), and Regent Richard Beeson
8. Christopher Luehr and Catherine Kedzuf present collage of memorable moments to Dean David Wippman on behalf of Class of 2011
9. Proud family and friends congratulate the Law School's 123rd graduating class at May 14, 2011, ceremonies

pletion of 1L finals and release of grades, the annual fall appearance of the Law School turkey, and the challenge of combining legal terminology and music into a TORT production. She noted how she and her classmates had changed over the three years together.

One classmate, Lindsey Yock, earned a special distinction with her 2011 completion of a study plan that began in 2005: She became the first J.D./M.D. graduate of the Joint Degree Program in Law, Health & the Life Sciences.

Commencement speaker former Vice President Walter F. Mondale ('56) reminded graduates that great lawyers led the nation in establishing its fundamental principles and that lawyers still are "expected to take care that justice flourishes here." The lack of legal

protection for some and the disappearance of funds for civil legal assistance to the needy should concern all of us, he said. "If we want all Americans to believe in civility, to trust our system for peacefully resolving issues," we must stand up for justice.

E. Thomas Sullivan, Senior Vice President for Academic Affairs and University Provost, represented the Central Administration at the ceremonies. Professors Dale Carpenter and Brad Clary ('75) were chosen by the Class of 2011 to present the J.D. class, and Director of International and Graduate Programs Khary Hornsby ('05) presented the LL.M. class. After University Regent Richard Beeson conferred the degrees on the new lawyers, Dean Wippman sent them off to their futures with a Latin hail and farewell: *ave atque vale*.

Orientation for the Class of 2014



Incoming students get fueled for next orientation event



Former federal judge James M. Rosenbaum ('69) delivers Bearmon orientation lecture



First class photo for Class of 2014

> **On August 30, 2011, Dean David Wippman**, faculty, and staff welcomed the Class of 2014 to its first day at the Law School. The class includes 246 J.D. candidates, 31 transfer students, 23 international exchange students, and 2 visiting students. In addition, 49 LL.M. students from 21 countries and 12 Humphrey Fellows from around the world join in on courses this year.

Orientation kicked off with a welcome by Assistant Dean of Students Erin Keyes ('00). She introduced Law Council President Sanjiv Laud ('12) and Director of Admissions Nick Wallace ('05) and spoke to students about where the Law School and their legal education would take them.

Wallace introduced Dean Wippman, who greeted the new students and wished them success and fulfillment in their Law School experiences. He introduced Associate Deans Joan Howland, Information Technology; Alexandra B. Klass, Academic Affairs; and Fionnuala Ní Aoláin, Research and Planning; and Assistant Deans Nora Klaphake ('94), Chief of Staff; and Patrice Schaus, Administration and Finance.

About the class

The Class of 2014 J.D. candidates come from 35 states and the District of Columbia, as well as from seven foreign countries: Canada, China, India, Korea, Mexico, Taiwan, and the United Kingdom. More than 70% of the class are nonresidents. Males and females are nearly equally represented among class members, who range in age from 20 to 47 (average 25). They completed their undergraduate degrees at 150 various institutions and speak a total of 25 languages. Twenty-eight of them have advanced degrees.

About 24% of the class are members of a minority group. A further diversity investigation reveals that the class contains a biochemical-device patent holder, a Kenpo black belt holder, a Juilliard graduate, a disc jockey, the founder of an NPO for at-risk youth, and a performer in President Obama's inauguration parade. Former occupations include ship captain, carriage driver, and newspaper editor-in-chief.

Bearmon lecture

Former federal judge James M. Rosenbaum ('69) presented the Bearmon Lecture on Legal Ethics and Professional Responsibility. The orientation lecture is sponsored by Barbara and Lee Bearmon ('56), former chief legal officer for Carlson Companies Inc., through an endowed fund that supports examination and teaching of legal ethics and professional responsibility at the Law School.

Judge Rosenbaum was a U.S. District Court judge from 1985 to 2010 (seven of them as chief judge). When he took senior status, "we took that to mean he had more time to help us," Dean Wippman commented in his introduction. "The Law School is very dear to my heart," Judge Rosenbaum told listening students, "and I have every confidence that over time it will become dear to yours."

The years ahead will be fun, interesting, and enlightening, he told the class. "You will be stunned" by the knowledge of the faculty, experience the "minor-league miracle" of learning to think like a lawyer, and become members of a profession with a shared vocabulary, culture, and vision. "People in the most desperate and important moments of their life will come to

you," Judge Rosenbaum said, because they respect lawyers and what they do.

Legal ethics is "the bone and the sinew that holds what we do together and that guides us in our work," he said. Although lawyers have a dual ethical obligation to "zealously protect" their clients while also upholding their duty as an officer of the court, they serve only one master: the law. "Your mom taught you most of what you need to know," he assured students. Keep your promises, keep the secrets you're given, don't undertake what you can't do, don't take things that don't belong to you, and just generally behave yourselves. And forget what you've seen in "The Paper Chase." The people around you will become some of your closest friends and colleagues, and law school will call out the best in you, he said. "I'm very excited for you."

In a post-lecture question-and-answer session, Judge Rosenbaum shared anecdotes from his years as a trial lawyer in Chicago and his perspectives from a long career on the bench. With an enthusiastic "It's going to be a blast," he sent the students off to their class photo.

Ready to start

Over the course of the four-day orientation program, incoming students learned about degree programs, student activities, career and professional development resources, the Law Library, and the many additional facets of the Law School. Students had several opportunities to become acquainted during social events, and faculty and staff were on hand to answer questions and to welcome the Class of 2014 to Mondale Hall and the legal profession.

Summer Legal Institute Introduces Youth to Law

> **This summer, 12 Twin Cities high school students** spent five days immersed in the legal profession, from classroom lectures to courthouse visits. From June 20-24, 2011, the Law School hosted the Twin Cities Summer Legal Institute (SLI), part of the Pipeline Programming to help students from diverse backgrounds succeed in higher education designed by Just The Beginning Foundation (JTBF).

During the program, the 9th through 11th graders attended a mock Law School class, did critical reasoning and analytical thinking exercises, practiced negotiations skills, wrote and presented an appellate oral argument, and participated in a mock trial.

They heard panel discussions by members of the legal community and met members of the judiciary and attorneys working in various areas of law at receptions and lunches and through educational programs. JTBF staff presented daily spotlights on prominent minorities in the legal field.

“It is amazing to see a diverse and talented group of students do so much in one week,” says JTBF Program Director Laura Ramsey (’09). “Students begin the program with an interest in the legal field and at the end of the week they are arguing complex legal issues before a panel of volunteer attorneys.”

Students also attended workshops on college readiness and networking and received admissions and other col-

lege-preparation information. Off-campus field trips took them to area law firms, corporations, government offices, and the U.S. District Court of Minnesota. By program’s end, students had gained a wide-ranging awareness of the work and opportunities of a legal career.

This year, for the first time, JTBF and the Law School offered an advanced program to students who had attended an SLI and were interested in further preparation for college and legal careers. From June 27-29, faculty members, judges, and other speakers led seven Advanced SLI students in an intensive program of college preparation and higher-level legal-reasoning skills.

In addition, JTBF and two local law firms offered workshops to diverse high school students. Leonard, Street and Deinard attorneys and staff, in an Oct. 12 workshop, taught students how to choose a college that fits their goals and helped them with their college essays and applications.

Robins, Kaplan, Miller & Ciresi presented an Oct. 13 program on networking and finding a mentor, and volunteer attorneys shared details on working in the legal arena.

JTBF is able to offer SLI and other programs free to students through the generosity of its sponsors and the many professors, attorney, judges, and other volunteers who donate their time and skills. Twin Cities program sponsors for

2011 were Faegre & Benson; General Mills; Leonard, Street and Deinard; Oppenheimer, Wolff & Donnelly; Robins, Kaplan, Miller & Ciresi; Thrivent Financial; United Health; and Zelle Hoffman. National sponsors were the Council on Legal Education Opportunity, McGuire Woods, and the Spencer Williams Foundation for Judicial Independence.

JTBF is a multiracial nonprofit organization dedicated to fostering interest and supporting success in the law among young people from socioeconomic, ethnic, and cultural backgrounds that are underrepresented in the legal profession. Its SLI program, first offered only six years ago, now has expanded beyond its Chicago home and the Twin Cities into six additional locations across the nation.

The Law School is dedicated to diversity and supports JTBF’s long-term goal of increasing racial diversity in the legal profession and on the bench. Through all its programs and opportunities, the Law School strives to prepare students to make a difference in a changing world.

To learn more about JTBF sponsorship, contact Dana Horst, JTBF Director of Development and Marketing, at dhorst@jtbf.org or 312-258-4574. For program information, contact Laura Ramsey at lr Ramsey@jtbf.org or 312-258-4868; or Alan Haynes, Career Center director, at hayne122@umn.edu.

SAVE THE DATES

> **The 2012 Erickson Legal History Lecture**, “The Trial of Arthur Hodge: Petty Despots and the Making of an Imperial Legal World,” will be presented on March 7, 2012, at 3:30 p.m. in Room 50 by Lauren Benton, professor of history and dean for humanities at New York University School of Law. Benton completed her Ph.D. in history and anthropology at Johns Hopkins University. Her main writing and research area is 16th to 19th century comparative

legal history of European colonialism, with a recent focus on the interaction of European and indigenous law and the relation between colonial law and international order. Her latest book is *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge, 2010).

> **The 2012 John Dewey Lecture in the Philosophy of Law**, “The Current State of International Criminal Justice,” will be presented on April 19, 2012, at 4:00 p.m. in Room 25 by Richard J.

Goldstone, former Justice of the Constitutional Court of South Africa. He served as the first Chief Prosecutor of the International Criminal Tribunal for the former Yugoslavia and Rwanda (1994-96), and in 2009 he led a U.N. Human Rights Council mission summarized in what has come to be known as the “Goldstone Report.” A judge in South Africa for 23 years, Goldstone has received numerous honors for his human rights work, including the John D. and Catherine T. MacArthur Award for International Justice.

Minnesota Law Review Symposium Examines Effects of Campaign-Finance Decision

> **Leading academics, political scientists, and practicing attorneys** from across the country gathered at the Law School on Oct. 15, 2011, to discuss the U.S. Supreme Court’s landmark campaign-finance decision, *Citizens United v. Federal Election Commission*. The occasion was the *Minnesota Law Review’s* annual symposium, this year entitled “*Citizens United: Democracy Realized or Defeated?*” An engaged audience interested in the intersection between law and politics packed Room 25.

The symposium examined the state of political processes and the legal landscape after the Supreme Court’s decision that the First Amendment does not permit limits on corporate funding of independent political broadcasts in elections. The 5-4 decision has caused considerable controversy in the already-hot debate over political contributions. Ideally poised to reflect on the decision and its effects on upcoming elections, the symposium addressed diverse issues via panels of experts and legal scholars representing perspectives from all sides of the debate—from a needed victory for free speech to a devastating nod to corporate interests.

The first panel, “*Citizens United: Right or Wrong?*” was composed of Professor Richard Briffault of Columbia Law School, Professor Guy-Uriel Charles of Duke University School of Law, and Cleta Mitchell, a campaign finance attorney at Foley & Lardner and author of an amicus curiae brief in support of *Citizens United*. Examination of the merits of the decision, with a focus on substantial legal questions in the sea of public policy arguments presented in the media, was moderated by Professor Heidi Kittrosser.

The second panel, “Don’t Look Now! *Citizens United: An Empirical*



Prof. Richard Briffault, Prof. Heidi Kittrosser, and Prof. Guy-Uriel Charles



Minnesota Law Review staff members Emily McNee ('13) and Alicia Smith ('13)



Administrative and regulatory attorney Mike Wittenwyler

Analysis,” moderated by Lawrence Jacobs, chair of political studies at the University of Minnesota Humphrey School of Public Affairs, examined the political impact of the decision with a focus on the numbers—money raised, television time bought, and races won. The panel featured Professor Kenneth Goldstein of the political science department at the University of Wisconsin-Madison and Mike Wittenwyler, an administrative and regulatory attorney at Godfrey & Kahn and an adjunct professor at the University of Wisconsin Law School.

The final panel, “After *Citizens United* is Campaign Finance Reform a Phoenix—or the Titanic?,” addressed the decision’s effects and the future of campaign financing. Panelist James Bopp Jr., a campaign finance attorney at Bopp, Coleson & Bostrom and lead counsel for *Citizens United* in the

lower courts, discussed his view that judicial elections preserve judicial independence and enhance judicial accountability. Panelist Spencer Overton, a professor at George Washington University Law School, spoke on the importance of an effective public financing system and identified the flaws of past systems in light of the Court’s *Arizona Free Enterprise Club v. Bennett*. Professor William McGeeveran moderated the discussion.

Articles by Briffault, Charles, Goldstein and Wittenwyler, and Overton will be published in Issue 5, the symposium issue, of Vol. 96 of the *Minnesota Law Review*. For audio and video recordings of the symposium, please visit www.minnesotalawreview.org.

By Margaret E. Wade ('12), symposium articles editor

ROBINA INSTITUTE OF CRIMINAL LAW AND CRIMINAL JUSTICE

Rethinking Policies and Practices

> This fall the Law School

launched the Robina Institute of Criminal Law and Criminal Justice, with the support of a major long-term grant from the Robina Foundation. Headed by professors Michael Tonry and Antony Duff, the Institute will conduct interdisciplinary, policy-oriented study of criminal justice systems. Policy-makers, practitioners, and a wide range of leading scholars will come together to generate transformative ideas for improving criminal justice policies and practices that are widely recognized to be ineffective, overly costly, overly severe, and insufficiently attentive to the needs and interests of victims.

“We are immensely grateful for the Robina Foundation’s vote of confidence,” says Law School Dean David Wippman. “The new Institute enables the Law School to augment its already remarkable strength in criminal law and criminal justice. ‘Transformative’ is a big word, not to be tossed about casually, but even so we expect the new Institute to have transformative effects on the Law School and American legal education, and to play an important part in transforming the American criminal justice system into something of which Americans can be proud.”

At the Institute’s inaugural meeting on November 11, 2011, entitled “Rethinking Criminal Justice,” nationally and internationally prominent practitioners, scholars, and public officials gathered for discussions of the topic. Speakers included Pamela Alexander (’77), President of the Council on Crime and Justice; John Choi, Ramsey County Attorney; Professor Anthony Doob, University of Toronto; Mike Freeman (’74), Hennepin County



Prof. Ronald Wright, Wake Forest University School of Law; Law School Prof. Michael Tonry; and Ted Gest, Executive Director, The Crime Report



Jamie Fellner, Senior Advisor, U.S. Program, Human Rights Watch

Attorney; Professor Carol Steiker, Harvard Law School; and Andrew Sonner, a former judge on the Maryland Court of Special Appeals.

The Institute will focus on three core, interrelated areas: criminal justice policy, led by Tonry; criminal law theory, headed by Duff; and sentencing law and practice, led by professors Richard Frase and Kevin Reitz. Projects will center on documenting problems, rethinking basic principles and aims, and developing practical, achievable, cost-effective solutions.

Tonry has been at the Law School since 1990 and for five years also headed the Institute of Criminology at Cambridge University. A renowned expert on crime and public policy, he says the criminal justice system is in crisis. “America locks up its residents at rates far higher than those of other advanced democratic countries. Vast sums of taxpayers’ money are spent on systems that are known to be ineffective, to produce massive racial and ethnic disparities, and to do unnecessary damage to offenders, their children, and their communities.”

Duff, universally recognized as one

of the world’s preeminent philosophers of criminal law and punishment, joined the Law School in 2010. He says that an institute by itself cannot fix such a complex, deeply fractured system, “but we can stimulate a better recognition and understanding of the system’s problems. We can propose new ways of thinking about those problems and suggest approaches that might be effective in tackling them. By doing this, we can help transform the debate, among experts and the public, from which genuine reform may emerge.”

Frase has been the Benjamin N. Berger Professor of Criminal Law since 1991 and is recognized for his scholarship in criminal justice. Reitz, holder of the James Annenberg La Ve Land Grant Chair in Criminal Procedure Law, joined the faculty in 2005 and writes extensively on sentencing law and policy.

The Robina Foundation was established by James H. Binger (’41) to support projects with potential to transform existing institutions, policies, and practices. For more information on the Institute, visit www.law.umn.edu/robinainstitute.html.

GENERATIONS Campaign Reception

Eastcliff, October 10, 2011



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> On October 10, 2011, University President Eric Kaler and Law School Dean David Wippman hosted a reception to celebrate the progress of GENERATIONS: The Campaign for the University of Minnesota Law School, which had reached 54% of its goal on that date. Representatives of the University and Law School administration, local law firms, and the Robina Foundation, as well as leadership donors, alumni, faculty members, scholarship recipients, and other friends of the Law School gathered at Eastcliff, the official residence of the President, to mark the occasion and show their support.

1. Karen Kaler and Joseph Dixon Jr. ('69)
2. Tom King ('65), Jean King, Bruce Mooty ('80), Marilyn Rosenbaum, and Judge James Rosenbaum ('69)
3. Eric Kaler, Sam Heins ('72), and Dean David Wippman
4. Alexandra Klass, Robert Owens ('69), and Eric Kaler
5. Nadia Aboussir ('12)
6. Thomas Crosby Jr., Eric Kaler, Eleanor Crosby, E. Thomas Sullivan, and Leslie Sullivan
7. John Mooty ('44), Carla Bahls, and David Bahls

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**SUPER CLE
WEEK:
Mark your
calendar!**

The University of Minnesota Law School Presents the
**32nd Annual
Super CLE Week Program**

Plan to attend all eight days of 2012 Super CLE Week, March 9 through 17.
A total of 47 credits (including 3 ethics and 2 bias) have been requested for the program.

Friday, March 9

**LEONARD, STREET AND DEINARD PRESENTS:
BUSINESS SUCCESSION PLANNING**

1:00-4:30 p.m.

Hear from a range of business advisors on the legal, tax, accounting and other issues surrounding the complex process of successfully transitioning a business to the next generation of owners.

Saturday, March 10

Legal and Policy Trends in Education Law CLE

8:30 a.m.-4:30 p.m. with Michele B. Goodwin

Monday, March 12

Hot Topics in Contract and Commercial Law

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

Tuesday, March 13

The First Amendment Since World War I

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

Wednesday, March 14

Conflicts of Interest from the Courtroom and the Boardroom to the Situation Room

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

Thursday, March 15

New Frontiers in Responding to Climate Change: From Local Action to Litigation to Geoengineering

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

Friday, March 16

MBA Concepts for Lawyers

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

Saturday, March 17

Ethics and the Practice of Criminal Law (morning); Identifying and Eliminating Bias and Discrimination in the Legal System: Codes, Cases, and Other Constraints (afternoon)

9:00 a.m.-3:00 p.m. with Stephen M. Simon

FOR MORE INFORMATION: CALL (612) 625-6674, OR EMAIL lscl@umn.edu

CLE credit: CLE credit: 6.5 general credits have been requested for each course except March 9 (3 credits) and March 17 (3 ethics credits, morning; 2 bias credits, afternoon).

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

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

GIFTS TO GENERATIONS



THE CAMPAIGN FOR THE UNIVERSITY OF MINNESOTA LAW SCHOOL



Sam Heins



Judge Diana Murphy

SCHOLARSHIP SUPPORT

Human rights fellowships are just one facet of experiential education available at the Law School.

Among the many alumni who are committed advocates of human rights work, two are **Sam Heins ('72)** and **Judge Diana Murphy ('74)**. Each of them, recognizing the importance of private contributions to the Law School, decided to make a donation toward human rights fellowships. These fellowships offer students the opportunity to promote social justice through practical training and hands-on experience.

Murphy's rich history of human rights work goes back to her first year of law school, when she was appointed by the governor to the Minnesota Constitution Study Commission. The 1971 Commission was established to consider whether a constitutional convention should be instituted or the existing constitution amended. Murphy was selected to head the committee reviewing and amending the sections of the constitution dealing with election laws and human rights.

Now a judge on the Eighth Circuit Court of Appeals, Murphy sees her donation as a way to give students educational opportunities they may not otherwise have. Her hope is that recipients of the fellowships go on to "commit themselves to advance the rights of all peoples." She also gives a vote of confidence to Dean David Wippman and his agenda for the Law School, and she sees supporting the fellowships as a natural fit, given her experience and interests. "It's a great period for the Law School," says Murphy. "I'm very happy about that."

Sam Heins is also dedicated to providing students with access to information and practical learning experiences. In reflecting on his own time as a student at the Law School, he recalls that no international human rights courses were offered and he had to seek out other avenues to learn about the subject. He hopes that by establishing the *Samuel D. Heins Research Support Fund*, human rights law will continue to be a part of the educational background for generations of lawyers.

When it comes to accepting recognition for any good work that may result from his fellowship support, Heins insists on taking a back seat to the students. He admires the students who "put themselves in wholly foreign and in some ways even threatening circumstances to do human rights work," he says. "If there's good coming out of it, it's because the students have the willingness and the energy and the courage to do it."

Heins acknowledges that few people are able to earn a living by practicing human rights law. However, in his view,

whether a graduate ends up practicing tax law at a large New York firm or following one of the many other paths available after graduation, "engaging and making people interested in the first place is what matters."



Jim and Julie Chosy

Jim ('89) Chosy and Julie Chosy ('90) are the kind of people any community would be lucky to have, believers in the "it takes a village" philosophy of community support. They look for ways to give back however they can, whether through volunteerism or financial gifts, and the Law School is the fortunate beneficiary of both.

