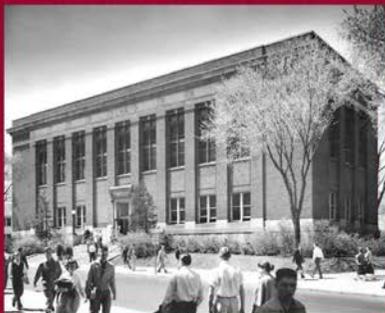
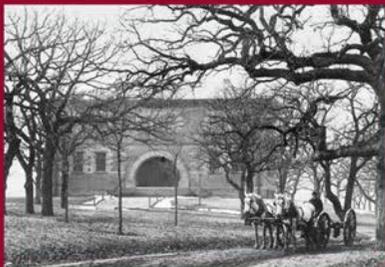


“NEVER WHISPER JUSTICE”



A TRIBUTE IN PHOTOGRAPHS TO THE
UNIVERSITY of MINNESOTA
LAW SCHOOL

125 
YEARS
1888-2013

“NEVER WHISPER JUSTICE”



125 YEARS
1888-2013

A TRIBUTE IN PHOTOGRAPHS TO THE
UNIVERSITY of MINNESOTA
LAW SCHOOL

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THE BOOK'S TITLE stems from Professor Donald G. Marshall's eloquent advice to "Never whisper justice." A respected faculty member at the University of Minnesota Law School from 1967 to 2005, Professor Marshall is remembered by generations of students as an inspirational teacher and mentor.

We would like to thank Dean David Wippman for his strong and continued support of the Law Library. This book relies heavily on the definitive history of the Law School by Dean Emeritus Robert A. Stein, *In Pursuit of Excellence: A History of the University of Minnesota Law School* (1978).

This work was a collaborative effort. Professor Joan Howland provided wise counsel throughout the process. We appreciate the valuable assistance from our colleagues Barbara Berdahl, Ingrid Miza, Ryan Greenwood, Connie Lenz, Patrick Graybill, Cynthia Huff, and Valerie Mason.

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INTRODUCTION

THE UNIVERSITY OF MINNESOTA LAW SCHOOL'S official history begins on September 11, 1888, when Dean William S. Pattee, gave an address on "The science of jurisprudence" to a group of students at the formal opening of the new law school. The next day classes began in the Law School's original home - a small, poorly ventilated room in the basement of the campus's Old Main building. The room contained the Dean's personal law books which were the school's first law library. From these humble beginnings, a great public law school was born.

In 1890 Dean Pattee wrote "our history as a Law School is yet to be made. We cannot recount great works of the past; give biographies of renowned personages whose legal writings have blessed the whole continent; enumerate among our alumni distinguished statesmen, lawyers, and legal students whose wisdom has guided our national development, adorned the bar, and enriched the libraries of legal learning." Through vision, hard work, diligence, and the overcoming of many challenges, all of these aspirations can now be recounted as accomplishments of the Law School.

Since its start in 1888, the Law School has grown into a prestigious academic institution. Over the course of its growth, it has been impacted by great events of the 20th century—World War I, the roaring twenties, the Great Depression, World War II, Vietnam, civil rights struggles, emergence of human rights—and has grown beyond the confines of three different facilities.

The Law School's nationally and internationally renowned faculty provide valuable scholarship and education on the most important legal and social issues in society. Over the decades, the Law School has been a leader in curriculum innovations and clinical education. Its commitment to excellence in legal education has helped prepare generations of

students with the knowledge and skills needed for a constantly changing and increasingly complex world.

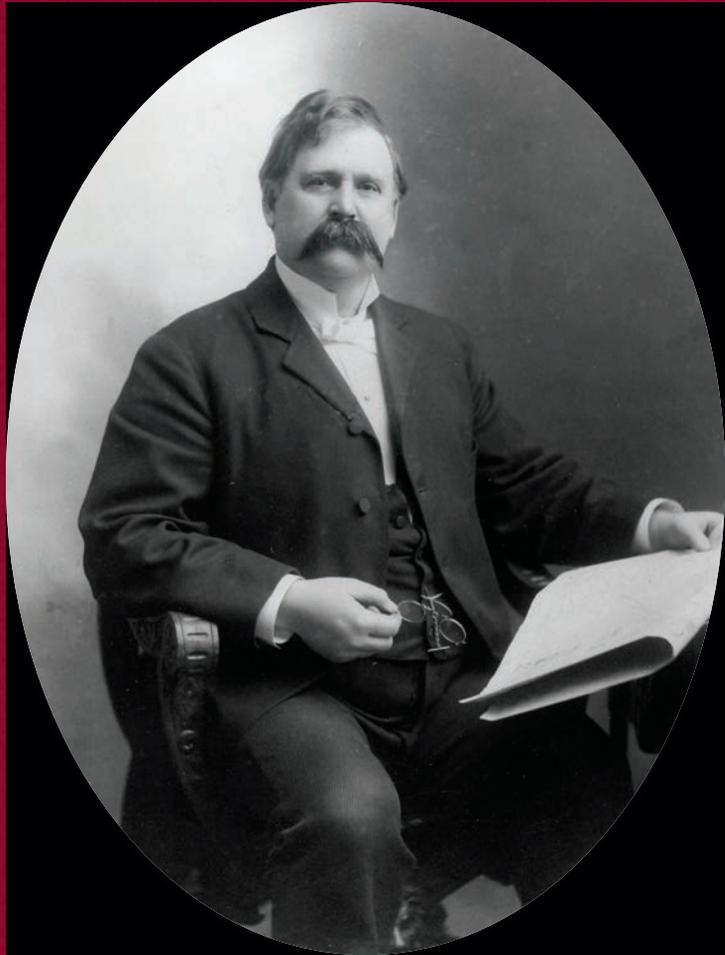
Over this long period, the Law School has admitted and graduated many thousands of talented students. Its ranks of alumni include men and women who have served and continue to serve in leadership roles as attorneys; in the judiciary; in local, state and federal offices including the office of the Vice President of the United States; in industry, including small businesses and multi-national corporations; in the non-profit community; and in numerous other roles in the United States and around the world.