During fiscal year 2010, Jim and Julie served as national chairs of the *Partners in Excellence* annual fund. This year, Jim is chair of the Board of Advisors' Development Committee and chair-elect of the Board of Advisors.

The couple has made a generous financial contribution to the Law School as well. They believe that higher education should be accessible for all who seek it, and toward that end they donated to the

GIFTS TO GENERATIONS

Robina Scholarship Fund. They did so knowing their donation will be generously matched dollar-for-dollar by the Robina Foundation. The combined gifts will provide a full scholarship for all three years of a student's Law School education.

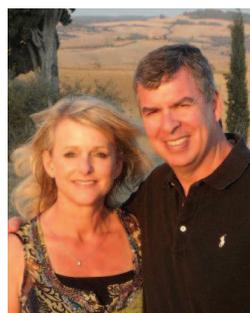
Part of what motivated them was learning that the typical law student today graduates with a debt in excess of \$90,000. When Jim and Julie enrolled at the Law School in 1986 and 1987, resident tuition was approximately \$3,100. Today it is \$34,817. Jim calls the financial burden "heartbreaking" and reflects on how much he and Julie benefited from state support and relatively low tuition for their educations.

They look forward to supporting students who, like themselves, know the value of their education, appreciate it, and use it to "make something of themselves and help their communities." They've been consistently impressed with the Law School students they've had the opportunity to meet. Students today seem "more purposeful, which is to their great credit," Jim comments.

It's easy to see why Jim and Julie are such an asset to the legal community. They are grateful and excited to be part of the Law School's history and dedicated to sharing their good fortune with the next generation. It will be fun, Jim says, to "look back and think we had a small part in helping the school become a self-sufficient, world-class institution known for excellence."



Jean Hanson



Kim and Dan McDonald



Ralph Strangis



Harvey F. Kaplan

NEW SCHOLARSHIPS

Jean Hanson ('76), Daniel McDonald ('85), Ralph Strangis ('60), and Harvey F. Kaplan ('64) are all establishing new scholarships to ease the financial burden for current and future students.

Hanson's initial exposure to the inner workings of the law occurred through the court system when she worked as a probation officer. She gained an understanding of criminal law and came to know many local judges, prosecutors, defense attorneys, and bailiffs. When she enrolled at the Law School, she expected to litigate as a criminal defense attorney or a prosecutor. But she soon learned "how extensive and broad the field of law is."

Her Law School education took Hanson from clerking for state public defender C. Paul Jones ('50) to New York City, where she worked at Fried, Frank, Harris, Shriver & Jacobson LLP. There she realized how much she enjoyed transac-

tional work and negotiation. Today, she's a partner at the firm, focusing on corporate securities and restructuring.

Keeping a Law School education affordable is important to Hanson, which prompted her to establish the *Jean E. Hanson Scholarship Fund*. She was able to take advantage of the President's Scholarship Match program, a University-sponsored initiative (which expired in December 2010) that matched the payout from qualifying endowments dollar-for-dollar. Hanson was delighted to have her dollars go further and says she is happy to "give back and provide opportunities for others."

McDonald is what's known as a "double Gopher"—someone who has two degrees from the University of Minnesota. First he earned a degree in engineering. But though drawn to technology, he didn't want to be an engineer. When he decided to enhance his engineering background with a law degree, he says he "had no idea

THANK YOU, ALUMNI CONTRIBUTORS TO THE ROBINA INITIATIVE >

The Robina Foundation, a Minnesota-based private grant-making foundation, was created by Law School alumnus James H. Binger ('41) to positively impact critical social issues by encouraging innovation and financially supporting transformative projects of its four institutional partners.

Through its Scholarship Match initiative, the Robina Foundation will match donors' scholarship gifts at two levels: \$60,000 payable over three years to provide full scholarships, and \$15,000 payable over three years to provide partial scholarships.

The Law School offers its thanks to the following alumni who have generously contributed to the Robina Scholarship Match initiative. These gifts will help the Law School reach the high-priority goal of student support within the GENERATIONS campaign.

- Jim Chosy ('89) and Julie Chosy ('90)
- Barry M. Lazarus ('65) and Mary Lazarus
- David V. Lee ('70)
- Jeannine L. Lee ('81)
- Rebecca Egge Moos ('77)
- Paul H. Ravich ('64)
- Liza G. Ring ('85)
- Ronald J. Schutz ('81)
- George J. Tichy II ('67)
- Robert R. Weinstine ('69)
- John Windhorst ('65)

The matching fund program remains in effect for a limited period. Donors interested in taking advantage of this opportunity should call the Office of Advancement at 612-626-8539 or email kdilts@umn.edu.

that ‘intellectual’ and ‘property’ were ever used in the same sentence.” He credits the Law School with helping him uncover the rewarding and challenging career of an intellectual property attorney at Merchant & Gould.

Together McDonald and his wife, Kim, established the *Dan and Kim McDonald Scholarship Fund*. They hope to “open doors to potential students that might otherwise be closed,” Dan says, and feel that funding a scholarship that will help students year after year is “the perfect way to show our appreciation and give back.” In addition to easing the financial burden for students who might otherwise have trouble making ends meet, the McDonalds hope their scholarship helps increase the diversity of the student body. Also, because of Dan’s law practice, they want to encourage any students interested in exploring a career in intellectual property.

Kaplan and his fellow partner and founder of Kaplan Strangis and Kaplan, Ralph Strangis, are committed to doing what they can to attract the best students to the Law School and ensure that they remain part of the local legal community after graduation. “Without meaningful



Establishing a scholarship fund can help students year after year and may “open doors to potential students that might otherwise be closed.”

—DAN McDONALD

financial assistance available, the most qualified of applicants will end up going elsewhere because other law schools are giving very significant assistance to the best students,” Kaplan says.

Keeping excellent lawyers in Minnesota is one of the driving forces behind the *Kaplan, Strangis, and Kaplan*

Law School Scholarship Fund, established by Kaplan, Strangis, and other Law School alumni employed at their firm. They, too, were able to take advantage of the President’s Scholarship Match program before it concluded last December, doubling the funds available.

Kaplan says he hopes the scholarship helps draw worthy candidates who find the “professional, social, and cultural environment in Minnesota to be to their liking,” adding that keeping graduates in Minnesota “enhances the quality of our practice in our community.”

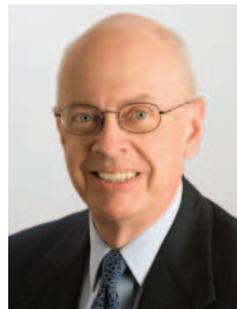
Both Kaplan and Strangis stress the importance of building a culture of philanthropic giving at the Law School, especially in the shadow of diminishing state support. Above all, they would love to see other alumni follow their lead by giving back to the Law School.

By Kelsey Dilts McGregor, donor relations & communications manager in the advancement office

CORE SUPPORT AND UNRESTRICTED GIFTS

Joseph Sullivan ('67), Phil Garon ('72), Jim Chosy ('89), and Julie Chosy ('90) (pictured on page 12) took different paths after graduating from the Law School, pursuing a business career, working at a Minneapolis firm, laboring as in-house legal counsel, and clerking for a federal appeals court judge. But all four achieved success, credit the Law School as a critical component, and see donating to the *Partners in Excellence* Annual Fund as an important way to continue a tradition of superior legal education.

Sullivan studied at the Harvard Graduate School of Business Administration after law school, earning an M.B.A. He worked for 20 years as an investment banker at Goldman, Sachs & Co. before becoming chairman and CEO at two health care companies, American Health Properties and Protocare. Today, he serves on the board of directors of four companies, including HCP, America’s largest health care real estate investment trust, which is based in California, the state he now calls home, and Cigna, a health



Joseph Sullivan



Phil Garon

service company that operates in 29 countries and employs nearly 30,000 workers.

Sullivan describes his Law School education as a key building block in his success. It helped him gain admission to Harvard, and it was a big plus on the job. “A legal education adds clarity of thinking and aids in the analysis of issues, opportunities, and problems,” he says.

A member of the GENERATIONS campaign cabinet, Sullivan was inspired to donate to the Law School for several reasons, including the decline in state funding that has motivated the Law School to join the small number of distinguished public law schools that are taking the path of financial self-sufficiency. Just a fraction of the Law School’s total revenue, state funding now supports only the Law Library—a state-wide and University-wide asset. “I was surprised to learn how little the state is now contributing,” Sullivan says.

Sullivan also was stimulated to contribute to the annual fund at this time, he says, because of Dean Wippman’s “vision of making the Law School world-class” in such areas as international, corporate, and criminal law. Sullivan fully supports Wippman’s plans for tomorrow’s generations.

Garon began his career at a Washington, D.C., firm, but within two years of graduation he was working at Faegre & Benson (soon to be Faegre Baker Daniels). During his 37-year career at Faegre & Benson, one of the top 100 firms based in the United States, he has focused on public and private mergers and acquisitions, the prevention of hostile takeovers, and other corporate matters.

A partner at the firm, Garon has long been a member of its management com-

mittee and served as firm chair for three years in the early 2000s. Many of his clients are FORTUNE 500 companies, including Target and Travelers. Thanks to his Law School education, “I felt totally equipped,” he says. “It’s just been a great career.”

Now Garon is giving back by donating to the *Partners in Excellence* Annual Fund, which is an unrestricted fund that allows the Law School to respond to emerging needs and strategic opportunities. “The reason I give unrestricted money is because I figure somebody else knows better than I do where it’s most needed and when,” he says.

Garon is also motivated to donate because he wants today’s students to have access to the same high-quality education he received. “I want to get them the best faculty and scholarships possible,” he says. “I see young graduates come to work for us and they’ve got this huge debt. We can help with that by providing scholarships.”

Jim Chosy, managing director and general counsel at Minneapolis-based Piper Jaffray Companies, agrees. “The statistic that just breaks my heart every time I hear it is that the average Law School student graduates with \$90,000 worth of debt,” he says. He joined Piper Jaffray in 1995, after working as an attorney at U.S. Bancorp and at Minneapolis-based Dorsey & Whitney.

Julie Chosy, like her husband, wasn’t burdened with debt when she graduated. She began her career clerking for John T. Noonan Jr., a Ninth Circuit federal appeals court judge. She later clerked for David S. Doty (‘61), a U.S. District Court judge. In between those stints, she worked as an associate at Faegre & Benson, where she later became a partner. “It’s a really different reality now,” she says. “If the financial threshold was as high then as it is now, I wouldn’t have become a lawyer.”

The couple is committed to supporting the school that launched their careers. “We feel it’s really important to give back,” Jim says. “We’re very grateful for the excellent, high-quality education we received. We both feel extremely fortunate to have attended the Law School and to have the strength of that school and its reputation behind us.”

Jim, who chairs the Law School’s



John Mooty and Bruce Mooty

Development Committee and serves on the Board of Advisers, continues to be impressed by today’s students. “I can’t help but be inspired,” he says. “It’s satisfying to know that our financial contribution is helping.”

The Law School hopes to raise \$5 million through contributions to its *Partners in Excellence* Annual Fund.

STRATEGIC INITIATIVES

John Mooty (‘44) and Bruce Mooty (‘80) practice law at the same firm—Gray Plant Mooty of Minneapolis. The pair also spends a lot of time together outside the office. And now the father and son have teamed up to create the *John and Bruce Mooty Chair in Law and Business*.

“This is a great opportunity for us to jointly give back to the Law School by establishing a chair in the area where we have both practiced for our entire careers,” Bruce says. “It also shows the great love and respect we have for each other.”

They didn’t always work together. After finishing his studies at the Law School, Bruce worked at another Twin Cities firm, Briggs and Morgan, for 14 years. John’s cancer scare some two decades ago prompted Bruce to make the switch to Gray Plant Mooty. John is happy he did. “It’s been an absolute delight to have the privilege to practice with him,” John says. Adds Bruce, “We like each other’s company immensely.”

Both men have strong business experience. John helped turn around National Car Rental and chaired the board at International Dairy Queen before participating in the sale of the company to Berkshire Hathaway. Bruce has vast mergers and acquisitions experience: He has represented the buyer of the

Minnesota Timberwolves and the seller in the 2005 Minnesota Vikings transaction.

The newly endowed chair will be part of the Law School’s new Corporate Institute, which combines current business-oriented activities with new programs to provide more business-related legal opportunities for students, faculty, and alumni. “The more opportunities students have to interact with the business community, the better,” Bruce says.

“The gift is a tremendous help for us,” says David Wippman, Dean of the Law School. “One of the Law School’s priorities is engaging more effectively with the business community in the Twin Cities. This is one way to do that.”

Under the umbrella of the new Corporate Institute, students can pursue a business law concentration, participate in the Business Law Clinic and corporate externship programs, and pursue a dual J.D./M.B.A. degree in collaboration with the Carlson School of Management.

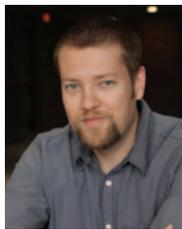
Expanding the connections between the law and business communities will also benefit the region. “This is extremely important for our state,” John says. “It will help Minnesota stay competitive in the world economy.”

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



Staff News

NEW STAFF



Brian Bangerter joined the full-time Law Library staff in May 2011 from a part-time position he had held for several months. He supports faculty and student document delivery services and interlibrary loan operations. In December he will complete a B.A. in philosophy at the University.



Nick Chapel joined the Computing Services team on April 18, 2011, to help with the various technology needs at the Law School. He performs hardware repairs; assists at the help desk; and maintains printers, lab computers, and other parts of the infrastructure.



Bria Goldman joined the staff as an administrative assistant on Sept. 6, 2011, from the Minneapolis Heart Institute Foundation, where she was a research associate. She graduated from Loyola University in 2009 with a B.A. in political science and international studies.



Zachary Hoskins joined the Robina Institute for Criminal Law and Criminal Justice as a research

fellow. He recently earned his Ph.D. in philosophy from Washington University in St. Louis, where his dissertation examined the moral permissibility of punishment. He also has an M.A. in journalism and mass communication from the University of North Carolina at Chapel Hill and worked for several years as a journalist and editorial director. He is co-editor of a 2009 anthology in the ASIL Studies in International Legal Theory series, *International Criminal Law and Philosophy* (Cambridge).



Courtney Jones ('11) joined the Joint Degree Program in Law, Health & the Life Sciences as

a research associate. She has been working with the Consortium on Law and Values in Health, Environment & the Life Sciences for the past two years.



Michael Smith joined the Robina Institute for Criminal Law and Criminal Justice as a senior fellow

and executive director. He was Haight-Bascom Professor at the University of Wisconsin Law School, where he taught (and continues to teach part-time this semester) criminal law, criminal procedure, and sentencing and corrections. He is the former executive director of the Vera Institute of Justice in New York City, where he worked on innovations in policing, sentencing, and corrections with state, city, and federal agencies.



Robbi Strandemo joined the Institute on Crime and Public Policy as associate editor. She works with

Professor Michael Tonry to facilitate various publishing projects and assist in administration of the Institute. Before coming to the Law School, she earned a bachelor's degree in English at the University of Wisconsin, Madison. She dabbled in travel and then returned to Madison, and worked in its School of Medicine and Public Health's Collaborative Center for Health Equity as an associate project administrator.

STAFF AWARDS



Susan Miller receives Outstanding Service award from former University President Robert Bruininks

Susan Miller, moot court and legal writing programs associate, was selected to receive the 2011 President's Award for Outstanding Service, which recognizes faculty and staff for exceptional dedication and commitment, well beyond their regular duties, to the University community. Several Law School faculty and staff members nominated her for the prestigious award. "It's an amazing honor. I'm very pleased and very humbled," she says. Miller joined the Law School's Applied Legal Instruction department 12 years ago from a position at Oppenheimer, Wolff & Donnelly. She and other award recipients were recognized at a June 7, 2011, ceremony at Eastcliff, hosted by former University President Robert Bruininks.

Save The Date >

The 27th annual **William E. McGee National Civil Rights Moot Court Competition** will be held at the Law School Feb. 23-25, 2012. The competition aims to promote interest in civil rights law and develop oral advocacy and writing skills, this year by considering the constitutionality of Michigan's Proposal 2. For details, please visit www.law.umn.edu/mcgeemootcourt/competition.html.

EMPLOYEE MILESTONES

On October 15, 2011, 19 members of the Law School community reached a years-of-service milestone. We extend our sincere thanks to all of the following employees for their commitment and contributions to their department and the Law School.

- **LaVonne Molde**, Computer-Assisted Legal Instruction specialist, 40 years
- **Kay Johnson**, faculty administrative assistant, 25 years
- **Mary Suek**, circulation, Law Library, 25 years
- **Paula Swanson**, student records manager, Student Services, 15 years
- **Daniel Matthews**, circulation, Law Library, 10 years
- **Glen Anderson**, multimedia specialist, Education/Classroom/AV Technology, 5 years
- **Audrey Boyle**, project manager, Joint Degree Program, 5 years
- **Stefani Conyers**, payroll manager, Finance, 5 years
- **Kelsey Dilts McGregor**, donor relations and communications manager, Advancement, 5 years
- **Timothy Fay**, system and network administrator, Law Information Technology Services, 5 years
- **Marsha Freeman**, International Women's Rights Action Watch director, Human Rights Center, 5 years
- **Dee Gibbons**, faculty administrative assistant, 5 years
- **Cynthia Huff**, director of communications, 5 years
- **Julie Hunt**, faculty administrative assistant, 5 years
- **Natela Jordan**, education coordinator, Human Rights Center, 5 years
- **Lori Peterson**, faculty administrative assistant, 5 years
- **Nicole Smiley**, principal office and administrative specialist, Law Clinics, 5 years
- **Erin Warhol**, information technology supervisor, Law Information Technology Services, 5 years
- **Carolyn Wiede**, senior accountant, Finance, 5 years

By Sue Bartolutti

William B. Lockhart Lecture

> On Sept. 15, 2011, the William B. Lockhart lecture "Selecting Judges, English Style: Are There Lessons for the United States?" was delivered by Dame Hazel Genn, Dean of Laws, Professor of Socio-Legal Studies, and co-director of the Centre for Empirical Legal Studies, University College London. A 12-year member of the Judicial Studies Board, she helped design training for the judiciary in England and Wales at all levels. She was appointed an inaugural commissioner on the Judicial Appointments Commission (JAC) in 2006 and a member of the Secretary of the State's Advisory Panel on Judicial Diversity in 2009.

In her lecture, Dame Genn described the judicial appointment system before the U.K.'s Constitutional Reform Act of 2005 as basically "by invitation only." Appointments were made via a "tap on the shoulder" by the Lord Chancellor, who was both the head of the judiciary and a political appointee, she explained. The quality of judicial appointees was not an issue, but the process came under criticism for what it lacked: sepa-

ration of powers, transparency, candidate-assessment criteria, and attention to diversity. To address these issues, the independent JAC was formed, consisting of a lay chair (a woman) and 14 members. After defining general criteria for judges, the JAC established a standard, required application process, which has drawn an enormous number of applicants. While not impressive compared with some countries, the number of women in senior positions has risen, especially on the High Court. Still, people expect more change, more quickly than is possible, Dame Genn said, noting that "The changes are incremental rather than dramatic." Certain habits that inhibit change, such as overvaluing the familiar, are hard to break. "You'd think moving to a transparent process would automatically bring improvement toward diversity," she said, "but it's been harder than you'd think."

This annual lecture honors William B. Lockhart who, as Dean of the University of Minnesota Law School from 1956-72, was instrumental in enriching the curriculum, attracting highly qualified fac-



Dame Hazel Genn

ulty and students, and cultivating a strong relationship with the Minnesota Bar. He imparted teaching excellence and scholarly leadership over a 28-year career as a professor (1946-74), and after he retired from the Law School, he shared his gifts on the faculty of the University of California, Hastings College of Law (1974-94). Dean Lockhart died in December 1995.

Career Center's Dana Bartocci: *Bringing People and Jobs Together*



Career Center's Employer Relations Coordinator Dana Bartocci

> **A typical week for Dana Bartocci** means meeting with three to five of Minnesota's employers to explore job opportunities for Law School students and recent graduates and to create connections with the Career Center. In the last year, she has met with employers at more than 90 law firms, government agencies, and public interest organizations, working to tap into the "hidden" job market and other opportunities for the Law School student community, past and present.

An extrovert by nature, Bartocci is a perfect fit for her role as assistant director/employment relations coordinator at the Career Center. Her high energy keeps her going in the demanding and essential job of creating an employment network and propelling Law School candidates to the top of the hiring list in a difficult market. Her enthusiasm around the office is contagious. "I love my job!" she says.

Creating employer connections

Bartocci's primary responsibility is to develop a network of contacts for the Career Center: with firms of all sizes, public interest groups, and government organizations throughout Minnesota. She encourages employers to list their

internship and law clerk positions for current students with the Career Center, and she works with employers interested in hiring recent Law School graduates.

Some employers aren't familiar with the legal experience and preparation of a typical Law School student. Some don't know about the opportunity to list job openings with the Career Center. And some simply need reminders and contact information. By describing the caliber of training and students at the Law School, Bartocci is able to enlighten employers about the benefits of hiring Law School students and alumni. She works with employers on how to hire the right person for their organization and helps them develop the job descriptions they need to find that person. She also explains other services the Career Center can provide to employers, such as professional development opportunities.

In addition, she encourages lawyers, especially alumni, to speak to students at the Law School and works to develop employment outreach programs.

Bartocci also coordinates the Law School's postgraduate fellowship program and the AmeriCorps VISTA attorney program. Postgraduate fellowships offer recent graduates opportuni-

ties to increase their legal skills by providing legal services for those in need. The VISTA program allows them to work with a government or public interest agency to increase overall legal services to a specific community. Bartocci takes pride in the two-way benefits achieved, noting, "Both our postgraduate fellowship program and our partnership with AmeriCorps are great opportunities to help our alumni as well as serve the legal community."

The tasks on Bartocci's plate are not small. Her efforts to coordinate opportunities for recent graduates with employers stretch across state lines to encompass the nation.

A developing career

Bartocci is no newcomer to the world of career development, or to the legal profession. She completed her J.D. at the University of Wisconsin, along with an M.S. in educational administration (and a B.A. in political science and cultural studies at Minnesota). Before joining the Career Center, she was the professional development and pro bono coordinator at Maslon Edelman Borman & Brand.

She also had previous experience at the Law School, having served as special assistant to the dean and a career counselor to students and alumni in 2004-06. She got her start in employer networking as associate director of career services at William Mitchell College of Law.

Understanding the importance of strong bonds between the Law School and the legal community, she puts her considerable energy to use in active service in the Volunteer Lawyers Network, Minnesota Bar Association, and the board of directors of the Hennepin County Bar Association. Currently, Bartocci is president-elect of Minnesota Women Lawyers.

If you would like to learn more about the Career Center and how she can assist you, contact her at bartocci@umn.edu or 612-625-4694.

By Alan Haynes, Career Center Director

Stepping Up to Get Educated

> **This past summer, the Law School** provided work for a high-school student through STEP-UP, a program designed to reduce economic disparities among local communities by offering opportunities for Minneapolis youth to gain the quality work experience needed to pursue jobs in the future.

Ayantu Wahila, a 17-year-old senior at Washburn High School and first-generation immigrant from Ethiopia, was selected through STEP-UP's competitive application process and placed at the Law School. She worked 28-hour weeks for two months, performing various office and maintenance tasks.

Getting valuable work experience early on in life is right in line with Wahila's background. Her mother moved Wahila from Ethiopia to

Minneapolis at the age of eight so she could obtain a better education in the United States.

"My mom is the biggest influence on my education. School always comes first," said Wahila. "My whole family is obsessed with school."

Dean's Office Supervisor Stephanie McCauley, Wahila's supervisor at the Law School, said she did a great job at what she was assigned to do each day this summer. "You can tell that Ayantu is very serious about her education and getting worthwhile work experience."

While Wahila is interested in going to law school some day, she is focused on getting into college right now. She is involved with many academic programs through school and says that all of the experience and education she gets now will only better her chances and her future.



Ayantu Wahila

The City of Minneapolis' STEP-UP program is operated by the non-profit organization AchieveMpls. This past summer more than 3,400 students between the ages of 14 and 21 applied, and nearly 2,000 were accepted and received employment opportunities.

By Valerie Figmiller, communications assistant

"We the People": A Salute to the U.S. Constitution

> **On Sept. 16, 2011, on behalf of** the entire University of Minnesota system, the Law School presented "We the People" in commemoration of U.S. Constitution Day. Law School Professor Alexandra B. Klass, Associate Dean for Academic Affairs and Solly Robins Distinguished Research Fellow, offered a welcome and explained that the CLE-accredited program is an annual event dedicated to examining front-line constitutional issues. She also introduced the speakers, Law School colleagues Heidi Kitrosser, Julius E. Davis Professor of Law, and Perry Moriearty, Clinical Professor of Law.

In "Campaign Finance Reform and the First Amendment: 40 Years in (Very Brief) Review," Kitrosser discussed the case of *Arizona Free Enterprise v. Bennett*, the latest development in a nearly 40-year history of Supreme Court case law on first amendment challenges to campaign finance reform measures. This past June, the Supreme Court struck down an Arizona financing scheme that sought to provide publicly

financed candidates with funds equal to those expended on behalf of their privately financed opponents. The Supreme Court ruled that the matching-funds provision of the Arizona Citizens Clean Elections Act substantially burdens the free speech of privately financed candidates "without serving a compelling state interest." Kitrosser summarized the major aspects of first amendment case law on campaign finance law and situated the Bennett case within that larger context.

In "From *Roper*, to *Graham*, to *J.D.B.*: Considering the Court's 'Kids are Different' Jurisprudence," Moriearty also discussed a June 2011 Supreme Court decision: in the case of *J.D.B. v. North Carolina* regarding whether a child's age is a relevant factor in determining whether the child is "in custody" for purposes of *Miranda v. Arizona*. The Court held that age is relevant, referring to the "commonsense reality" of a child feeling compelled to submit to police questioning when an adult would feel free to leave. *J.D.B.* is the most recent of three



major decisions issued by the Court over the last six years that affirm the fundamental premise that "children cannot be viewed simply as miniature adults" under the law. Professor Moriearty described the issues and decisions and discussed their broader implications.

The U.S. Constitution has been and continues to be the focus of intense scrutiny and interpretation, by law professors, philosophers, and citizens at home and abroad. The Constitution Day program invites the community to consider some of today's problems and their solutions through the lens of constitutional law.



Pro Bono: Cui Bono?

Reaching Out to Give Back

BY CATHY MADISON



Canoe outfitter. Ornithologist. Land surveyor. Radio frequency engineer.

“Now how many cases bring those disciplines together?” asks **Stephen Safranski** ('97), a partner at Robins, Kaplan, Miller & Ciresi. “And how many cases give you a reason to go dogsledding and snowshoeing up in the wilderness?”

Safranski's usual focus is complex business litigation and white collar criminal defense. But his pro bono work, in this case a well-publicized conflict between Friends of the Boundary Waters Wilderness and AT&T over a proposed 450-foot cell tower, allows for the professional stretching and bonding that come from trial work involving more than the usual suspects. He jumped at the opportunity when Robins Kaplan colleague Tom Mahlum ('95), a board member of the Friends, first proposed it.

“I'd always wanted to do some environmental law, particularly on the side of the environment, and coincidentally, I'd done a fair amount of telecommunications work representing telephone and cable companies over the years. It was an interesting intersection,” Safranski says.

Not all pro bono cases involve a four-day bench trial, 15 live witnesses, 17 witness depositions, and victory represented by a 58-page court order enjoining a huge corporation from destroying the view. But some—like this one, now on appeal—require time and resources that far exceed initial expectations.

Nevertheless, Law School alumni remain committed to the deeply embedded obligation and responsibility such cases evoke. Despite the economic recession, and perhaps because of it, they continue to embrace the multilayered rewards, both corporate and individual, that pro bono work offers.

Steeped in tradition

Most firms with 50 or more attorneys diligently support Rule 6.1 of the Model Rules of Professional Conduct, which states that every lawyer “has a professional responsibility to provide legal services to those unable to pay” and should “aspire to render at least fifty hours of pro bono publico legal services per year.” Since 1993, many have signed on to the ABA Challenge (now the Pro Bono Institute Challenge) to commit 3% or 5% of the firm's billable hours to pro bono work. Robins Kaplan, for example, ranked ninth among the top 200 firms in the 2011 ALM report, with 82.3% of its lawyers devoting more than 20

hours annually to pro bono work. Pro bono hours per lawyer averaged 111.8.

Easy for them, one might argue; huge firms can afford full-time pro bono coordinators who screen opportunities, run conflicts, and match requests with willing participants. They also have, presumably, pockets deep enough to cheerfully credit 50 or 100 pro bono hours directly to the individual's bottom line.

Small firms face a trickier challenge, as Stacy Lynn Bettison ('99) and Amy Rotenberg ('92) well know. They comprise Rotenberg Associates, a strategic communications firm that handles media relations and litigation and crisis communications and also contributed its expertise to the Boundary Waters case.

"As a small firm, we have very limited resources. It has to be the right client, the right cause, someone who really needs our help," Bettison says. "We don't want to take on a pro bono client and end up not giving them the level of service they need. We have to choose carefully." As Safranski's wife, she was familiar with the case and knew it would be a good fit. The small, nonprofit Friends of the Boundary Waters had extremely limited means in what promised to be a high-profile case. It needed top-level guidance on all fronts; supplying that would not only benefit the nonprofit but also spotlight the donors' skills.

"This was another instance in which we can tell people we've provided high-stakes communications counsel in a very public, contentious matter. It was a very sensitive case, and such sensitive communications are right in our sweet spot," Bettison says. "It just deepens our own experience. With each new case, we learn new things."

Although Bettison is a strategic communications expert who no longer dispenses legal advice, her pro bono approach is rooted in the legal ethics her attorney colleagues cite—the need and obligation to use their unique skills to help those who can't afford their advice. "We're duty bound as lawyers to help people navigate the system we helped to create," she explains. "It's complex in part because of us."

Undaunted by recession

While the stumbling economy apparently hasn't reduced law firms' pro bono commitments, it has affected demand for their services, says Julian Zebot ('03), a partner at Maslon Edelman Borman & Brand and a member of the Minnesota State Bar Association (MSBA) Legal Assistance to the Disadvantaged Committee.

"Demand has increased as the sources of funding—federal, state, IOLTA [Interest on Lawyers Trust Accounts]—have decreased," he says, noting a dramatic rise in consumer debt issues, for example. "A huge need exists in the community, and we have to leverage our resources to do what we can. There's always been funding pressure, but is the model we currently have still viable in light of the changes to the funding mechanisms? There's no one panacea, but there are some creative ideas out there."

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—Julian Zebot, Maslon Edelman Borman & Brand

For more than three years, Zebot and his colleagues have represented a Texas death row inmate in his habeas petition—so significant a time commitment for the six to eight attorneys involved that it required a sign-off from the firm's governance committee. He has found working on the case rewarding as well as a fascinating diversion from his day-to-day job. The case is also gravely important, since the client faces death if the team is not successful, and "reinforces why we all became lawyers in the first place—to help our clients and solve their problems," Zebot says.

In addition to giving back, pro bono efforts strengthen relationships and bolster business. Many firms engage in joint initiatives with their paying clients, whose in-house attorneys are hungry to share good will and camaraderie. "Paying clients like to see you doing good in the community," Zebot says.

One challenge is finding appropriate opportunities for transactional lawyers, which is one reason why Dorsey & Whitney named Alysia Zens ('00) pro bono counsel six years ago. "My big assignment was to get more transactional attorneys doing pro bono work, to find projects that fit their skill set," Zens says.

She instituted nonprofit training sessions on how to guide startups and create governing documents. She encouraged lawyers to participate in the MSBA's Wills For Heroes program. She helped them staff legal clinics in tandem with client UnitedHealth Group, a business strategy she supports. "In the reality of the professional world, people go golfing with their clients, and to ball games. Why not do good together?"

In recent years, when the recession forced some firms to lay off attorneys, "our firm did just the opposite," Zens says. "The transactional world in particular was hit, but we knew things would pick up and we'd need these bodies, so I found more pro bono work. For three months we did a weekly class for new transactional attorneys. They were all working on one to three nonprofit assignments at a time."

Dorsey & Whitney lawyers average 69.3 annual pro bono hours, according to ALM; 93% of them did Challenge work last year. But matching lawyers with projects isn't a one-size-fits-all proposition. "Some firms take a focused approach, but we're more eclectic. We encourage everyone to do something," Zens says. "It helps provide better service to billable clients and it helps make better lawyers. Those are not two separate things. They really do go together."

Career enhancement

Pro bono work often allows young lawyers to practice skills not yet ready for prime time while also nurturing special interests.

“I did a lot of international law classes in law school, and taking on something like an asylum case brings that aspect into my practice,” says Lindsay Moilanen ('09), who handles commercial litigation at Kaye Scholer. In her pro bono practice, she has represented clients in asylum and social security benefits proceedings and helped New York City’s law department defend claims brought against police and corrections officers.

As a summer associate, Moilanen helped draft briefs for an Alabama prisoner. “I got to meet the client, review submissions, hear his thoughts,” she says. “I was amazed at how much he knew about law. I learned what issues were most important, and I found it fascinating.”

Pro bono dedication often begins in law school. Indeed, today’s students are more committed than ever, in part to beef up their resumes. Since the Minnesota Justice Foundation launched its Law School Public Service Program in 1999, challenging students to donate 50 hours of services during law school, participation has increased dramatically. Law School students recorded 4,573 hours in 2001; that number had risen to 16,882 by 2010.

Some pro bono projects emerge through word-of-mouth, client and colleague relationships, or screening organizations such as Volunteer Lawyers Network, but others evolve from lifelong passions. Thomas Pursell ('80), a partner at Lindquist & Vennum and winner of the 2011 Leonard E. Lindquist Pro Bono Award, was an exchange student in Argentina, where he developed fluency in Spanish and a fondness for Hispanic culture.

“I’m not an immigration lawyer, but I was able to help stabilize and professionalize the governance and structure of the Minnesota Immigrant Law Center, which grew from a small organization to one with over a \$1 million budget that employs a dozen lawyers,” Pursell says. “What began as a service to primarily Hispanic immigrants now serves people from more than 90 countries.”

Pursell lauds Lindquist & Vennum’s serious pro bono commitment, including the services of full-time coordinator Candee Goodman. Claiming a goal of 100% participation, she matches attorneys with projects and creates initiatives such as a harassment court mediation pilot project and volunteer referee stints in conciliation court. The firm’s attorneys, along with those from client Valspar, staff weekly advice and referral clinics at Sharing and Caring Hands, a Minneapolis homeless shelter.

“Another important function is exposing associates to the real-life problems of lots of different kinds of people. Folks at a large law firm don’t always get that consistently,” Pursell points out. But whether it’s good for business is difficult to say. “We don’t bring paying clients in through the pro bono system, but I certainly hope people take into account our community involvement and service record when they’re deciding who to work with.”

Tackling new frontiers

“We are helping people respond to the economy by helping them navigate earning a living on their own,” says Neil Meyer ('72), a shareholder at Meyer & Njus. As past president of nonprofit LegalCORPS of Minneapolis, he devotes pro bono hours to working with small businesses and nonprofits that can’t afford attorneys.

“What we’re seeing is people who have lost their jobs or been kissed goodbye by their employers and can’t find another job,” says Meyer. “Some have always wanted to be entrepreneurs and set up their own businesses. They have a shoestring but not much else.”

Meyer and others helped launch the LegalCORPS Inventor Assistance Program last June, in conjunction with the U.S. Patent and Trademark Office. The first of its kind, the program will help inventors who meet financial need criteria navigate the legal maze involved in seeking patents. If successful, it could roll out across the country.

An important function of pro bono work is “exposing associates to the real-life problems of lots of different kinds of people. Folks at a large law firm don’t always get that consistently.”

—Thomas Pursell, Lindquist & Vennum

Meyer is also excited about using technology to expand pro bono services beyond the cities where attorneys and law firms are concentrated. He recently helped test a virtual clinic through St. Cloud State University, transmitting scanned documents and using Skype to connect an attorney with a client in rural Minnesota. “That’s the first step. The next step is full representation. That could potentially change the delivery of pro bono throughout the country,” he says.

Pursell, too, would love to take his show on the road, to reach immigrants who lack access to pro bono services. “There’s a full spectrum of legal problems that confront people who are strangers in a strange land, especially in communities where they’re relatively isolated,” he says.

The drive to address those problems—pay or no pay—comes from a deep conviction that most lawyers articulate with ease. “We have this license that other people don’t have,” Meyer explains. “What comes with it are responsibilities, one of which is promoting the access to justice. Doing pro bono work helps fulfill that. But there is also the reward of helping someone who has no one else to turn to, and the satisfaction of making someone’s life a little better.”

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

ERIC KALER:

Engineering Access and Excellence

By Karen K. Hansen

Everybody knows the drill for new university presidents these days: figure out how to reduce costs even more. So it came as no surprise that University of Minnesota President Eric Kaler talked about evaluating and, *gulp*, eliminating programs when he held an internal press conference July 15, 2011, for representatives of the University's campuses and colleges, including the Law School.



Photo: Patrick O'Leary

A beacon bright and clear

Two factors colored the discussion as more Maroon and Gold than Budget Blues. First is Kaler's connection as an alumnus. (He completed his Ph.D. in chemical engineering in 1982.) "This place really means an incredible amount to me," he said. "I'm very excited to be back here and very much looking forward to the chance to engage and give something back to the institution."

The second is Kaler's conviction that in the face of fiscal constraints there are nonetheless opportunities for innovation that will further enhance the University's reputation. "I think there are very few institutions that have the scope and span of the University of Minnesota across disciplines with the quality that we have," he explained. "So the opportunity for us to do interdisciplinary things that span from agriculture and vet medicine, through public health and human health, to infrastructure development and engineering, to development of governance and the rule of law in management and the Law School—blended with our ability to bring a culture of art and humanities forward—means we could be very impactful in the world in ways that very few other institutions have the opportunity to be."

The first priority Kaler expressed is making financial barriers as low as possible for qualified Minnesota students. Hand-in-hand with his emphasis on access is excellence.

"The things that we're doing need to be top-quality and need to provide value to the students who invest in them," Kaler insisted.

As he evaluates programs, Kaler understands there will be some fields in which the University is not very competitive. "If those are not central to our mission and therefore deserving of effort and investment to make better, then we're going to need to quit doing it," he admitted. "We don't have room, financially or otherwise, to maintain programs that aren't at the top of the game or radically improving to get there."

Describing himself as an engineer who likes data and an academician who understands the importance of consensus, Kaler expects to have spirited discussions around facts and assumptions as he makes decisions—quickly—about University programs. The speed with which he proceeded from one venue to another during the Campus Crawl (see sidebar) is symbolic of the urgency he feels: "In the spirit of collegiality and consultation, we are going to move forward as quickly as we can, because we can't afford to wait."

In addition to wanting all programs to be top-flight, Kaler is ambitious for the University to be "perceived and recognized as a top public university which is on par with Michigan and Berkeley, Virginia and UCLA, the very best public research institutions in the country."



Eric and Karen Kahler and Dean David Wippman speak with Feras Sleiman ('12), Prof. Jennie Green, Melissa Muro Lamere ('12), and Claudia Ochoa ('12) about work of the law clinics



Dean David Wippman greets Eric and Karen Kahler on their stop at the Law School during the "Campus Crawl"



TORT singers who welcomed the Kalers with home-grown lyrics

Thy sons and daughters true...

But ambition and access, and the pursuit of excellence and innovation, require resources. "It's plausible that state support and other dollars can set the stage for us to be very good, but it's private philanthropy that moves you from very good to excellent," asserted Chief Cheerleader Kaler, who plans to aggressively articulate the mission of the University, celebrate its successes, and be engaged in and available to the donor community.

Kaler's assertion applies to the whole as well as its parts, particularly as the Law School considers independent funding. It's a model he thinks has some advantages and is "in some sense inevitable and frames a conversation that's realistic." A half dozen or more law schools at public universities, many of which Kaler considers the U's peers or aspirational peers, operate without state funding.

Citing support for the Law Library—about \$3.2 million a year—as an exception, Kaler said that, at the Law School, "They are now getting a very small fraction from the state, and I think it highlights the fact to everyone that their path forward, their excellence, their next steps, depend very much on engagement with donors and friends who can help support the excellent mission that the Law School has laid out for itself."

Kaler's caveat is that financial aid must be part of the Law School's resource base, and he believes it is. Indeed, the top priority and largest portion of the Law School's campaign, GENERATIONS, is \$30 million for scholarships and student support.

...will proclaim thee near and far

While some Budget Blues are inevitable, making sure Maroon and Gold stand for access and excellence is what really counts.

"All of our graduates are going to compete in a world market, and I don't care whether that's a soybean market or a computer chip market or a general market of ideas and creativity," said Kaler. "We need to provide a valuable education so that students can think critically, [be] broadly experienced in the world, and are able to embark upon a rich life and rich career."

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

Kalers' Crawl Through the Law School

The Law School was the first stop for University President Eric Kaler and Karen Kaler on Sept. 21, 2011, day 3 of their week-long "Campus Crawl" to explore all segments of the University and its programs. Dean David Wippman greeted them at the door, then introduced them to the TORT performers who were eagerly waiting to present their musical welcome. Lindsay Carniak ('13), Eleanor Frisch ('14), Josh Gardner ('12), Brad Hammer ('12), Elise Larson ('12), Sanjiv Laud ('12), Laura Matson ('13), Erin McDonald ('13), Paula Polasky ('13), Alexis Reller ('13), Carl Spindler ('13), Nathaniel Weimer ('13), and Nan Zhang ('14), with TORT musical director Stephanie Zuercher ('12) on keyboard, presented their own rousing lyrics to the tune of "Proud Mary":

Welcome to the Twin Cities.

We hope you love our Law School. It's really great.

Dedicated to the law, we work so very hard,

And that's what makes our Law School the best in the state!

The next stop was the law clinics, where the Kalers spoke with Claudia Ochoa ('12), a former student attorney in the Immigration and Human Rights Clinic, about the successful outcome for an Ethiopian woman seeking U.S. asylum. They also met Melissa Muro Lamere ('12) and Feras Sleiman ('12), student directors of the Human Rights Litigation and International Legal Advocacy Clinic and among last year's student attorneys who wrote an amicus brief cited by the U.S. Court of Appeals for the District of Columbia Circuit in the *Doe v. Exxon* decision.

Professor Jennie Green, director of the Human Rights Clinic, spoke about the Law School's clinical education program, one of the largest and most respected in the country. The 24 clinics give students opportunities to work with real clients and gain practical experience in the courtroom, Green said, and are the reason many students choose Minnesota.

With that brief overview, the Kalers were off to the Humphrey School of Public Affairs, escorted by Interim Dean Professor Greg Lindsey. Other West Bank sites toured that morning were the Carlson School of Management, the School of Music, and the Global Programs and Strategy Alliance in the University International Center.