It is impossible to chronicle all of the significant changes that have occurred in Minnesota, the United States, and the world since the Law School was founded in 1888. No doubt the next 125 years will be marked by astonishing changes. The University of Minnesota Law School will be an important part of this exciting future as it continues to make its history.

This book contains narratives and photographs of the University of Minnesota Law School's first 125 years. We hope it brings back memories for you and your connection to this great institution.

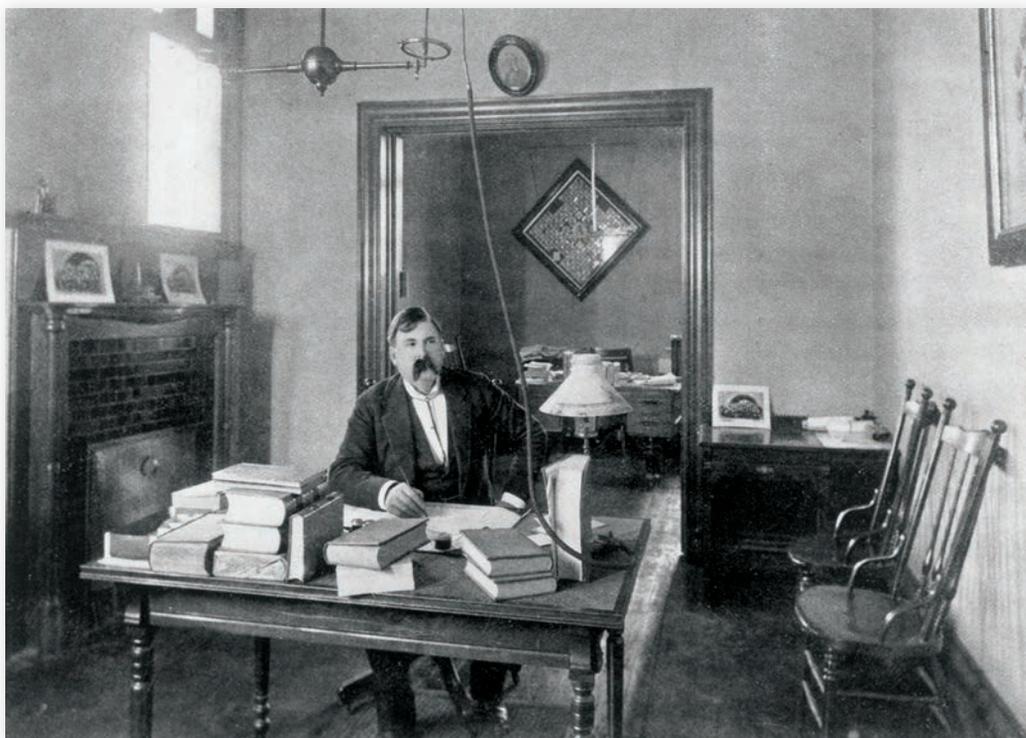
1 William S. Pattee, "Law School of the University of Minnesota", 2 *Green Bag* 203, 204-05 (1890).