By Corrine Charais, senior editor/writer

THE LAW LIBRARY'S VIRTUAL STACKS >

The University of Minnesota Law Library is pleased to announce that it will be one of the first academic law libraries in the country to participate in the Google Books Project. Over the next several years, an estimated 120,000 of its 1 million volumes will be temporarily removed from the shelves to be scanned by Google. The Law Library's participation in Google Books is part of a larger project orchestrated by the Committee on Institutional Cooperation (CIC). As a partner in this project, the University of Minnesota Libraries will be sending some 1 million titles to Google for scanning.

"The vast majority of books ever written are not accessible to anyone except the most tenacious researchers at premier academic libraries," Sergey Brin, co-founder of Google, wrote in the *New York Times* last October.¹ "Inevitably, the few remaining copies of the books are left to deteriorate slowly or are lost to fires, floods and other disasters." Access to millions of books, especially full text access to out-of-print works, will open new frontiers to library services, significantly enhance the dissemination of legal knowledge, and be truly transformative for scholars.

"We are thrilled to share the information resources of the University of Minnesota Law Library with the world," says Associate Dean Joan Howland, Director of the Law Library. "Our collections are of remarkable depth and breadth, and could not currently be replicated. Scholars will now be the beneficiary of generations of astute collection-building at our great Law Library."

Suzanne Thorpe, the Law Library's Associate Director for Faculty Research, adds, "As more and more of our

collections are available digitally, and as other law libraries begin working with Google Books, services to our faculty and students will be facilitated and expanded in ways we can't even imagine."

Preservation of digital content is an important aspect of the project. In addition to being added to the Google Books database, the digital content of books will be archived in a permanent repository by the HathiTrust (a collaboration founded by the 13 universities of the CIC and the University of California system). Membership in the HathiTrust continues to grow, as do deposits in the digital repository, which now number 9.5 million volumes. About 27% of these materials are in the public domain and fully searchable by anyone with Internet access.

Google's efforts to build a digital "library to last forever" began in 2004, when it announced partnerships with the university libraries of Oxford, Stanford, Harvard, and Michigan, and the New York Public Library. At the time, the University of Michigan Library was scanning about 5,000 volumes a year. "At this rate," said John Wilkin, Associate University Librarian, "it would take us more than a thousand years to digitize our entire collection."² Google estimated it could do the job in a matter of years. Google Books is now partnering with 30 institutions throughout the world, including libraries in Austria, Bavaria, France, Spain, Switzerland, Belgium, and Japan. "Google," remarked Wendy Lougee, University of Minnesota Librarian, "kind of took the world by storm."³

Google's initial plan was to make books that are out of copyright entirely searchable and readable online. For books still in copyright, the entire book would be scanned but only basic bibliographic information and, in many cases, snippets of text showing search terms in context, would be available online.

Google's ambitions have, however, been caught in a quagmire of issues concerning copyright, fair use, access, and compensation. In question are books protected by copyright—those published in 1923 or after. (Full access to books in the public domain, generally those published before 1923, is not an issue.) In 2005, the Authors Guild and the Association of American Publishers filed a class

action suit in the U.S. District Court for the Southern District of New York claiming copyright infringement. The lawsuit challenged Google's plan to scan books in copyright without permission and to provide online snippets of those books. Google claimed protection under the fair use provisions of the 1976 Copyright Act. The Amended Settlement Agreement (ASA) was rejected by U.S. District Judge Denny Chin in March 2011.

The ASA stated that Google could scan in-copyright, commercially available books but could display only bibliographic information and front material (e.g., title page, table of contents, index). Displaying snippets would require permission. For in-copyright, out-of-print books, Google could display snippets and a preview of up to 20% of the book's text, unless a rightsholder stepped forward and "opted out."

The ASA also provided that revenue earned from an "orphan work" (in-copyright book whose rightsholder cannot be located) would be held by the Book Rights Registry and after five years given to a literary nonprofit organization. Libraries could purchase subscriptions to the entire database of complete works. Individuals could purchase access to specific titles. Authors of copyrighted works would be compensated through sales, ads, and by library subscriptions.

The settlement received widespread support. "Providing access to all those books would benefit the scholarly and student community enormously," said Lougee.⁴ "Once information becomes digital it gets used an exponentially greater number of times." However, major criticism came from the U.S. Department of Justice (DOJ). In a Statement of Interest submitted to the Court, the DOJ noted Google's potential to breathe life into millions of works, but raised several issues, especially regarding antitrust.⁵ The settlement conferred "significant and possibly anticompetitive advantages on a single entity... Google would remain the only competitor in the digital marketplace with the rights to distribute and otherwise exploit a vast array of works in multiple formats."

At the outset of the opinion rejecting the ASA, the Court declared, "While the digitization of books and the creation of a universal library would benefit many, the ASA would simply go too far. It would permit this class action—which was brought against [Google] to challenge its scanning of books and display of 'snippets' for on-line searching—to implement a forward-looking business arrangement that would grant Google significant rights to exploit entire books, without permission of the copyright owners."⁶ Judge Chin insisted that Congress, not the courts, should establish "a mechanism for exploiting unclaimed [orphan] books."⁷ One important consideration was the fact that a significant number of class members (some 6,800) had opted out of the settlement. Judge Chin noted that the Third Circuit had found that "the number and vociferousness of the objectors' is a factor to consider in weighing the reasonableness of [a] proposed settlement."⁸

Negotiations between Google and the Authors' Guild continue. Judge Chin indicated that one acceptable revision



Erin Schlicht, Access Services Librarian, who is directing the Google Books Project for the Law Library

of the settlement might be an "opt-in" requirement, whereby a book that is in copyright but out-of-print would not be included in Google Books unless the author opted in.

Meanwhile, scanning continues. Although digital copies of those books currently under copyright are not being made accessible, libraries remain committed to the Google Books Project. "The research value of making these works available cannot be overestimated," says Dean Howland. "For example, works written during the formative stages of public international law that are currently found only in major research libraries, such as the University of Minnesota Law Library, would be available to students and scholars everywhere."

The Google Books Project is the largest digitization effort in the world, but there are others. Indeed, a National Digital Library may be on the horizon. Its primary champion, Robert Darnton, Director of the Harvard University Library, explains that it would be "the digital equivalent of the Library of Congress, but instead of being confined to Capitol Hill, it would exist everywhere, bringing millions of books and other digitized material within clicking distance of...any person with access to the Internet."⁹ Darnton believes that a "can do" approach can create a non-profit digital library for everyone: "We can equip the smallest junior college in Alabama and the remotest high school in North Dakota with the greatest library the world has ever known."

By Katherine Hedin, Rare Books & Special Collections Curator

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4. Steve Alexander, "Digital Books Put on Hold," *Star Tribune*, May 10, 2010
5. "Statement of Interest of the United States of America Regarding Proposed Amended Settlement Agreement" at 2, *Authors Guild, Inc. v. Google, Inc.*, No. 05 CV 8136 (S.D.N.Y. Feb. 4, 2010)
6. *Authors Guild, Inc. v. Google, Inc.*, No. 05 CV 8136, slip op. at 1 (Mar. 22, 2011)
7. *Id.* at 2
8. *Id.* at 19
9. Robert Darnton, "A Library Without Walls," *NYRblog*, *The New York Review of Books*, Oct. 4, 2010

NEW CORPORATE INSTITUTE EXPANDS NETWORK WITH BUSINESS WORLD

Preparing students for successful careers and leadership positions in business and business law is the focus of the newly established Corporate Institute at the University of Minnesota Law School. The Institute builds upon the strength of an internationally recognized business law faculty while leveraging the opportunities and resources of the vibrant Twin Cities business community and the successes of alumni who hold top positions at leading companies worldwide.

“Closer and expanded connections with the business community are strategic priorities for the Law School,” says Dean David Wippman. “Our goal is to increase understanding of the business world as a place of opportunity, and to prepare our students to be both effective business lawyers and business leaders. The Corporate Institute is a significant step in that direction.”

The Corporate Institute combines new programs with current business-oriented activities to expand opportunities for students, faculty, and alumni. Students can receive a business law concentration certification, participate in the Business Law Clinic and corporate externship programs, pursue a dual J.D./M.B.A. degree in collaboration with the Carlson School of Management, study abroad in business programs in Milan, Italy, and Hamburg, Germany, and participate in the student-led Business Law Association.

New initiatives include the Leadership Foundations Program, offering current students intensive exposure to fundamental leadership skills and concepts; a “Taking Care of Business” speaker series, featuring alumni and supporters who are luminaries in the business world; and a new Business Law LL.M. program to expose foreign lawyers to a broad array of legal skills and knowledge crucial to the global practice of business law.

Wippman has appointed Professor John Matheson, an internationally recognized expert in the area of corporate and business law, as initial director of the Corporate Institute. Matheson is co-author of a widely used textbook on corporate law and practice, a five-time recipient of the Law School’s annual Teacher of the Year award, and a 2007 National Burton Award winner for excellence in legal

writing. In 2008 he received the University-wide Award for Outstanding Contributions to Postbaccalaureate, Graduate and Professional Education and was inducted into the Academy of Distinguished Teachers, the first Law School professor to be so honored by the University.

“The numerous Fortune 500 companies, major public corporations, and large private companies in the Twin Cities provide a robust environment and abundant programming opportunities for the University of Minnesota Law School,” says Matheson. “The Corporate Institute will utilize these fantastic resources, and those supplied by our excellent and supportive Twin Cities law firms, to enhance the business law program for the benefit of our students and the business community.”

The Institute has been established through generous support from alumni and local business leaders. The seeds planted by former Dean E. Thomas Sullivan and by Robert Kommerstad ('52) with the Kommerstad Center for Business Law have flourished into the greatly enhanced Corporate Institute.

Building on an internationally recognized faculty

The Corporate Institute’s fundamental strength is the quality of the Law School’s exceptional business law faculty, which includes experts in areas such as corporate finance and governance; law and economics; professional responsibility; and antitrust, bankruptcy, commercial, international trade, negotiation, securities regulation, and tax law. These faculty members bring a broad perspective to their business teaching and scholarship, based in part on experiences in private practice, international teaching and consulting, and testimony before government bodies at the state and federal levels.

A new faculty member will be recruited to hold the recently established John and Bruce Mooty Chair in Law and Business, created through a generous gift from John Mooty ('44) and Bruce Mooty ('80). The father and son both have practiced business law their entire careers and endowed the chair both to give back to the Law School



“Our goal is to increase understanding of the business world as a place of opportunity, and to prepare our students to be both effective business lawyers and business leaders.” –Dean David Wippman

and to strengthen its connections with the business community. The Corporate Institute is an extremely important initiative and “will help Minnesota stay competitive in the world economy,” John says.

Training leaders

The Leadership Foundations Program recognizes that students will become leaders in many areas, from neighborhood groups to multinational corporations. “The Program is designed specifically to provide our students with access to the people and the skills that are key to being effective leaders,” says Wippman. “The focus is on leadership training, not just law.”

The Leadership Foundations Program will take place between the fall and spring semesters. The first program, scheduled for January 11–13, 2012, will focus on business leadership knowledge, skills, and ethics. Topics to be discussed include instruction in M.B.A. concepts for lawyers, corporate ethics and compliance, becoming an ethical lawyer, business communications, the business of law, and law firm leadership and consolidation in a changing environment. Speakers include James T. Hale ('65), former executive vice president and general counsel of Target Corporation; Lee R. Mitau ('72), executive vice president and general counsel of U.S. Bancorp; and Philip S. Garon ('72), former chair of the Management Committee at Faegre & Benson.

The “Taking Care of Business” speaker series kicked off in September with “Doing Deals with Investment Bankers” featuring Eric Nicholson ('93), managing director at Greene Holcomb & Fisher. Timothy R. Baer ('85), executive vice president, general counsel, and corporate secretary of Target Corporation, drew a full house in October with “The General Counsel’s Office: Which Direction is it from Private Practice?” Joan Humes ('90),

vice president and deputy general counsel for litigation and investigations at Medtronic Inc., is scheduled to share her insights in November. The series continues February 13, 2012, with Arne Sorenson ('83), president and chief operating officer of Marriott International Inc.

Expanding business law opportunities

Under the umbrella of the Corporate Institute, the Law School will continue its support of the Business Law Clinic and the Corporate Externship program, two remarkably successful programs that combine experiential learning for students and critical outreach for the Law School. The Business Law Clinic represents clients referred mainly by the Metropolitan Economic Development Association and the Carlson School of Management’s Business Hatchery and Entrepreneurship in Action classes. The Corporate Externship program places students in the legal departments of premier Twin Cities companies, such as 3M, Best Buy, Target Corporation, Medtronic, Regis, Tennant Company, UnitedHealth Group, and U.S. Bank.

Additionally, the revitalized student-led Business Law Association will supplement the Law School’s curriculum through events and partnerships that help students develop vital relationships and enhance technical skills. “We’re focused on helping students understand what it means to develop their own personal network,” says J.D./M.B.A. student Ben Klassen ('14). “We’re also really interested in increasing understanding of the practical skills required in business and in helping students take advantage of the many opportunities of this world-class institution.”

For more information about the Law School’s Corporate Institute, visit www.law.umn.edu/corporateinstitute.html.

By Kathy Graves, a Minneapolis-based writer

> Faculty Pers



Prof. Kristin Hickman and Emeritus Prof. Mary Louise Fellows



Prof. Claire Hill, Prof. Perry Moriearty, Prof. Heidi Kitrosser, and Paul Rubin



Professors Richard Frase and Kevin Reitz at Minnesota Justice Forum

Faculty Awards, Grants, and News



Professor Dale Carpenter was the 2011 faculty recipient of the Dr. Matthew Stark Award for Civil

Rights and Civil Liberties, given for distinguished service, involvement, and leadership in civil liberties, civil rights, public education, or social justice.



Professor Thomas Cotter received the 2011 Stanley V. Kinyon Chaired Teacher of the Year Award.

Clinical Professor Prentiss Cox ('90) was appointed Vaughan G. Papke Clinical Professor of Law, established to honor and support clinical faculty



for their scholarship, for the second year. He also was elected to the board of directors of the State Center, an independent national

organization that provides grants to state attorneys general for enforcement of antitrust and consumer-protection laws.



Professor Michele Goodwin joined a circle of leading academics and policy experts writing for the *Chronicle of*

Higher Education's blog "Brainstorm: Ideas and Culture." She has published a wide variety of articles, from a farewell to Harry Potter to a three-part series on organ transplantation.



Professor Oren Gross has presented papers and lectures on drone strikes by the U.S. military in Afghanistan and the CIA in Pakistan, and on the laws of war in what has been called the fourth generation of warfare. He and **Professor Fionnuala Ní Aoláin** were named research fellows at the Institute of Advanced Studies at the Hebrew University of Jerusalem. In September they began a several-month stay to join an international, interdisciplinary group conducting a study entitled "Migration of Criminal Law Principles from National to International Law." Ní Aoláin was an assistant professor on Hebrew University's Faculty of Law from 1997-2000, and Gross was

pective



Columbia Law School Prof. Jeffrey Fagan and Law School Prof. Barry Feld at inaugural meeting of Robina Institute of Criminal Law and Criminal Justice



Colon Scott, Dean of University College Dublin School of Law, and Prof. Ann Burkhart during her faculty exchange in Dublin, summer 2011



Questions from the audience following Prof. Claire Hill's James L. Krusemark chair appointment lecture

named a visiting professor there in 2010. Gross and Ní Aoláin are co-editing *Guantanamo and Beyond: Exceptional Courts and Military Commissions in Comparative and Policy Perspective* (forthcoming 2011; Cambridge University Press).



Professor Ralph Hall joined a panel of experts on Capitol Hill in July 2011 in the forum "Health Care Fraud and Abuse Enforcement: What's at Stake?" Discussions focused primarily on the pharmaceutical sector and on the increases in cases of fraud and abuse being prosecuted and in the costs of settlements. The forum is the first in a series of three sponsored by King & Spalding and by *Main Justice* to discuss legal policies and the effectiveness of laws passed to counter health care fraud.

Professor Michael J. Hannon ('98), associate director for library and edu-



cational technology, was promoted to librarian and awarded continuous appointment by the Board of Regents in May. He supervises the Law School's Education Technology Department, which supports the use of technology for teaching, presentations, and events, and is responsible for the Law Library's Clarence Darrow Digital Collection. He teaches Digital Evidence, an upper-division seminar, and is the author of *Digital Evidence: Computer Forensics and Legal Issues Arising from Computer Investigations* (forthcoming, 2011).



Professor Kristin Hickman was promoted to professor, effective July 1, 2011. She also was awarded a Grant-in-Aid of Research, Artistry, and Scholarship by the University of

Minnesota Office of the Vice President for Research to fund her empirical study of Treasury Department and Internal Revenue Service regulation practices.



Professor Claire Hill was appointed James L. Krusemark Professor of Law in recognition of her exceptional scholarship, teaching, and service.



Affiliated Professor Jane Kirtley, Silha Professor of Media Ethics and Law in the School of Journalism and Mass Communication, received the Peter S. Popovich Freedom of Information Award from the Minnesota Society of Professional Journalists at the annual Page One awards banquet in July 2011. She was

honored with the award, given for upholding First Amendment rights, for her career body of work.

In July and August, under the U.S. State Department “Speaker and Specialist” program, she met with officials in Rwanda to discuss transition of its news media from government control to voluntary self-regulation, and she held workshops on media law and ethics.



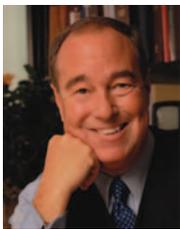
Professor Heidi Kitrosser was promoted to professor, effective July 1, 2011, and was appointed to the Julius E.

Davis Chair in Law for 2011-12.



Professor Alexandra Klass was appointed to the Solly Robins Distinguished Research

Fellowship, established by Robins, Kaplan, Miller & Ciresi to support tenured professors, for a second year.



Professor John Matheson presented his paper on business limited-liability protections, “Common Law

Veil Piercing in the USA: An Empirical Examination,” in July 2011 at the International Conference on Law, hosted by the Athens Institute for Education and Research’s Business and Law Research Division.



Professor Brett McDonnell was appointed to the Solly Robins Distinguished Research

Fellowship, established by Robins, Kaplan, Miller & Ciresi to support tenured professors.



Professor William McGeeveran

testified before the Minnesota Campaign Finance

Board in June about proposed disclosure rules for contributions to ballot question campaigns, warning of resulting privacy costs. He urged the Board to consider the structure of disclosure independently from “hot political topics.”



Clinical Professor Stephen Meili

received the 2011 Stanley V. Kinyon Clinical Teacher of the Year Award.



Associate Professor Amy B. Monahan was named the Vance K.

Opperman Research Scholar

and received the 2011 Stanley V. Kinyon Tenured Teacher of the Year Award. In August she presented her research on legal protections for state and local retirement plans to nearly 5,000 attendees at the National Conference of State Legislatures’ annual Legislative Summit in San Antonio.

She was a member of the Institute of Medicine committee charged with developing policy, criteria, and methods for defining and updating the package of essential health benefits as part of federal health care reform. On Oct. 7, the committee released its 300-page report, which the Department of Health and Human Services will draw from in developing the final essential health benefits package.



Professor Fred Morrison, who

serves on the Kuratorium of the Max Planck Institute for Foreign

Public Law and International Law in Heidelberg, Germany, and Ruediger Wolfrum, professor of international law at the University of Heidelberg School of Law and a director at the Max Planck Institute, are working on a new edition of their book, *International, Regional, and National Environmental Law*. Morrison also serves on the Board of Advisors of a new journal, *Frontiers in Chinese Law*, published at Renmin University in Beijing, China.



Adjunct Professor Charles N. Nauen

(’80) received the 2011 Stanley V. Kinyon Adjunct Teacher of the Year

Award. He has taught environmental law for 20 years and represents environmental and business clients in federal, state, and administrative trials and appeals as a partner with Lockridge Grindal Nauen.



Professor Fionnuala Ní Aoláin was named a consultant on “Reparations for Conflict-related

Sexual Violence,” a study commissioned by U.N. Women and the U.N. Office of the High Commissioner for Human Rights. She is reviewing current U.N. policy and court practices and analyzing responsibilities of the states involved to ensure best practices in delivery of reparations in conflicted and post-conflict societies.

For the second consecutive year, she was selected for the Irish Legal 100 annual listing, sponsored by the *Irish Voice* newspaper to honor the Irish in the legal profession for their achievements and leadership.



Professor Ruth Okediji received a three-year appointment as a resident fellow of the

University’s Institute

on the Environment. She will maintain her Law School appointment and receive additional funding for work on climate change issues, environmental standards, and green and other environmental technologies.



Professor Myron Orfield, executive director of the Institute on Race & Poverty, received a \$400,000 grant

from the Ford Foundation to support the Institute's work to remove racial and economic discrimination that creates barriers to opportunity for communities of color and low income. In July 2011 he spoke at the White House summit, "Forum on First Suburbs, Inclusion, Sustainability, and Economic Growth." The Summit was organized by Building ONE

America to study community and regional activities to advance sustainability and growth. Orfield presented findings of a recent paper co-authored with Thomas Luce: "Federal Law Reform and America's Fully Developed Suburbs."



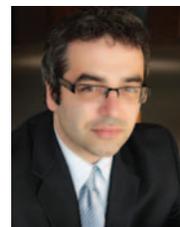
Associate Professor Hari Osofsky received a three-year appointment as a resident fellow

of the University's Institute on the Environment. She will maintain her Law School appointment and receive additional funding for work on energy-justice policy, geoengineering and smart-grid application, and environmental sustainability. She also received the Lampert Fesler Fellowship Award to support her research.



Professor Richard Painter testified before the U.S. House of Representatives Committee on

Oversight and Government Reform at a June hearing that covered the Hatch Act and political activity inside the White House, where Painter served as chief ethics lawyer from 2005-07. He recommended that Congress enact new legislation sharply curtailing the range of permissible partisan political activity by White House staff.



Associate Professor Daniel Schwarcz testified before the U.S. Senate Committee on Banking,

James L. Krusemark Chair in Law Appointment Lecture

> **In recognition of her appointment** to the James L. Krusemark Chair in Law, Claire A. Hill delivered the lecture "A Plea for More—and Better—Psychology in Law" on Oct. 31, 2011. Hill joined the Law School faculty in 2006. She is founding director of the Institute for Law and Rationality and associate director of the Institute for Law and Economics. She is also an affiliated faculty member of the Center for Cognitive Sciences. She holds B.A. and M.A. degrees in philosophy from the University of Chicago, a J.D. from American University, Washington College of Law, and LL.M. and J.S.D. degrees from Columbia University School of Law. Her many research and teaching interests include corporate law, contract theory, and behavioral economics.

Law's main goal is to influence behavior, Hill said, and an understanding of human nature could help in shaping policies that better meet this goal. Law tries to affect behavior by using traditional sanctions (e.g., prison, fines), disclosure, and norm-shaping. But which

mechanisms are appropriate turns on an understanding of why people do what they do, something law hasn't spent much time trying to understand.

Using the recent financial crisis as an example, Hill considered the motivations and perspectives of the main actors in the crisis, including people who borrowed money they couldn't repay, brokers who arranged those loans, employees of the agencies that rated the securities packaged from the loans, and investment bankers who structured the securities. She also considered the perspectives of those trying to understand the crisis. "Law needs," Hill said, "to understand why people do what they do. It needs, too, to understand what's behind proposals for reform and reactions to those proposals. What makes people think the way they do is endlessly fascinating; law and psychology will both be enriched by forging a closer connection."

Ms. Lucille A. Dondore, a 1927 graduate at the University of Minnesota, established the James L. Krusemark



Claire A. Hill

Chair in Law in honor of her brother, James L. Krusemark ('26), who was Assistant U.S. District Attorney in St. Paul. The James L. Krusemark Chair was established to attract and retain nationally renowned legal scholars.

Housing, and Urban Affairs Subcommittee on Securities, Insurance, and Investment on Sept. 14, 2011, in a hearing entitled “Emerging Issues in Insurance Regulation.” He emphasized the deficiency of state insurance regulation in empowering consumers to choose among competing carriers and in allowing market intermediaries to police regulators and carriers.



Professor Robert A. Stein (‘61) was elected to a three-year term as delegate-at-large to the ABA House of

Delegates by a vote of attendees at the annual meeting in Toronto in August 2011. He previously served as president of the Uniform Law Commission from 2007-11.



Professor Susan Wolf led a conference funded by the National Human Genome Research Institute in

Washington, D.C., examining whether genetic research results and incidental findings in biobanks and archives should be returned to patients. Findings of the conference, which grew out of a two-year project led by Wolf, will be published in a special issue of *Genetics in Medicine*. Wolf and the Consortium on Law and Values in Health, Environment & the Life Sciences, together with Mayo Clinic, received an award from the National Cancer Institute of the National Institute of Health (NIH) for a project looking at the ethical and legal dimensions of returning incidental findings to family members of research partici-

pants. The five-year \$2.4 million project, “Disclosing Genomic Incidental Findings in a Cancer Biobank,” is the first of its kind at the NIH and the Consortium’s third NIH-funded project on the topic.



Sara Yates, foreign and rare books cataloger at the Law Library, was promoted to librarian and

awarded continuous appointment by the Board of Regents in May. She is the current chair of the Legal History and Rare Books Section of the American Association of Law Libraries. She recently published “Black’s Law Dictionary: The Making of an American Standard” in *Law Library Journal*.

LEGAL HISTORY LECTURES Fall 2011 >

All sessions, unless noted otherwise, are held from 12:00-1:15 p.m. in Room 471. Papers are circulated one week in advance: Contact Meghan Schwartz at schwa859@umn.edu.

September

23 Professor Jill Hasday
University of Minnesota Law School
Progress Narratives for Adults

30 Professor Sarah Chambers
University of Minnesota—History
Family, Loyalty and Property Confiscation During Chile’s Independence from Spain

October

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

14 Professor Erika Lee
University of Minnesota—History
Wong Kim Ark v. US, Birthright Citizenship, and the Current Debate Over Immigration

21 Professor Keith Mayes
University of Minnesota African American and African Studies
Black Revolutionaries Under a Written Constitution: Black Power’s First and Second Amendment

28 Erik Redix
University of Minnesota—History
An Imperative Necessity: The Murder of Joe White and the Culmination of Removal

November

4 Chantel Rodriguez
University of Minnesota—History
Nascent Ties: The Pullman Company as a Transnational Legal Actor in the Development of Mexican Railroad Workers’ Health Rights, 1920s-1930s

18 Professor Myron Orfield
University of Minnesota Law School
Milliken, Meredith and Metropolitan Integration

December

2 Heather Hawkins
University of Minnesota—History
Not Without Their Voluntary Consent: Parental Rights and Federal Law in Late 19th and Early 20th Century American Indian Boarding Schools

PUBLIC LAW WORKSHOPS Spring 2012 >

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

January

30 Professor Stuart M. Benjamin
Duke University School of Law

February

2 Professor Bert Kritzer
University of Minnesota Law School

6 Professor Elizabeth R. Emens
Columbia Law School

16 Professor Lawrence B. Solum
Georgetown University Law Center

23 Professor Roderick M. Hills Jr.
New York University School of Law

March

8 Professor Claire Finkelstein
University of Pennsylvania Law School

22 Professor Oren Gross
University of Minnesota Law School

29 Professor Neil S. Siegel
Duke University School of Law

April

5 Professor Mark Tushnet
Harvard Law School

12 Professor Amalia D. Kessler
Stanford Law School

Visiting Faculty and Research Scholars >



Professor Sheng-ping Gao is a research scholar from Renmin University of China, where he has taught

civil law, contract law, secured transactions, property law, and corporations in the law and business schools since 2002. He came to Minnesota last fall to continue his research on American secured transactions and consumer bankruptcy.

A specialist in civil, commercial, and property law, Gao completed an LL.M. and a Ph.D. at China University of Political Sciences and Law in Beijing and a B.A. at Central China Normal University in Wuhan. He has participated in several large cooperative undertakings, including the Legal Protection of Creditors' Rights in China project, sponsored by People's Bank of China and the World Bank Group.

He is a legislative consultant in the National People's Congress of China, and from 2000-07 he helped draft Part 4, Security Interests, of Property Law of the People's Republic of China, adopted March 16, 2007. Since 2008, he has been engaged in drafting Financial Leasing Law and Personal Bankruptcy Law.

Gao has been researching secured transactions law for more than ten years at Renmin's Research Center for Civil and Commercial Law and has published numerous articles and monographs in the field. In 2008 he received the Award of Excellent Research from China's Ministry of Justice.



Professor Dong Jiang (John) is a visiting scholar from Renmin University of China Law School, where he has been an asso-

ciate professor since 2007 and is also deputy director of the Forensic Linguistics Research Institute. His teaching and research interests include foreign legal history, Chinese legal history, Anglo-American laws, and legal English.

He completed an LL.M. in 1998 and a Ph.D. in 2004 at Renmin Law School and also holds a B.A. in English language and literature, completed at Beijing Foreign Studies University in 1998.

He is associate editor of *Frontiers of Law in China*, an overseas-circulated English journal promoting communication between jurists in China and abroad that is sponsored by China's Ministry of Education. He has published several articles in scholarly journals on U.S. antidumping laws, law in various periods of history, religion and the law, and other topics.

He is vice secretary general of the Legal Language Research Association of the Behavioral Jurisprudence Society of China, secretary general of the Research Association of Chinese Traditional Legal Culture of Beijing Law Society, and a member of the Eighth Council of Chinese Legal History Society.



Professor Emeritus Sandra Marshall is a research scholar from the University of Stirling, Scotland, where she headed,

researched in, and taught in the Department of Philosophy. She also was Dean of the Faculty of Arts and Deputy Principal.

Her main research interests are issues that connect legal, political, and social philosophy, especially those arising from debates between liberal and communitarian theories. Her current work on theories of criminalization, situational crime prevention, and friendship includes expansion on previous research on the idea of public wrongs and the criminal law, in particular victims' duties and civic virtue.

As former president of the U.K. Association for Legal and Social Philosophy, Marshall fostered links between philosophers and legal theorists throughout the United Kingdom, particularly within Scotland. She also served on the management committee of the *Philosophical Quarterly*.

Recent publications include articles on privacy, the family, friendship and community, and criminal responsibility. She was one of four collaborators on *The Trial on Trial* series, funded by the U.K. Arts and Humanities Research Council, which produced two edited volumes and a co-authored monograph. She is now working with the same collaborators on a large project on criminalization, also funded by the Arts and Humanities Research Council.



Professor Gabriel Michanek is a visiting professor of environmental law from the Faculty of Law, Uppsala

University, Sweden, where he teaches Swedish and European Union environmental law. He also supervises students working toward a Ph.D. in environmental law, evaluates research projects, and reviews funding applications for research in environmental law and policy. His research interests include legal aspects of water management, biodiversity protection, and energy production.

Michanek received his LL.M. in 1979 from Uppsala University, and in 1990 he completed his LL.D. and was appointed senior lecturer in environmental law. In 1994, he was promoted to docent (associate professor). In 1999, he was appointed professor of environmental and natural resources law at the Department of Law, Lulea University of Technology in Sweden, and in 2009 he was appointed professor of environmental law at Uppsala.

He has served as an expert on three Swedish State Commissions for drafting new legislation. In addition, working for the Swedish Environmental Protection Agency, he helped the Latvian Ministry of Environment and Regional Development analyze and develop Latvia's environmental legislation. He helped create courses in environmental law for Estonian, Latvian, and Lithuanian civil servants and served as an environmental law consultant for developing

Visiting Faculty and Research Scholars >

states (Lesotho, Zimbabwe, Pakistan, and Vietnam). For several months in 2004, he served as a judge in the Environmental Court of Appeal in Stockholm.

An author of four books and several scientific articles and co-editor of two anthologies in environmental law, Michanek founded the online *Nordic Environmental Law Journal* in 2009 to address environmental legal issues in the Nordic countries. He is the journal's editor and publisher.



Professor JaneAnne Murray joined the Law School in August 2011 as Practitioner in Residence. She specializes in criminal law and government investigations and teaches corporate investigations. Her research interests include the Fourth Amendment, prosecutorial discretion, and federal sentencing.

She specializes in criminal law and government investigations and teaches corporate investigations. Her research interests include the Fourth Amendment, prosecutorial discretion, and federal sentencing.

A native of Ireland, she received her B.C.L. degree from University College Cork in 1989 and her LL.M. degree from the University of Cambridge in 1990, both with first-class honors. She worked in New York as a litigation associate at Paul, Weiss, Rifkind, Wharton & Garrison LLP; as a trial lawyer with the Federal Public Defender's Office for the Eastern District of New York; and as a litigation counsel at O'Melveny & Myers LLP.

She then opened her own criminal practice and defended individuals in many high-profile proceedings, handled all aspects of white collar crime, and was lead counsel in more than 20 jury trials. She represented whistleblowers, witnesses, and targets before investigative bodies including the U.S. Congress, Department of Justice, Securities and Exchange Commission, and Internal Revenue Service.

Murray was an adjunct professor of business law at St. Francis College in Brooklyn from 1995-96 and an adjunct professor in the legal writing program at Brooklyn Law School from 1996-97.

She spent 1999 in Cambodia working as a provincial human rights advisor with the U.N. High Commission for Human Rights.

She writes regularly on criminal law and procedure issues for *Atticus*, the publication of the New York State Association of Criminal Defense Lawyers (NYSACDL); *New York Law Journal*; *White Collar Crime Reporter*; and the blog she created, "New York Federal Criminal Practice." She is also a frequent guest lecturer at CLE programs.

A member of the board of directors of the Irish-American Bar Association, Murray created the annual Bloomsday Celebration of the Irish-American Bar Association of New York. The celebration showcases *Ulysses* and James Joyce's contribution to the First Amendment.

Murray serves on the board of NYSACDL and is a member of the Criminal Justice Act Panel of the Eastern District and the Southern District of New York, the New York State Defenders Association, and the Criminal Law Committee of the New York City Bar.

FACULTY WORKS IN PROGRESS

Fall 2011 >

Lectures on works in progress at the Law School and other institutions are held on Thursdays from 12:15-1:15 p.m. in Room 385. They are open to the public but require an RSVP to Stephanie McCauley at 612-625-9073 or mccau061@umn.edu.

September

- 8 Professor Oren Bar-Gill**
New York University School of Law
The Law, Economics and Psychology of Consumer Contracts
- 15 Professor Ruth Okediji**
University of Minnesota Law School
and

Professor Jerome H. Reichman
Duke University School of Law
When Copyright and Science Collide: Empowering Digitally Integrated Research Methods on a Global Scale

22 Professor Mitu Gulati
Duke University School of Law
Collective Action Clauses for the Eurozone: An Empirical Analysis

29 Professor Robert Keohane
Princeton University Woodrow Wilson School of Public and International Affairs
and

Professor David Victor
University of California, San Diego, School of International Relations and Pacific Studies
The Regime Complex for Climate Change

October

13 Professor Bert Kritzer
University of Minnesota Law School
Change in State Supreme Court Elections: Is Voting Becoming More Partisan?

20 Professor Guy-Uriel E. Charles
Duke University School of Law
Superstatute Interpretation

27 Professor William D. Henderson
Indiana University Maurer School of Law
The Hard Business Problems Facing U.S. Law Faculty

November

3 Professor Jide Okechuku Nzelibe
Northwestern University School of Law
Our Partisan Foreign Affairs Constitution

10 Professor David J. Gerber
Chicago-Kent College of Law, Illinois Institute of Technology
Economic Development and Global Convergence Strategies: The Competition Law Example

17 Professor Vicki C. Jackson
Harvard Law School
"Extra-Territorial" Constitutional Interpretation: Outsider Interventions in Domestic Constitutional Contests

> Faculty Profile

Jennifer Green

Associate Professor of Clinical Instruction

Jennifer Green joined the Law School in 2009. She started the new Human Rights Litigation and International Legal Advocacy Clinic, first offered in spring 2010. Later that year she was selected as a finalist for the Trial Lawyer of the Year Award by the Public Justice Foundation, for significant contributions to public interest.

One victim had his teeth yanked with pliers. Another was forced to play Russian roulette. A third was gang-raped. These were a few of the plaintiffs Jennifer Green represented in a civil suit against Radovan Karadzic, a Bosnian Serb military leader. In 2000, a Manhattan jury ordered Karadzic to pay \$4.5 billion in damages for war crimes against civilians.

“There are just some things people should not be able to do to each other,” Green says.

The human factor in human rights

The Karadzic case is only one example of Green’s important human rights victories. As an attorney with the Center for Constitutional Rights (CCR), she successfully sued oil giants Unocal and Royal Dutch Petroleum for wrongful actions in Burma and Nigeria. Beth Stephens, a professor at Rutgers School of Law-Camden who worked with Green on several cases at CCR, says, “These were overwhelmingly difficult cases, but she had legal theories that worked.”

In *Doe v. Unocal*, Green argued that corporations, not just individuals, could be sued under the 1789 Alien Tort Claims Act. That legal argument led to justice for Burmese villagers who suffered rape and forced labor during construction of a Unocal oil pipeline. The ruling also helped Green secure a victory for Nigerian clients in *Wiwa v. Royal Dutch Petroleum* because of the oil company’s complicity in the hanging deaths of peaceful protesters, including writer Ken Saro-Wiwa. “You can’t choose to

do business in a place and be selective about the laws you follow,” she says.

All these cases contained complex sets of facts and legal theories, and Green is quick to emphasize that she couldn’t have secured any of these results alone. “I’ve been fortunate to work with teams of terrific clients and advocates,” she says. Green always remembers the human element. “It’s easy to get caught up in the legal arguments,” Stephens says. “She reminds us to think about the people we’re representing.”

A young fan of fairness

That passion for justice began during Green’s teenage years. She remembers carefully crafting letters on thin, blue airmail stationery. But her notes weren’t to pen pals in faraway lands; they were to world leaders. The Wisconsin high school student—at the urging of Amnesty International—pressed presidents, prime ministers, and dictators to end human rights abuses. “I grew up with a strong commitment to social justice issues,” she says.

Green continued her activism in college. At the University of Wisconsin-Madison, she volunteered on Democratic campaigns while earning majors in women’s studies, political science, and international relations. After graduation in 1984, she moved to Washington, D.C., and then to the Philippines to advocate for the displaced as a staffer with the International Organization for Migration.

Four years later, Green was accepted to Harvard Law School. As a law student, she participated in the Harvard Prison Legal Assistance Project and volunteered at CCR in New York City. That gig and an



internship led to a job as CCR staff attorney.

Colleagues point to several reasons why Green has been able to win cases against war criminals and huge multinational corporations. “She’s got the focus and willingness to take on big battles and pull in people from different organizations,” says Stephens.

Last year, Green co-authored an amicus brief that describes actions of the international body governing occupied Germany after World War II in holding persons, and corporations, accountable for violations of international law. In early 2011, a U.S. Court of Appeals cited the brief in ruling that corporations can be held liable for their actions.

Agnieszka Fryszman, an attorney at the firm Cohen Milstein Sellers & Toll in Washington, D.C., describes Green’s ability to hone a legal argument this way: “They’re clean,” she says. “They cut to the core and explain it.” And that helps win cases.

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

> Student Per



Anne Bautch ('13) and Elise Larson ('12)
at *Minnesota Law Review* symposium



Edwin Stockmeyer ('13), Timothy Billion ('13), and Conner McNellis ('13)
at *Minnesota Law Review* symposium



Orientation get-together for Class of 2014
members (clockwise) Colleen Kelly, Rachel
Blackhurst, Courtney West, Kaitlyn Adkins,
Anna Bishop, and Jennifer Nomura

Student Profiles

TAJIK SOHAIL HABIB 2011-12 HUMPHREY FELLOW



> **Tajik Sohail Habib** has lived in some of the most dangerous places on the planet—Kosovo, Rwanda, and Liberia—and spent several years as a U.N. peacekeeper in those countries in the early 2000s. It's not much safer for Habib at home in Pakistan, a nation

suffering from terrorism.

Born in a tribal area near the Afghanistan border, Habib graduated from Khyber Medical University in Peshawar with a medical degree. He could have spent his career in the relative safety of a hospital or clinic, but he decided that life as a physician would be too dull. "It was not my cup of tea," he says. So he became a cop.

After passing the highly competitive civil service exam, Habib took a job with the Police Service of Pakistan. "I want to bring a change to the culture," he says of his decision to switch careers. "I want to bring something positive to an agency that needed change."

Then came three years of civil service and police training, a job as assistant superintendent of police in the Frontier Province, and the beginning of five years of work in former war zones. In Kosovo, he helped rebuild the police department. In

Rwanda, he investigated crimes. And in Liberia, he helped provide security. "It was very satisfying," he says, "because in each job, I achieved something."

When he returned home in 2005, Habib led an effort at the Peshawar Metropolitan Police to digitize thousands of personnel records. That made evaluations and assignments easier for management.

In 2007, he began working on terrorist investigations for the federal police, aiding in the interrogation and arrest of suspects responsible for the assassination of Benazir Bhutto, the Mumbai attacks, and the bombing of the Marriott Hotel in Islamabad. When Pakistani police are successful, terrorists retaliate. "They want to kill you," he says. "Those who work for law enforcement are a target."

To take some of the heat off, Habib returned to local police work in 2011. But his investigation of terrorist cases

spectiVe



New lawyers-to-be have a chuckle during Class of 2014 orientation

Potential employees investigate the possibilities on Career Options Night



2Ls outfitted for Halloween costume contest as the Bill of Rights. **Front row:** Derek Mihm, Jamie Buskirk, Greg Singleton, and Leah Kippola. **Back row:** Derek Chin, Amy Schutt, Erin McDonald, Laura Halls, Eric Friske, and Steve Platt

took an emotional toll. “It’s very stressful to see people blowing themselves up,” he says.

FLÁVIA DE SOUZA LOBO PACHECO

LL.M. CLASS OF 2012

> **As a young girl, Flávia de Souza Lobo Pacheco** connected with a world beyond the borders of Rio de Janeiro. Her parents enrolled her in a Swiss school where teachers spoke only German. “This wasn’t ordinary in Brazil,” she says. Students also began courses in French and English at age 12, although English instruction was minimal, she says.

Her English improved dramatically when she worked as a corporate process analyst at Vale, one of the world’s largest mining companies, which paid for a one-on-one English language tutor. “It was awesome,” she says.

Brazil has two huge international events in its future: It will host the



2014 FIFA World Cup Brazil and the 2016 Summer Olympics. Its GDP jumped nearly 8% in 2010, after a dip in 2009 due to the global recession, and the country’s leaders are pushing for a permanent seat on the U.N. Security Council. “For long time people have been saying that Brazil is the country of the future,” Pacheco says. “Now it’s coming true.” The LL.M. student is well positioned to

take advantage of future opportunities.

Pacheco graduated with a bachelor’s degree in law from prestigious Rio de Janeiro State University in 2009. But her legal career actually began while she was still a student and landed an internship at Vale, which hired her full-time in its corporate governance department. Asked how she managed homework while working full-time, she says she studied during lunch, at night, pretty much anytime. “I work hard,” she says. “I like to get things done.”

After graduation, Pacheco passed the bar exam and secured a job at the law firm of Araujo e Policastro Advogados. She liked it so much that she stayed on the job until two days before leaving for the Law School.

Pacheco’s husband is also a University student, working on a Ph.D. in economics. When they return home, Pacheco hopes to work at a firm. “I like the adrenaline of a law firm,” she says. “I can work 10 or 12 hours a day. I don’t mind.”

SAMUEL WEEKS

CLASS OF 2012



> **Sam Weeks likes to get both sides of a story.**

In researching his honors thesis for an international relations undergraduate degree from Brigham Young University, he spent a month huddled in the Romanian Academy Library in Bucharest. The library didn't ban photocopying the Soviet-era reports on efforts to quash a peasant rebellion in the 1950s that Weeks was studying. But its policies made copying more than the occasional page extremely difficult. So he diligently filled notebook after notebook with details of the successful government crackdown.

To get a perspective of the rebellion from the populace side, the Utah native took his backpack and sleeping bag to the mountains. Weeks was no stranger to less-than-ideal conditions, having slept on friends' sofas and floors to save money, and he had learned to speak Romanian during an earlier stay. He labored next to farmers to gain their trust and asked them about the attempted revolt. They told him stories of killings and torture. One man cried. "Hearing those things really bothered me," Weeks says. "It got me really interested in human rights." And the study of law.

Now a 3L student, Weeks is an article submissions editor on the *Minnesota Law Review* and president of the J. Reuben Clark Law Society. Classes on contracts and corporations inspired him to change his focus to business law. "I like the complexity," he says, noting the myriad of details

regarding tax issues, liabilities, and unions that must be considered when one company buys another.

This past summer, he interned at Hormel Foods in Austin, Minn., working on a variety of issues, including real estate, trademarks, and product liability law. "I'd like to work for a company someday," he says.

Weeks does his own repairs to his 1998 Volkswagen Golf and his wife's 1995 Chevy Beretta, sometimes consulting with his father, a retired Air Force mechanic. Dining out is a rarity, and when he discovers a tasty dish, he finds the recipe online and makes it at home. He may have adjusted his focus since those Romanian research days, but the frugality he learned is still strong.

LOTTA BREYER

CLASS OF 2013



> **When Lotta Breyer spreads her**

textbooks and laptop out on the kitchen table, she is often joined by her 7-year-old son, Sam, who has homework to do, too. "I have 37 pages on civil procedure to read," she says. "He has 37 math problems. And he's counting on his fingers." The single mother also has a 12-year-old son, Eli.

As she juggles parenting and extracurricular activities with law classes, it's easy to see why the 2L student is an enthusiastic board member of a new student group: Older Wiser Law Students. "The group is about sharing ideas about how to benefit from your background and how to survive law school with kids," she says.

During a recent meeting, she offered tips to a 1L parent on how to successfully navigate books and babies.

Born in Finland, Breyer completed a master's degree in chemistry at the University of Helsinki. She fell in love with an American and the two, now divorced, moved to Sioux Falls, S.D., where she landed one of the few science jobs in the city at POET, the largest ethanol producer in the world.

Breyer held several position during her eight years at POET, including laboratory manager and research scientist. In one of her early scientific successes, she worked on a team that figured out how to nearly double the amount of ethanol extracted from corn. She was also the company's intellectual property manager, which prompted the idea of a legal career. "I had never thought of law school before," she says. "It just wasn't on my radar screen."

She'll likely focus on intellectual property, a natural for a scientist with deep experience, but currently she's taking Trademarks, working on the *Minnesota Journal of Law, Science & Technology*, and planning to enroll in Patents in the spring. She enjoys the intellectual challenge of Law School classes. Professors sometimes describe interpretations she hasn't considered. "It forces my mind into a new thought pattern," she says.

Another new wrinkle in Breyer's life is U.S. citizenship. She's looking forward to the 2012 elections. "I'm really excited about that," she says. "I get to vote."

J. TRENT KENNEDY

CLASS OF 2014

> **When J. Trent Kennedy tells**

other Law School students he doesn't want to be an attorney, they're often dumbfounded. "Some of them don't believe me," he says.

The 1L student comes from a family of librarians. His mother is a librarian and his father, Bruce Kennedy ('80), and stepmother are law librarians (requiring both law and library science degrees). That explains Kennedy's strong opinion on the merits of the Library of Congress versus Dewey Decimal classification systems. The

Library of Congress method is “more elegant,” he says. But that’s not to say he plans on following in his family’s footsteps.

An interest in university administration began to take shape when he transferred to Hampshire College in Amherst, Mass., to finish his undergraduate degree. Like many colleges, Hampshire made no special efforts to recruit transfer students or help ease their way into campus life. So Kennedy worked with the school on improving outreach to such students.

After graduation, Kennedy moved to Natchitoches, La., and worked as a dorm-based student advisor at a public high school for high achievers. Students engaged him on multiple topics, including game theory, evolutionary biology, and philosophy. He loved it. “I was actually taking care of students, not just getting them through

the door,” he says. In his free time, he earned a master’s degree in student personnel services at Northwestern State University of Louisiana.

Kennedy chose Minnesota for a couple of reasons: His father had a positive experience at the Law School, and Kennedy believed it would offer an intellectually challenging environment. “Minnesota seemed like the sort of place where I’d be surrounded by smart people,” he says, noting that he hasn’t been disappointed.

He has also chosen to surround himself with activities outside the classroom. He volunteers with the Minnesota Urban Debate League—a longtime passion—through the Minnesota Justice Foundation, and is active in the Law School’s New Orleans Legal Assistance group.

Kennedy may find himself at a law school after graduation, but not neces-



sarily at the library. His enthusiasm for helping others and creating a sense of community seems likely to propel him to a university administration position.

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



TORT AND RACE FOR JUSTICE TURNING TEN YEARS OLD

> **Back in 2002, the Law School** community noticed two glaring needs: an outlet for students’ creative and theatrical urges, and financial support for graduating students choosing a low-paid public interest career. Thus were born the Theatre of the Relatively Talented (TORT) and the Race For Justice.

TORT’s first production, “The Wizard of Fritz,” took place in a small Washington Avenue theater, the Open Book. From the beginning, the writing, producing, directing, and musical skills among the student body were impressive. The spring 2003 alumni magazine called the show “a raging success.”

Cajoling faculty and alumni to take part began with that first production, which included about 50 student performers.

Word of the fun to be had has spread since then. “Harry Torter and the Magical Law School” in 2011 featured 66 cast, chorus, and dance members, plus 25 in the orchestra and technical crew. Cameo appearances by faculty, staff, and alumni continue to be a favorite element. And the venue has changed to the historic Pantages Theatre in downtown Minneapolis.

The Race for Justice, founded to benefit the Loan Repayment Assistance Program of Minnesota (LRAP), which subsidizes education debts for graduates who go into public interest law, has become an anticipated spring activity. Runners of all abilities and families and friends out for a stroll all enjoy the scenic route that begins and ends at Nicollet Island, with a loop across the Mississippi in between.

The early 5K Fun Run and Walk, as the event is commonly known, attracted about 300 participants and raised around \$7,000 for LRAP in registration fees and donations. In recent years, participation has exceeded 750, raising more than \$20,000 annually.

Student News and Awards >

Awards and Scholarships

Eva Stensvad ('11) Receives Burton Award

In June 2011 **Eva B. Stensvad** ('11) attended a ceremony in Washington, D.C.'s Library of Congress to receive the Burton Award for Legal Achievement in the law school legal writing category. She won for her November 2010 *Minnesota Law Review* article, "Immunity for Vaccine Manufacturers: The Vaccine Act and Preemption of Design Defect Claims."

The stature and competitiveness of Burton awards have grown steadily since they were launched in 2000 to honor effective, concise legal writing. Professor Brad Clary ('75), who selected Stensvad's article for submission, says "Her article is a great example of the clarity and organization that we stress in the Law School writing system." Stensvad is the sixth Burton award winner from the Law School, which is one of only eight law schools to receive six or more Burton writing awards.

"I am honored to have been nominated and selected for this prestigious award. The number of recipients from the Law School really demonstrates the strength of its legal writing program and high quality of the *Minnesota Law Review*," says Stensvad, who credits the Law School's John W. Mooty scholarship with allowing her to pursue her legal interests. "I could not have become an effective legal writer without the support and education I have received over the last three years."

Stensvad joins the list of earlier Burton honorees: Noreen E. Johnson ('09), Emily C. Melvin ('08), Dan Robinson ('07), David Leishman ('06), and Kari M. Dahlin ('01). She also won the Dorothy O. Lareau Writing Award and the 2011 *Minnesota Law Review* Vol. 35 and 36 Memorial Award.

Zac DesAutels ('11) Wins 2011 Tax Writing Competition

In the summer of 2010 **Zac DesAutels** ('11) was working at the U.S. Attorney's Office in Buffalo, N.Y., when he discovered an interesting case and decided

to write about it. His article, "Virtually Untaxable? *Red Earth LLC v. United States* and Congressional Authorization for State Taxation of Internet Sales" took grand prize in the 2011 Paul Faherty Tax Writing Competition, presented by the Center for Tax Law and Employee Benefits at John Marshall Law School.

DesAutels, former article submission editor on the *Minnesota Law Review*, says "I had a lot of fun writing the paper. By that September my *Law Review* responsibilities had ended, so writing the paper was a nice way to stay a little bit in touch with academic legal writing." He says he learned most of the material for the article from Professors Prentiss Cox in Civil Procedure and Laura Cooper in Conflicts, so much of his research was merely developing the concepts they taught him. The \$3,000 award "will be the first of what I hope will be many law-related paychecks," he adds.

The competition was endowed by Winston & Strawn partner James Lynch to honor the Center's former director. DesAutels' article has been published on John Marshall's site and will be excerpted in the Center's newsletter.

NLR Student Writing Prize Goes to Michael Carlin ('12)

When **Michael Carlin** ('12) heard about the *National Law Review (NLR)* Law Student Writing Competition, he decided to enter "Employers are Watching Your Facebook: Worker Privacy Significantly Diminished in the Digital Era," originally developed for Professor Jane Kirtley's Contemporary Problems in Freedom of Speech and Press class. "The competition appealed to me because it gave me the opportunity to publish a work that tied together concepts in privacy and employment law in a relevant and practical way," Carlin says.

NLR, which consolidates practice-oriented legal analysis from various sources, initiated the competition to offer law students an opportunity to be published. Its staff judges evaluate entries on clarity, timeliness, and usefulness, and they selected Carlin's article as one of its 2011 winners. It is among those

featured in the June online *NLR* magazine (www.natlawreview.com).

Carlin worked with the Midwest Coalition for Human Rights in the University's Institute for Global Studies through a Robina Fellowship this past summer and is the 2011-12 *Journal of Law and Inequality* articles editor. He was a participant in the 2010 Minnesota State Bar Minority Clerkship and a law clerk at Kennedy & Graven from June 2010 to April 2011.

"I hope the paper adds some value to the discussion on privacy at work and highlights how outdated privacy law is in regard to the 21st century workplace," Carlin says.

Tara Houska ('12) Awarded Native American Congressional Internship

Tara Houska ('12) was one of only 12 students from 12 tribes nationwide awarded the prestigious Native American Congressional Internship in Washington, D.C., for the summer of 2011. Recipients were selected by a committee of Native educators and tribal policy leaders on the basis of academic achievement and interest in tribal public policy.

The ten-week internship allows Native American and Alaska Native students to learn about the federal government, decision-making processes, and issues that affect nations and tribes. Interns are placed in Senate and House agency offices, cabinet departments, and the White House, where they research legislative issues, write briefs, and meet with key officials. Houska, who is Anishinaabe from Couchiching First Nation in Fort Frances, Ontario, worked with the White House Council on Environmental Quality.

Houska was born and raised in International Falls, Minn., and earned a triple undergraduate major in biology, art history, and Native American studies at the University. Last year she helped represent parents of Indian children through the Law School's Indian Child Welfare Act Clinic and had the rare and rewarding experience of winning dismissal of a case for one of her clients.

The internship program is funded by the Native Nations Institute for Leadership, Management, and Policy, founded by the Udall Foundation and the University of Arizona. Congress established the Udall Foundation in 1992 to honor brothers Morris and Stewart Udall for their work on natural resources and Native American issues by providing federally funded scholarships.

DRI Diversity Scholarship Goes to Lariss Jude ('12)

Lariss Jude ('12) was one of only two law students nationwide selected to receive a \$10,000 Law Student Diversity Scholarship from the Defense Research Institute (DRI) for 2011. Applicants were evaluated on academic excellence; their record of service to the profession, com-

munity, and cause of diversity; and an essay on whether foreign manufacturers can be sued in states where their product is sold.

"It's important for people from diverse backgrounds to be in prominent positions, as leaders and role models," Jude says. Also, in her experience with nonprofit organizations, she learned that "it is immensely valuable to have compassionate people who understand struggles and disparity influencing and controlling resources."

She is drawn to civil litigation defense because of its challenges and the inspiring lawyers she has met, she says. This past summer, she worked at Larson King in St. Paul until mid-July, then moved to Bowman and Brooke in Austin, Texas, to work in products lia-

bility defense.

Originally from Corpus Christi, Texas, Jude completed a B.A. in government and Latino/a studies at Smith College, where she received the David Burres Memorial Law Prize for public service. At the Law School, she has worked on the *Journal of Law and Inequality* and the Child Advocacy Clinic, served in offices with the Latino Law Student Association and the Women's Law Student Association, and volunteered with Linea Legal Latina. "I love volunteering, and I plan to continue my commitment to pro bono work through my career," she says.

DRI was founded in 1960 to defend the interests of business and individuals in civil litigation. Its scholarship program was initiated in 2004.

Activities

Civil Practice Clinic Participates in ABA Teleconference



Front row: Michael Gavigan ('11) and Prof. Laura Thomas. **Back row:** Jonathan Moler ('11), John Braun ('11), and Erica Davis ('12)

In April 2011 Clinical Professor **Laura Thomas** and Civil Practice Clinic students John Braun ('11), Erica Davis ('12), Michael Gavigan ('11), and Jonathan Moler ('11) participated in an ABA Young Lawyers Division teleconference. "Lessons in Public Education: A Community's Challenge to Property Tax Assessments" was moderated by Sitso W. Bediako ('08) of Gray Plant Mooty.

Thomas and the student attorneys discussed their work and answered questions from other teleconference participants regarding development of *Odunlade et al. v. City of Minneapolis*,

County of Hennepin, et al. (No. 27-CV-10-26849). The lawsuit alleges systematic property tax assessment discrimination in three Minneapolis communities: Camden, Near North, and Phillips. Market value is not allowed to drive the property tax assessment process in these communities, the suit claims; in fact, the city of Minneapolis largely disregards market value of residential properties, which affects both property owners and owners of comparable properties in the same communities.

Clinic students did a sales ratio study and compared tax assessment across Minneapolis to prepare the lawsuit. It alleges violations of plaintiffs' federal due process and equal protection rights; due process rights under Article I, Section 8, of the Minnesota Constitution; and rights to uniform taxation under Article X, Section 1, of the Minnesota Constitution. Plaintiffs also allege violation of Minnesota Statute §§273.061, 273.11 and 42 U.S.C. §1983.

Organizations

OWLS

Older Wiser Law Students (OWLS) have their own student organization beginning this fall, thanks to the efforts of

Laura Cowan ('13) and Greg Singleton ('13). OWLS addresses the unique needs and concerns of students who are embarking on a law degree with a variety of work and life experiences, such as young children, already on their plate. The group welcomes all law students who have been out of undergraduate school for at least two years. It will host speakers and events on various topics of interest to the somewhat "seasoned" law scholar.

St. Thomas More Society

In February 2011, members of the Class of 2013 formed the St. Thomas More Society, named for an English statesman of the 1500s. The group was formed to foster fellowship among Catholic students and friends at the Law School; to host events inspired by the Catholic intellectual tradition; and to provide fun, easy volunteer opportunities to help the surrounding community. The Sept. 22 kickoff meeting included an installment of "Ask a Priest" featuring Fr. Micheal J. Keating, a professor in the Department of Catholic Studies at the University of St. Thomas. The Oct. 20 event was a panel discussion by civil and criminal lawyers entitled "Truth in Lawyering: Honesty Meets Zealous Advocacy."

> Alumni Pers



Jan Hulstedt ('08), Andrea Keller ('09), Kaija Hupila ('08), and Dean David Wipman



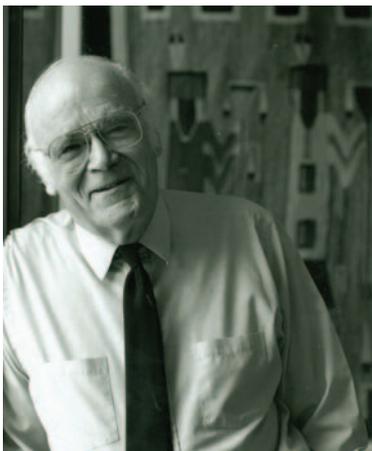
Eric Nicholson ('93) speaks at Corporate Institute's "Taking Care of Business" series



Peggy Joseph, Duane Joseph ('53), Stan Efron ('53), Sue Efron, Michael Sullivan Sr. ('62), and David Brink ('47) at Lockhart Club Dinner in September

Alumni Profiles

ROGER KENNEDY CLASS OF 1952



Courtesy of Diana Walker

> Although Roger Kennedy was too gravely ill to grant an interview, Frances Kennedy (a University of Minnesota graduate) let him know he was to be profiled in *Perspectives* and wrote, "It will mean a great deal to him." By phone on Sept. 21, 2011,

she graciously answered questions, and she forwarded background materials before and after his death.

Volumes have been written about Kennedy, a man who spoke and wrote volumes that enlightened readers and viewers about cultural arts, natural treasures, and political perils, since his death Sept. 30. His pairing of legal, financial, and management acumen with a gentlemanly demeanor took him to the top of diverse fields and into the inner circles of government, finance, media, and the arts.

In 1953, Kennedy headed to Washington, D.C., where he worked as a civil trial lawyer with the Department of Justice and served as special assistant to the U.S. Attorney General and to the secretaries of the Department of Labor and the Department of Health, Education, and Welfare. He entered the national spotlight in 1955 as a news correspondent covering the Supreme Court

and the White House for NBC, for which he also wrote and produced television documentaries and hosted a radio program.

Kennedy spent the 1960s in home territory, working as a bank chairman in St. Paul and then as vice president for investments for the University of Minnesota. He was a founder of the Guthrie Theater in Minneapolis. Those experiences served him well when the Ford Foundation tapped him in 1969 to serve as vice president for finance, then for the arts.

Drawn back to government service, in 1979 Kennedy became director of the Smithsonian's National Museum of History and Technology, which he transformed into the National Museum of American History and from what some called "America's attic" into a place that could even, or maybe especially, capture an American teenager's attention.

Kennedy was a historian, and he

pective



Reed Schuster ('11) and Jeff Justman ('09) represent Faegre & Benson at Career Options Night



Class of 2011 members at Welcome to the Bar Breakfast Oct. 28, 2011, at St. Paul Rivercentre



Denis Salmon ('76) and Paul Peyrat ('58) at San Francisco alumni reception Oct. 26, 2011

wanted to tell the whole story. He shone the light on the seamy side of American history as well as the neglected, with exhibits about U.S. internment of Japanese Americans during World War II and the early 20th century northward migration of African Americans. Despite criticism, he charmed and challenged visitors with exhibitions of pop-culture items, including the ruby slippers from “The Wizard of Oz,” a cardigan from “Mister Rogers’ Neighborhood,” Archie Bunker’s chair from “All in the Family,” and the set from “M*A*S*H.”

For those who couldn’t come to the Smithsonian, he broadcast the nation’s stories as presenter and writer of Discovery Channel’s series “Roger Kennedy’s Rediscovering America” and “The Smithsonian Presents Invention.”

A man who could change his mind (he ran for Congress in 1952 as a Republican and later became a Democrat), Kennedy was unafraid to speak it. He publicly objected to efforts to privatize federal workers and to

assign values to national parks’ properties for corporate bidders, and he opposed taxpayer subsidies for homebuilding in wildfire-prone locales.

Kennedy came home from those hefty jobs to more work. He wrote for diverse publications, from *Harpers* to *Harvard Business Review* and from the *Atlantic* to *Architectural Digest*. Through his books run common threads of history and culture, arts and architecture. Among them are *When Art Worked: the New Deal, Art, and Democracy*; *Mr. Jefferson’s Lost Cause: Land, Farmers, Slavery, and the Louisiana Purchase*; *Hidden Cities: The Discovery and Loss of Ancient North American Civilization*; *Mission: The History and Architecture of the Missions of North America*; and *Orders from France: The Americans and the French in a Revolutionary World*.

Fittingly, Kennedy’s last day job was as director of the National Park Service from 1993-97. As a teenager in Minnesota, he had been a guide on canoe trips, and after he married Frances Hefren in 1958, they found

common ground in hiking and the outdoors. They also enjoyed countless hours discussing their respective research and books-in-progress.

As National Park Service director, Kennedy refused to let budget cut-backs cut back on the parks serving and representing all Americans. Eight parks were added during Kennedy’s tenure, including several with ties to African American and American Indian history.

An enthusiast of old technologies—books, television, museums—Kennedy also embraced the new. Current National Park Service director Jonathan Jarvis told Kennedy, “Your prediction that we would need to reach people beyond parks using yet untested technology was the foundation for what is now one of the most popular and successful Web sites in the federal government.”

His fellow citizens have not heard the last from Roger Kennedy. At 85, he completed his 21st book, *Cotton and Conquest: How the Plantation System Acquired Texas*, to be published in 2012.

LYNN KROMINGA

CLASS OF 1974



> **Lynn Krominga's interests were** all over the map—fashion, studio arts, German literature, psychology, politics—until law school helped structure her education and writing, and a path toward meaningful work. What she thought would be a career in public-interest law turned into globe-spanning corporate work.

After interning with the Minnesota Public Interest Research Group,

Krominga worked on the *Minnesota Law Review* and her interests began to change. “I was starting to believe that to have any impact on the issues I cared about, it was important to have the credibility of the business community,” she recalls.

Krominga's first positions at Dorsey & Whitney in Minneapolis and at Cleary Gottlieb Steen & Hamilton in New York gave her valuable experience and discipline, but not the overseas assignments she craved. In 1977, she did leave home with American Express, as senior counsel working on licenses, joint ventures, and new businesses throughout Latin America and Asia.

After rising from international counsel for Revlon's pharmaceutical division in 1981 to chief counsel for the worldwide corporation, Krominga got her big break. Appointed president of Revlon's licensing division in 1992, she launched the business from start-up to \$300 million in sales, and herself from “strictly a lawyer” to business leader.

Soon after becoming CEO of Fashion Wire Daily, an online fashion

news business, in 2002, Krominga underwent surgery for breast cancer. She forged ahead at work, but says, “Ultimately it gave me permission to really focus on what I wanted to do that would be fulfilling.”

Krominga found a new way to offer counsel and contribute to corporate teams when she secured a director position with Avis Budget Group in 2006. Her portfolio of board service has since included Ahava–Dead Sea Laboratories, RAINN (a nonprofit serving sexual assault victims), the Law School's Board of Advisors, Sunrise Senior Living, and Neogenix Oncology. As consultant and president of Meadowcroft Management since 1999, she advises international investors about developing consumer-products businesses.

Working in business swept Krominga into international life, and living in New York keeps her a-swirl in the theater, opera, foreign film, and literary circles she loves. “The things I do in my leisure time are all fiction as opposed to nonfiction,” she laughs. “I like to be swept away.”

Alumni News and Awards >

Allen Saeks ('56), James Steiner ('72) Named Distinguished Alumni



Alan Saeks ('56)



James Steiner ('72)

At the 2011 annual spring banquet of the *Minnesota Law Review*, **Allen I. Saeks** ('56) and the late **James D. Steiner** ('72) were honored with the journal's Distinguished Alumni Award for exceptional contributions to the profession and the greater good of society.

Saeks, senior counsel at Leonard, Street and Deinard and past chair of its commercial litigation practice group, has

been a leader in the Minnesota legal community for more than 50 years. He was instrumental in the Minnesota Supreme Court's adoption of the Interest on Lawyers Trust Accounts Program to provide legal aid to the poor and has served on the boards of numerous organizations, including the Fund for the Legal Aid Society and the initial Minnesota Lawyers Professional Responsibility Board.

Steiner, who passed away June 13, 2011, at age 71, retired in 2001 from an eminent practice with Robins, Kaplan, Miller & Ciresi that began in 1972. From a program he initiated for new associates at the firm, he went on to develop a trial advocacy program that received national recognition, and he taught basic trial skills in sessions across the Twin Cities. He led the firm's general litigation department in 1984-91. In an online farewell, the firm called Steiner “an out-

standing lawyer who combined intellect with common sense and was a champion for his clients.”

Harriet Lansing ('70) Appointed ULC Executive Committee Chair



At the annual meeting of the Uniform Law Commission (ULC) in July 2011, Judge **Harriet M.**

Lansing ('70) was appointed to a two-year term as chair of its Executive Committee and will lead implementation of policies the ULC adopts at its meetings. She has been a ULC member since 1993 and served as a Minnesota commissioner on several drafting committees.

RENAE WELDER

CLASS OF 1996



> **Renae Welder, the Law School's** first Deloitte Tax Fellow, embarked on the path recommended for aspiring tax attorneys: Work two years at a Big Six accounting firm, then move on to a law firm or in-house position.

Hired by Deloitte in Minneapolis in 1996, Welder was soon invited to join the firm's Multistate Tax Services group, composed of attorneys. She moved up, rather than on. Fifteen years

later she's still at Deloitte, based in Los Angeles, and has been a partner since 2007.

Practicing what Law School professors preached about the value of long-term relationships and networking, Welder still has clients she started working with as an associate. "It's not in and out," she says. "It's taking a vested interest in clients, understanding their business, and helping them do the right thing." As her mostly Fortune 100 clients go public, make acquisitions, merge, and restructure, Welder finds it "very gratifying to sit in the trenches and help them through major milestone events."

Work and her passion for running also afford Welder opportunities for travel, both in the United States and abroad. When Welder attended her first global partner meeting in Cape Town, South Africa, in 2007, it was her second trip to Africa that year. The first, to Kenya, fulfilled one of her personal goals as a marathon runner: to train at a high-altitude training camp. Welder has run 22 marathons since she began during her first year in

law school—to reduce stress.

While thrilled to meet her running idols during that trip, Welder was more deeply affected by seeing how most people live and by their resilience and interest in education. As a result, helping create educational opportunities for Kenyans is now on Welder's docket.

Helping students and young professionals is a running theme. While in town to run the 2011 Twin Cities Marathon, Welder met with Law School students, as she did often during her years working in Minneapolis. "It was really energizing connecting with students and helping them understand what opportunities are available," she says.

Welder invests time in career development at Deloitte, too, and is delighted when colleagues are promoted or make partner. "One of the most rewarding things I've done in my career is help people get to the next level," she concludes.

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

One of the original appointees when the Minnesota Court of Appeals was founded in 1983, Judge Lansing retired from the bench in May 2011 after 28 years of service. Over her career she has been a judge on the Ramsey County Municipal Court, St. Paul City Attorney, a private practitioner, and staff counsel to the St. Paul Housing and Redevelopment Authority. She currently serves on the Joint Editorial Board for International Law and the International Legal Developments Committee.

Philip Carruthers ('79) Named District Court Judge

On Sept. 14, 2011, Gov. Mark Dayton announced the appointment of **Philip C. Carruthers** ('79) to the bench of Minnesota's Fourth Judicial District. Most recently, Carruthers was Director of the Civil Division of the Ramsey County Attorney's Office, and earlier he was



Director of the Prosecution Division. He started the Elder Abuse Unit and helped organize the Joint Domestic Abuse Prosecution Unit.

From 1986-2001, Carruthers was a member of the Minnesota House of Representatives, serving as Speaker in 1997-98. Previously he served on the Metropolitan Council, and he maintained a private practice in Hennepin County for 21 years. He has served as president of the North Hennepin Mediation Program, on the board of Project Remand, and with the Brooklyn Peacemaker Center. In 2010 he received the Distinguished Humanitarian Service Award from the Ramsey County Bar Association.

He has been an active member and officer of the Law School's Board of

Advisors for many years and was instrumental in securing state funds for the clinic program. In recognition of his work, the Philip C. Carruthers Public Interest Law Clinic was named for him.

Sly James ('83) Receives Lifetime Achievement Award

The General Practice, Solo and Small Firm Division of the ABA presented its 2011 Solo and Small Firm Lifetime Achievement Award to **Sylvester "Sly" James Jr.** ('83) at its spring meeting luncheon in St. Louis in May 2011.

After completing his J.D., James joined Blackwell, Sanders, Matheny, Weary and Lombardi, where in 1990 he became the firm's first African-American partner. In 1993 he and Nancy Kenner formed Kenner James & Kavanaugh, and in 2002 he founded the Sly James firm, where he practices trial law. He was sworn in as the second African-American

Alumni News and Awards >



mayor of Kansas City, Mo., on May 1, 2011.

James has served as director of the Kansas City Bar Foundation and vice president of the Board of

Directors of Legal Aid of Western Missouri. He has held various offices on the Missouri Board of Law Examiners (1992-2002), been a member of the Board of Governors of the Missouri Association of Trial Lawyers (1995-2003), and chaired the Diversity Committee of the Kansas City Metropolitan Bar Association in 2003.

B. Todd Jones ('83) Named Acting Director of ATF



B. Todd Jones ('83), U.S. Attorney for the District of Minnesota, was appointed Acting Director of the Bureau of Alcohol,

Tobacco, Firearms and Explosives (ATF), effective Aug. 31, 2011. He will hold the positions concurrently.

The ATF has not had a confirmed director for almost six years. "That lack of stability takes its toll on an organization," Jones says, but the agency does critical law-enforcement work and he hopes to get it "refocused on its key mission, which is public safety."

Jones, who was also U.S. Attorney for Minnesota from 1998-2001, chairs the Justice Department's Attorney General Advisory Committee. He served active duty in the U.S. Marine Corps as both a trial defense counsel and prosecutor until 1989, and in 1991 he was recalled as a Marine Corps Reservist for Operation Desert Storm. He was a partner at Robins, Kaplan, Miller & Ciresi in 2001-08, a managing partner at Greene Espel in 1994-97, and a senior associate attorney at Oppenheimer, Wolff & Donnelly in 1989-92.

Regarding the ATF appointment, the veteran federal prosecutor told Minnesota Public Radio, "I know I'm

stepping into a tough spot, but it's important to step up and do this."

Lyonel Norris ('83) Appointed District Court Judge



At a private ceremony on Aug. 8, 2011, **Lyonel Norris** ('83) was sworn in as a member of Minnesota's Fourth

Court to fill a vacancy created by a retiring judge.

Norris was formerly an assistant federal defender representing low-income defendants charged with federal crimes. Preceding that he was director of the Office of Equity in the Minnesota Department of Education and an assistant public defender in the Office of the Minnesota State Public Defender. He has served on the board of directors of Central Minnesota Legal Services, Children's Law Center, the American Youth Work Center in Washington, D.C., and other organizations.

Gail Kulick ('85) Appointed Mille Lacs Band of Ojibwe Commissioner



On June 10, 2011, **Gail Kulick** ('85) took office as the Commissioner of Corporate Affairs for the Mille Lacs Band of Ojibwe.

As commissioner, she serves as CEO and chair of the board of directors of the Band's Corporate Commission, which analyzes new business opportunities and oversees existing businesses, including Grand Casino Mille Lacs and Grand Casino Hinckley. Kulick plans to focus on environmentally advantageous business diversity and economic development in the community.

The long-time resident of Milaca, Minn., formed her own firm, Kulick Law Office, in 1986. She was public defender in Mille Lacs County from 1986-1993 and

was city attorney for Foreston and Onamia in 1990-2000 and for Milaca in 1994. From 2009-11, she served District 16A in the Minnesota House of Representatives.

She has been an active member of the Milaca Economic Development Commission, Mille Lacs Health Services Board, Mille Lacs Area Health Foundation, Rum River Health Services Board, and other organizations.

William Stock ('93) Elected AILA Secretary

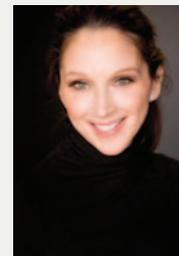


At its annual conference in San Diego in June 2011, the American Immigration Lawyers Association (AILA) elected **William**

Stock ('93) its 2011-12 secretary, which carries membership on its executive committee. He is a senior editor of AILA's annual *Immigration & Nationality Law Handbook* and co-author of the *J Visa Guidebook* on regulations and sponsorship for the exchange visitor nonimmigrant visa program. In 2000 he received AILA's Joseph Minsky Young Lawyer Award for outstanding accomplishments in immigration and nationality law.

A founding partner of Klasko, Rulon, Stock and Seltzer in Philadelphia, Stock manages immigration, naturalization, and other matters.

Nancy E. Brasel ('96) Appointed to District Court



On Sept. 14, 2011, Gov. Mark Dayton announced the appointment of **Nancy E. Brasel** ('96) to the bench of Minnesota's

Fourth Judicial District. She has been a Minnesota Assistant U.S. Attorney since 2008, handling economic crimes in the Fraud and Public Corruption Section and narcotics, firearms, and gang activity in

the Organized Crime Drug Enforcement Task Force and Violent Crimes Section. She was with Greene Espel from 1999-2008 and with Leonard, Street and Deinard from 1997-99.

Brasel has taught civil procedure as an adjunct professor at William Mitchell College of Law, chaired the board of directors of the Domestic Abuse Project in 2005, and was awarded the Minnesota Women Lawyers' Equal Justice Award in 1996 for "Taking Back Equal Protection: Virginia Military Institute, Real Women, and Real Choices."

Phil Duran ('00) Elected Treasurer of MSBA



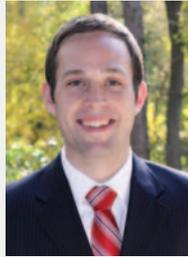
On July 3, **Phil Duran** ('00) assumed his new role as treasurer of the 16,000-member Minnesota State Bar Association for the

2011-12 bar year. Duran is legal director of OutFront Minnesota and provides legal representation, community education, and policy work for the state's largest gay, lesbian, bisexual, transgender advocacy organization. He is also

staff attorney for the Management Assistance Program for Nonprofits.

Duran has served with the Minnesota AIDS Project, Lambda Legal Defense and Education Fund in Chicago, the Minnesota Lavender Bar Association, and the Minneapolis Civil Rights Commission. In hospitals in his native Michigan, he was a client advocate helping patients qualify for Medicaid and received a 1997 Community Service Award from the Human Rights Campaign for his work.

Satisfying Results for Tax Clinic Alumni Charles Sloane ('10) and Emily Gleiss ('10)



Charles Sloane



Emily Gleiss

On May 5, 2011, the U.S. Tax Court issued an opinion in a case **Charles Sloane** ('10) argued nearly two years ago, as a student in the Law School's Tax Clinic. He

had represented a woman the IRS had taxed for about \$50,000 owed by her ex-husband's business. The Tax Court ruled that she was responsible for only \$719. "It was a great result," says Sloane, who now works at Stephenson, Sanford & Thone in Wayzata, Minn.

Just three days before the scheduled appearance, the judge had requested that a student lawyer represent the woman. When Sloane drew the case he filed for a continuance, but it was denied. He first met his client the morning of the trial. "It was stressful," he says, and recalls needing coaching from Prof. Kathryn Sedo during the proceedings. To help prepare, he talked to fellow Tax Clinic student **Emily Gleiss** ('10), who had researched claims for a similar case.

In the end, both Gleiss and Sloane won their cases. Gleiss' case was decided that day. Both say their Tax Clinic experience was invaluable.

Now practicing at Sieloff and Associates in Eagan, Minn., Gleiss says, "Being in the clinic was the best decision I made at the Law School. I handled my own cases, learned to work with clients, and negotiated with the IRS. I got to help people, too. It was very satisfying." Sloane agrees: "The Tax Clinic was fantastic. It was a really good experience."

An Honor to be Asked, Says Kathleen Blatz ('84) of Special Master Post



After nearly three weeks of hearing petitions for continued funding during Minnesota's government shutdown, **Kathleen Blatz**

('84) completed her role as special master when the shutdown ended on July 20, 2011. In an interview on Minnesota Public Radio, she said it was "an honor and a privilege to be asked" to serve.

Ramsey County District Court Chief Justice Kathleen Gearin appointed Blatz special master to create "an orderly

process to resolve requests for, or objections to, funding, thereby preventing the necessity for multiple individual lawsuits." Blatz' job was to hear appeals to an earlier ruling on what were considered critical core functions and make recommendations to Gearin.

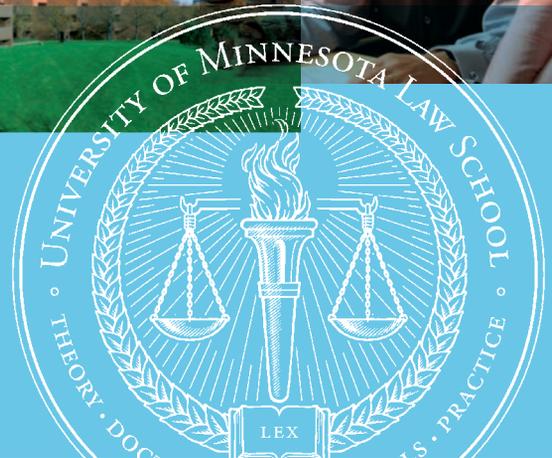
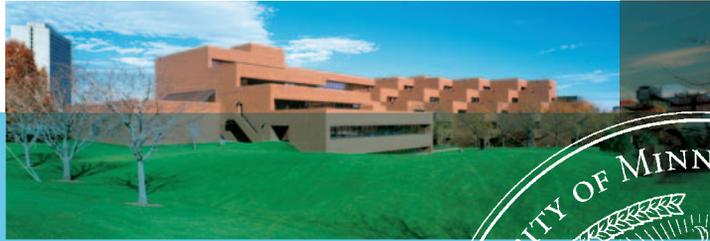
Blatz listened to a wide range of pleas, from agencies that provide chemical abuse treatment support, to bars and restaurants that were running out of beer. Petitioners had 20 minutes to make their case. Services she recommended as critical included special education payments to schools, state aid for training for the blind, and emergency crisis aid for the poor.

Although some petitions were not recommended, none of them were frivolous, she said. "When you look at it from the businesses' point of view, you could

see why the petitioners were there. They were critically impacted."

What impressed her the most was "the interconnectedness between government and the private sector." Using government licensing and permitting as an example, she noted that "if that piece is shut down in any form," the ramifications for private businesses can be severe.

Blatz was named chief justice of the Minnesota Supreme Court in 1998, the state's first woman to hold the position, and stepped down in 2005. She was also a Hennepin County District Court judge and a 15-year member of the Minnesota House of Representatives, first elected in 1978 at age 24. In 2009, she received the Award for Distinguished Service to State Government from the National Governors Association for her years of devoted public service in Minnesota.



PARTNERS IN EXCELLENCE
> Every Gift Counts!



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

> “As National Chairs of the 2011-12 *Partners in Excellence* Annual Fund, we are proud to support the University of Minnesota Law School and ask that you join us in honoring the impact it has made on your life, as well as its promise for the future.”

CHRISTOPHER J. CHAPUT, '85

AND JEAN J. CHAPUT, '60

2011-12 *Partners in Excellence* National Chairs

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TOGETHER WE MAKE A DIFFERENCE

Together, gifts of all sizes to the *Partners in Excellence* Annual Fund make a real impact on the University of Minnesota Law School and our students. Your unrestricted contribution is used where it's most needed, and provides the Law School with the flexibility to respond to new challenges and opportunities as they arise.

DO YOU KNOW?

- State funding, now only a fraction of our total revenue, supports only our Law Library, which is a resource we share with the broader University and local community.
- Annual in-state tuition and fees are \$34,817. Non-resident students pay \$43,385.
- Nearly 90% of our students receive financial aid, and nearly 80% receive some sort of scholarship support.
- The average student debt at graduation for the Law School alone is \$94,000.

YOUR CONTRIBUTION ALLOWS US TO:

- Recruit the nation's brightest students and offer more scholarship support
- Enhance clinical education and experiential opportunities that provide students with practical hands-on experience
- Attract and retain the world's most distinguished scholars and teachers

Lockhart Club Dinner

September 27, 2011, Windows on Minnesota

> **The annual William B. Lockhart Club dinner, named for the Law School's fifth dean, was held this year at Windows on Minnesota in the Marquette Hotel. The event honors Lockhart Club members for their generosity to the Law School and is also an occasion for alumni, faculty, family, and friends of the Law School to share an evening together. This year the dinner featured three guest speakers: current students Sanjiv Laud ('12) and Kristen Rau ('13), as well as Law Alumni Distinguished Professor and Lockhart Club member John Matheson.**

1. Kris Erickson ('72), Sandra Stein, Prof. Robert A. Stein ('61), and Marilyn Rosenbaum
2. Matthew and Terri Stark
3. Don Fraser ('48), Arvonne Fraser, and E. Richard Larson ('69)
4. John Mooty ('44) and Greer Lockhart ('53)
5. Peter Yamashiro and Kristen Rau ('13)
6. Suzanne Pepin, Richard Shinofield ('67), Linda Shinofield, and Rick Pepin ('67)
7. Mary Doty, Judge David Doty ('61), Terence Fruth ('63), and Mary McEvoy



Class Notes

News About Your Classmates and Colleagues

1956

Allen I. Saeks received the Distinguished Alumni Award for 2011 from the *Minnesota Law Review*.

1969



Thomas Chomicz of Quarles & Brady in Chicago was named for inclusion in the 2012 edition of *Best Lawyers in America*.

Steven M. Rubin of Leonard, Street and Deinard in Minneapolis received the 2011 Sidney Barrows Lifetime Commitment Award presented by the Twin Cities Cardozo Society for excellence in practice, community service, and lifelong learning.

Robert R. Weinstine, a shareholder with Winthrop & Weinstine, is included in the 2011 edition of the directory of leading business lawyers, *Chambers USA*, and on the Top 100 list of the 2011 edition of *Super Lawyers*.

1970

Harriet Lansing was appointed to a two-year term as chair of the executive committee of the Uniform Law Commission. Judge Lansing retired from the Minnesota Court of Appeals in May 2011 after 28 years of service.

Charles A. Porter Jr. retired as a Hennepin County District Court judge in August 2011 after more than 30 years on the bench, beginning as a Municipal Court judge in 1980. He has been assigned to serve statewide as a senior judge through June 2013.

1972



Charles A. Parsons Jr. of Moss & Barnett is included in the 2011 edition of the directory of leading business lawyers, *Chambers USA*, and *Minnesota Super Lawyers* 2011.



Rodger D. Young was appointed a Susan G. Komen Global Ambassador.

1975

Judge Kevin Burke assumed the presidency of the American Judges Association in September 2011.

1976

Robert J. Feigh was appointed to the Minnesota Commission on Judicial Selection by the Minnesota Supreme Court.

1979

Greg Bulinski was elected chief executive officer of Bassford Remele, Minneapolis.

Philip C. Carruthers was appointed to Minnesota's Fourth Judicial District Court bench by Gov. Mark Dayton on Sept. 14, 2011.

1981

Jon J. Hoganson, a shareholder with Winthrop & Weinstine, is included in the 2011 edition of

the directory of leading business lawyers, *Chambers USA*.

1982

Timothy M. Barnett, a shareholder with Winthrop & Weinstine, is included in the 2011 edition of the directory of leading business lawyers, *Chambers USA*.

1983

Michael Greene was sworn in as the new Mission Director for Azerbaijan for the U.S. Agency for International Development (USAID) and will oversee programs to support the country's transition to a market-driven democracy. He has served with USAID for more than 20 years in nations around the world.

Sylvester "Sly" James Jr. received the 2011 Solo and Small Firm Lifetime Achievement Award from the General Practice, Solo and Small Firm Division of the ABA and was sworn in as mayor of Kansas City, MO., in May 2011.

B. Todd Jones was appointed acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives, effective Aug. 31, 2011. He continues to serve as U.S. Attorney for the District of Minnesota.

Leslie Sinner McEvoy co-authored *The Minnesota ADR Handbook: A Guide to Mediation, Arbitration and Other Processes for Advocates and Neutrals* with Linda Mealey-Lohmann ('90) and Gary A. Weissman.

Lyonel Norris was appointed to the Hennepin County District Court bench by Gov. Mark Dayton.

Mary Ranum of Fredrikson & Byron was listed among 2011 Top Women in Finance by Finance & Commerce Inc.

SEND US YOUR NEWS >

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

1984

David Dabill was named CEO of MDC Partners Inc., New York.

John Greenan accepted the Real Estate Deal of 2010 award from the *Dallas Business Journal* for the CityWalk@Akard affordable housing project of the Central Dallas Community Development Corp., where he is executive director.

Susan Dickel Minsberg was elected chair of the Solo and Small Firm Section of the Minnesota State Bar Association. She maintains her solo practice focusing on commercial litigation, employment law, and family law in St. Paul.

1985

Tadd Johnson, professor and chair of the Department of American Indian Studies at the University of Minnesota Duluth, is heading a new two-year Master of Tribal Administration and Governance program, the first of its kind in the country.

Gail Kulick was sworn in as the Commissioner of Corporate Affairs for the Mille Lacs Band of Ojibwe in June 2011.

Nancy Leppink was appointed deputy administrator of the Wage and Hour Division of the U.S. Department of Labor by President Barack Obama.

Patrick Seiter of Taylor Porter in Baton Rouge, La., was named for inclusion in *Best Lawyers in America* in health care law.



Derek L. Sorenson of Quarles & Brady in Phoenix was named for inclusion in the 2012 edition of *Best Lawyers in America*;

the 2011 edition of the directory of leading business lawyers, *Chambers USA*; and the 2011 edition of *Southwest Super Lawyers* magazine.

1987



Alain Baudry was named Litigation Practice Group leader at Maslon Edelman Borman & Brand, Minneapolis.

1988

Sonia Shewchuk of Faegre & Benson in Minneapolis was listed among 2011 Top Women in Finance by Finance & Commerce Inc.

1990

Dana Johnson was named the 2011 State Deputy District Attorney of the Year by the Wisconsin District Attorneys Association.



Linda M. Mealey-Lohmann joined ValueSolve ADR in Minneapolis as a mediator handling commercial and workplace legal disputes. She co-authored *The Minnesota ADR Handbook: A Guide to Mediation, Arbitration and Other Processes for Advocates and Neutrals* with Leslie Sinner McEvoy ('83) and Gary A. Weissman.

1991

Jack Luellen was named managing partner of the newly formed Denver office of Burleson LLP.

1992



Marcy R. Frost of Moss & Barnett was certified as a Labor and Employment Law Specialist by the Minnesota State Bar Association.

1993

Woodrow Byun is president of the Rotary Club of Edina.

William Stock was elected secretary of the American Immigration Lawyers Association for 2011-12.

1995

Paul Hodnefield was elected a Fellow of the American College of Commercial Finance Lawyers.

1996

Nancy E. Brasel was appointed to Minnesota's Fourth Judicial District Court by Gov. Mark Dayton on Sept. 14, 2011.



Dennis Genereau was appointed county coordinator by the Carlton County, Minn., Board of Commissioners, effective Oct. 10.

David A. Tutas was named general counsel at wood-products maker Universal Forest Products Inc. in Grand Rapids, Mich. He has been director of its legal department since 2007.

1997



Hoyt Stastney of Quarles & Brady in Milwaukee was named for inclusion in the 2012 edition of *Best Lawyers in America*.

1998

Robert Ballieu was appointed Administrative Law Judge in the Mississippi Social Security Administration Office of Disability Adjudication and Review.

SAVE THE DATE >

Return. Remember. Reconnect.

SPRING ALUMNI WEEKEND
FRIDAY & SATURDAY
APRIL 20-21, 2012

April 20: All-alumni cocktail reception

April 21: Alumni breakfast, CLE, and individual events for classes of 1962, 1967, 1972, 1977, 1982, 1987, 1992, 1997, 2002, and 2007

See you in April!

Ray Eby was promoted to director of compliance & business conduct for 3M's operations in Europe, Middle East & Africa.

Marie Liwanag Querijero Ojala was elected to the Board of Trustees of the Blandin Foundation, which works to strengthen Minnesota's rural communities.

1999



Ryan Miest joined Fredrikson & Byron in its Minneapolis office.

Joy Newborg of Winthrop & Weinstine was listed among 2011 Top Women in Finance by Finance & Commerce Inc.

2000

Phil Duran was elected treasurer of the Minnesota State Bar Association for the 2011-12 bar year.



Shanna Strowbridge is an associate with Moss & Barnett, Minneapolis.



Pete Wahl of Jackson Walker in Dallas was named a Rising Star in *Super Lawyers* magazine.

2001

Chris Royal is a founding partner of the new firm Sapia Law Group, featured in the July 2011 issue of *Minneapolis St. Paul Business Journal*.

2002



Julie Engbloom of Lane Powell in Portland, Ore., was named a 2011 Oregon Rising Star in *Super Lawyers* magazine.

Nicholas Eugster was appointed to the Board of Directors of the Make-a-Wish Foundation of Minnesota.

Troy J. Hutchinson and **Erin Buselmeier Hutchinson** are pleased to announce the birth of their son, **Heath**, on July 8, 2011. Erin, an in-house attorney in the law department at General Mills in Golden Valley, Minn., was recently promoted to senior counsel.



Marshall Lichy and **Katie M. (Weiss) Lichy ('03)** of Minneapolis are thrilled to announce the arrival of **Everett Gordon Lichy** on August 8, 2011.

2003

Kendra D. Brodin is director of career and professional development at St. Thomas School of law.

Katie M. (Weiss) Lichy and **Marshall Lichy ('02)** of Minneapolis are thrilled to announce the arrival of **Everett Gordon Lichy** on August 8, 2011.

Geoffrey Trotier was named a shareholder at Davis & Kuelthau in Milwaukee.

2004

Tamela Merriweather is a corporate attorney at Northern Trust in Chicago.



Dennis Puz was promoted to general counsel for the Corporate Commission of the Mille Lacs Band of Ojibwe.

Aaron Street is chief operating officer and general counsel at Generate Companies, Minneapolis.

2005

Patricia Kickland transferred from the Screening and Intake Unit to the Career Criminal Unit of the Honolulu Prosecuting Attorney's Office in June 2011.

2006



Debbie M. Gallenberg is an associate attorney at Honsa & Associates, Minneapolis.

Ivory Ruud joined U.S. Bank in St. Paul as corporate counsel.

2007



Andrew Borene was named director of government and industry affairs and assistant general counsel at micro-robot systems company ReconRobotics, Minneapolis.



Lindsey Day is an associate in the Business & Securities group at Maslon Edelman Borman & Brand, Minneapolis.

2008



Emily Chad is an associate in the Tax Planning and Business Organization group and in the Corporate group at Fredrikson & Byron, Minneapolis.

ALUMNI EVENTS >



Jennifer Huang is an associate in the Patent Group at Fish & Richardson's Twin Cities office.

2009

Alessandro Borgo is a trainee with Studio Legale Monti, Milan, Italy, following a trainee position with the Milan firm of Bonelli Erede Pappalardo.

Bree Dalager began a new position at AppleOne.

Natalie Kohner is an associate on the employment team in Faegre & Benson's Minneapolis office.

2010



Zhu "June" Cheng is with Fredrickson & Byron's Immigration group, focusing on investment-based immigration, in Minneapolis.

Joseph C. Hansen completed a clerkship with Judge Ruggero J. Aldisert of the U.S. Court of Appeals for the Third Circuit and is joining the San Francisco office of Gibson, Dunn & Crutcher.

2011



Hrishikesh Shah is an associate in the Employee Benefits practice area in Reinhart Boerner Van Deuren's

Milwaukee office.

Jeb Shookman is an associate at McAndrews, Held & Malloy in Chicago.

Ann Steingraeber will be working as an attorney at the Housing Preservation Project in St. Paul.

CHICAGO ALUMNI RECEPTION *OCTOBER 18, 2011*

Attendees at Chicago reception hosted by Sidley Austin LLP and alumni Jessica Boelter ('02) and Jonathan Wagner ('02); Dean David Wippman attended and shared updates on Law School and GENERATIONS campaign

WELCOME TO THE BAR BREAKFAST *OCTOBER 28, 2011*

Class of 2011 members enjoy breakfast and each other's company at St. Paul Rivercentre

Marshall Lichty ('02), on behalf of Board of Advisors, welcomes Class of 2011 to Law School alumni community

SAN FRANCISCO EVENT *OCTOBER 26, 2011*

San Francisco area alumni gather at reception hosted by Gibson Dunn and alumni Rachel Brass ('01) and Denis Salmon ('76); Dean David Wippman attended and updated alumni on Law School activities and GENERATIONS campaign



Connect with Your Law School *VIRTUALLY!*

Staying connected to your Law School is easier than ever. If you haven't already checked out our online presence, we encourage you to do so!



Alumni, you can connect with classmates and build professional networks at the Law School's online community and directory, e>Community (<http://community.law.umn.edu>). The directory is searchable by name, class year, geographic area, and practice area—perfect for making business contacts and referrals. To get the unique alumni ID you'll need to register, email the Office of Advancement (lawalum@umn.edu).

The Law School has an active and growing group on LinkedIn.com that is open to current students, alumni, and faculty. To find the group, search for "University of Minnesota Law School" or go to: <http://www.linkedin.com/groups?about=&gid=52569>.

"Like" us on Facebook! The University of Minnesota Law School Alumni page is a great source for news from the Law School and updates about alumni events and volunteer opportunities. "Like" us today and make sure we're on your newsfeed! Once logged in to Facebook, you can search for "University of Minnesota Law School Alumni" or go to: <http://www.facebook.com/home.php#!/pages/University-of-Minnesota-Law-School-Alumni/50067090059>.

> Alumni Tributes

C. PAUL JONES

CLASS OF 1950



Minnesota's first public defender, **C. Paul Jones**, an adjunct professor at the Law School for 20 years and a professor at William Mitchell College of

Law for 50 years, passed away April 19, 2011, in Minneapolis. He was 84.

Jones became public defender in 1966, when the main office was housed in the basement of the old Law School building. Under his guidance, the office managed the Legal Assistance to Minnesota Prisoners civil law clinic, and many Law School students benefited from his commitment to justice. He retired as public defender in 1990.

"C. Paul Jones helped build Minnesota's public defender system from the ground up," said a 2007 *Minnesota Law & Politics* article that named him one of Minnesota's 100 most influential lawyers of all time. "He is credited for many of the improvements in the state's representation of criminal defendants and inmates," and he earned a reputation "for hiring women at a time when many firms weren't even interviewing them."

His legal career began in Duluth, where he worked as an associate for a year before becoming an assistant deputy Hennepin County attorney. During six years at that post, he completed an LL.M. at what is now William Mitchell. From 1959 until becoming public defender, he was an assistant U.S. attorney for the District of Minnesota and practiced with Maun & Hazel in St. Paul and Dorfman, Rudquist, Jones & Ramstead in Minneapolis.

Jones served on the Minnesota Supreme Court Advisory Committee on Rules of Criminal Procedure for 42 years and the Minnesota Citizens Council on Crime and Justice for 20 years. The Minnesota Criminal Justice Institute, which he founded in 1966, continues to bring together judges, attorneys, law students, and police officers each year to study developments in criminal law.

At William Mitchell, Jones taught constitutional and criminal law as an adjunct professor from 1953-70, as a full-time professor from 1971-2001, then as an emeritus professor. In 1991-95, he served as associate dean for academic affairs.

During those busy years as a prosecutor with the Hennepin County attorney's office, Jones found time to date Helen Fredel, who had completed her bachelor's degree at the University in 1950 and was working as a Hennepin County juvenile probation officer. The two had been married for 53 years when Jones died on April 19 and Helen died on April 20 at age 82. They are survived by daughters Katherine Solliday and Sara Jones ('88), senior major gifts officer in the Law School's Office of Advancement.

JOHN E. SIMONETT

CLASS OF 1951

John E. Simonett, an associate justice on the Minnesota Supreme Court from 1980-94 and an adjunct professor of appellate advocacy at the Law School for 12 years, passed away July 28, 2011, at age 87. He was known for "his thoughtfulness, wit and humor," said the 2007 *Minnesota Law & Politics* article naming him one of Minnesota's 100 most influential lawyers of all time.

When Simonett reached 70, the mandatory retirement age for Minnesota justices, in 1994, he told a *Star Tribune* reporter that he would miss the cachet of the office, fearing the demand for his speeches would go with it. A.M. (Sandy) Keith, chief justice from 1990-98, said that Simonett's greatest talent was setting out "what the law is in Minnesota when it's not clear." Professor Robert Stein, then dean of the Law School, was quoted as saying that beneath Simonett's unassuming, fun-loving manner, he was "an extremely talented and scholarly judge," and his opinions were "looked to for guidance about the law by lawyers and trial judges alike." After stepping down, Simonett practiced mediation and

arbitration at Greene Espel until 2006.

During his years on the bench, Simonett wrote more than 400 opinions and mentored nearly 25 law clerks, among them Cargill's Assistant General Counsel and Corporate Compliance Manager Carolyn Brue ('91). "He instilled in his clerks his sense of the need to do our work with thoroughness, dedication, and humility," Brue says.

Simonett was a U.S. Army infantry lieutenant in the Philippines during World War II, and after discharge he returned to St. John's University in Collegeville, Minn., to complete the degree he had started. He met Doris Bogut during a debate competition with sister school, the College of St. Benedict. She would become his wife of 59 years.

After Law School graduation, he entered private practice with former state Sen. Gordon Rosenmeier in Little Falls, Minn., where over the next 29 years he would become an eminent trial attorney and a charter member of the American Board of Trial Advocates. The American Inns of Court named its central Minnesota chapter after Simonett for his loyal service. He received the University's highest alumni honor, the Outstanding Achievement Award, and St. Benedict/St. John's *Fidelis Apparitor* award for leadership and just administration of duties.

Brue remembers Simonett especially for his "rare gift of making those around him feel like they really mattered." He was delighted, she says, when she paid him a visit shortly after her clerkship, bringing along her infant son dressed in a bowtie, Simonett's trademark. "If I could capture in a single quality why he was so wonderful," Brue says, "it would be his understanding that a career, while important, would never matter as much as the people we hold dear."

Simonett was preceded in death by daughter Anne V. Simonett, Chief Judge of the Minnesota Court of Appeals. He is survived by his wife, Doris; daughters Mary Simonett Wegerson and Dakota County District Court Judge Martha M. Simonett; and sons John J., Paul, and Luke.

> In Memoriam

ALUMNI**CLASS OF 1943****Frank Claybourne**

July 28, 2011
Albert Lea, Minn.

Stuart W. Rider Jr.

Aug. 11, 2011
River Falls, Wisc.

CLASS OF 1945**Donald K. Smith**

April 14, 2011
Wayzata, Minn.

CLASS OF 1947**Robert M. Austin**

Aug. 4, 2011
Eden Prairie, Minn.

Maurice O. Nelson

Aug. 13, 2011
Fort Collins, Colo.

CLASS OF 1948**Herbert Clifton Kroon Jr.**

Oct. 12, 2011
Minneapolis, Minn.

Ladean A. Overlie

May 29, 2011
Cloquet, Minn.

CLASS OF 1949**William A. Bierman Sr.**

April 28, 2011
St. Paul, Minn.

CLASS OF 1950**Warren H. Anderson**

June 12, 2011
Grand Rapids, Minn.

Clifford L. Bauman

June 29, 2011
Eugene, Ore.

C. Paul Jones

April 19, 2011
Minneapolis, Minn.

James M. Lynch Jr.

May 5, 2011
Hillsboro Beach, Fla.

Allen Whitman

July 16, 2011
Midland, Texas

CLASS OF 1951**Henry M. Bissell**

July 1, 2011
Los Angeles, Calif.

Rosemary Borgerding

Aug. 4, 2011
Dent, Minn.

John E. Qualley

June 29, 2011
Canby, Minn.

Roger T. Sahr

Sept. 26, 2010
Minneapolis, Minn.

John E. Simonett

July 28, 2011
St. Paul, Minn.

CLASS OF 1952**Dana G. Allen**

May 12, 2011
Wayzata, Minn.

Josiah E. Brill Jr.

May 10, 2011
Golden Valley, Minn.

Roger G. Kennedy

Sept. 30, 2011
Rockville, Md.

CLASS OF 1953**Terence L. Meany**

July 15, 2011
Austin, Minn.

CLASS OF 1954**Hiroshi Kato**

April 14, 2011
Honolulu, Hawaii

CLASS OF 1955**Robert E. McGarry**

June 29, 2011
St. Paul, Minn.

CLASS OF 1957**Jack F. Daly Jr.**

April 9, 2011
Minneapolis, Minn.

CLASS OF 1958**Robert A. Eddy**

Aug. 4, 2011
St. Paul, Minn.

Ronald J. Werner

Sept. 19, 2011
Minnetonka, Minn.

CLASS OF 1961**Royce N. Sanner**

April 9, 2011
Wayzata, Minn.

CLASS OF 1967**Michael J. Haas**

April 12, 2011
New Ulm, Minn.

Thomas D. Tews

May 1, 2011
Colorado Springs, Colo.

CLASS OF 1968**James R. Carlson**

April 24, 2011
Rochester, Minn.

CLASS OF 1969**Theodore N. May**

July 24, 2011
Bloomington, Minn.

John M. Roszak

Sept. 13, 2011
Mendota Heights, Minn.

CLASS OF 1970**Margaret A. Olsen**

May 10, 2011
Arden, N.C.

CLASS OF 1972**James D. Steiner**

June 13, 2011
Minneapolis, Minn.

CLASS OF 1973**Edward J. Phillips**

April 8, 2011
Minneapolis, Minn.

CLASS OF 1974**Robert L. Kaner**

Aug. 19, 2011
Minneapolis, Minn.

CLASS OF 1975**Dennis R. Johnson**

Sept. 4, 2011
Minneapolis, Minn.

CLASS OF 1976**James R. Carlson**

May 1, 2011
Rochester, Minn.

CLASS OF 1980**Judith R. Gartner**

Sept. 10, 2011
Naples, Fla.

John C. Knoepfler

Aug. 7, 2011
St. Paul, Minn.

CLASS OF 2002**Greg J. Moltumyr**

Sept. 3, 2011
Minneapolis, Minn.

CLASS OF 2006**Jentso Hwang**

July 7, 2011
Washington, D.C.

FACULTY**Faculty Fellow Judith Martin**

Oct. 3, 2011
St. Paul, Minn.

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A special thank you to those organizations that finished in the top five in participation in each respective group:

Thank you to all volunteers, alumni, organizations and firms that participated in the 4th annual Partners at Work challenge. Nearly 900 alumni participating at 32 organizations achieved a record-setting 61% participation rate. The Partners at Work challenge is a friendly competition to increase alumni giving participation at organizations that employ five or more University of Minnesota Law School alumni.

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4. Oppenheimer Wolff & Donnelly, 75%
5. Winthrop & Weinstine, 73%

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

The logo for "Partners at Work" features the word "partners" in a lowercase, sans-serif font with a red '@' symbol. Below it, the word "work" is written in a smaller, lowercase, sans-serif font. The entire logo is set against a white background within a dark red rectangular area.

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Dinah Zebot, Assistant Director of Alumni Relations & Annual Giving
612.626.8671 or dczebot@umn.edu

Spring Alumni Weekend is about returning to remember your years at the Law School
and the friendships you built here. We encourage those of you with class reunions in 2012 to
“participate in something great” by making an increased gift or pledge to the Law School this year.

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