🐾 THE PATTEE YEARS 🐾
1888–1911



William S. Pattee, 1897

UNIVERSITY OF MINNESOTA ARCHIVES



William S. Pattee, 1895

UNIVERSITY OF MINNESOTA ARCHIVES

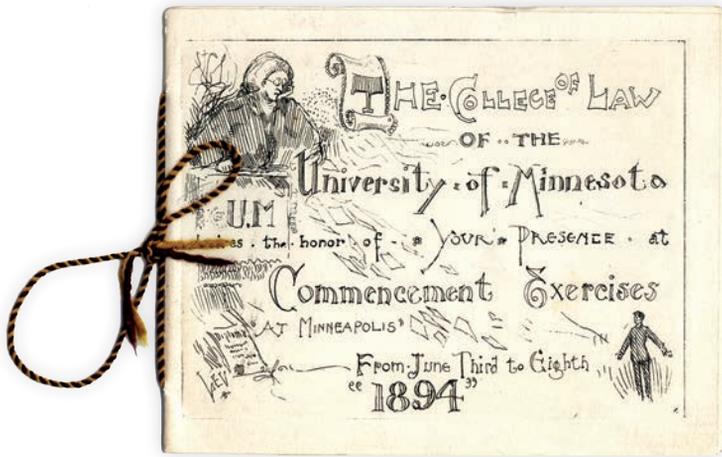
WILLIAM S. PATTEE was appointed Dean of the University of Minnesota's Law Department in 1888. He held a bachelor's degree from Bowdoin College, but had no formal legal education. Like most aspiring attorneys of his time, he "had occupied every spare hour studying law, with no other teacher than his own discriminating judgment."¹ His hard work resulted in his admission to the Minnesota bar in 1878. He practiced law in Northfield for several years and was elected to a two-year term in the state legislature before being appointed Dean.

Number	NAMES	Matriculation	TUITION			Diploma
			I.	II.	III.	
1	Blanchard S.		10		15	
2	Chubb		10	10	15	
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						

Number	NAMES	Matriculation	TUITION			Diploma
			I.	II.	III.	
1	Colwell Joseph Henry	10	15	15	15	
2	Coyle J. H.	10	15	15	15	
3	Crabtree W. L.	10	15	15	15	
4	Crane J. H.	10	15	15	15	
5	Curtis J. H.	10	15	15	15	
6	Dickson J. H.	10	15	15	15	
7	Davis J. H.	10	15	15	15	
8	Dean C. C.	10	15	15	15	
9	Deane J. H.	10	15	15	15	
10	Dickson W. F.	10	15	15	15	
11	Douglas H.	10	15	15	15	
12	Drew	10	15	15	15	
13	Drew Ed. C.	10	15	15	15	
14	Drake Frank	10	15	15	15	
15	Dickson Charles	10	15	15	15	
16	Dickey J. H.	10	15	15	15	
17	Dunham C. M.	10	15	15	15	
18	Duncan Pat. H.	10	15	15	15	
19	Drew J. H.	10	15	15	15	
20	Dickey C. E.	10	15	15	15	
21	Dixon J. H.	10	15	15	15	
22	Dornick R. J.	10	15	15	15	
23	Dyckson J.	10	15	15	15	

Register of payments 1893-94

THE REGENTS required that the fledgling Law School be self-sufficient. During the school's first year, there was "[not] a single item of expense incurred by the regents for the new department."² Student fees—initially \$10 for matriculation, \$30 for annual tuition, and \$10 for a diploma—were the school's only source of revenue for most of Pattee's tenure as Dean. Tuition was increased gradually, reaching \$60 by 1901.



SOLITARY STUDY or clerking in a law office was enough to qualify a person for examination by state judges and eventual admission to the bar. One of the new Law Department's greatest challenges was convincing aspiring attorneys that a legal education was necessary. To bolster its position, the Law Department included the following statement by the American Bar Association in its early catalogs:

There is little, if any, dispute now as to the relative merit of education by means of law schools, and that to be got by mere practical training or apprenticeship as an attorney's clerk. Without disparagement of mere practical advantage, the verdict of the best informed is in favor of the schools.³



Old Main, 1888

UNIVERSITY OF
MINNESOTA ARCHIVES

On the 11th day of September, 1888, the [law] department was formally opened with an address by the newly elected dean upon the subject "The science of jurisprudence." This address was given in the chapel on the third floor of the Old Main building in the presence of the regents . . . and twenty-seven law students who had presented

themselves on this opening day as the first class in the recently organized department of law. On the next day the dean met the law students, thirty-two in number, in the . . . basement of the Old Main building which . . . had been set aside for the use of the college . . . the room contained the dean's law library which he had brought from Northfield.⁴

THE 1893 *GOPHER* (the University of Minnesota yearbook) noted that the Law School “is today one of the most efficient colleges of law in the country. Old schools enjoy a prestige which plays upon the fancy of youth, but for down-right efficiency, thorough investigation, penetrating research and practical discipline, it has no superior in America. . . . The material for making a law school is much better in the West than in the East. The western boy is a natural born lawyer.”⁵



Pattee Hall, ca. 1904

MINNESOTA HISTORICAL SOCIETY

Pattee Hall, ca. 1910

MINNESOTA HISTORICAL SOCIETY



THE NEW LAW BUILDING—eventually named Pattee Hall—was built at a cost of \$25,000 and opened in 1889. Dean Pattee described it in an article in *The Green Bag* in 1890:

Upon the first floor is a large lecture-room, constructed upon the plan of an amphitheater, copiously lighted, thoroughly ventilated, and furnished with comfortable chairs arranged with special reference to taking notes with ease and convenience.

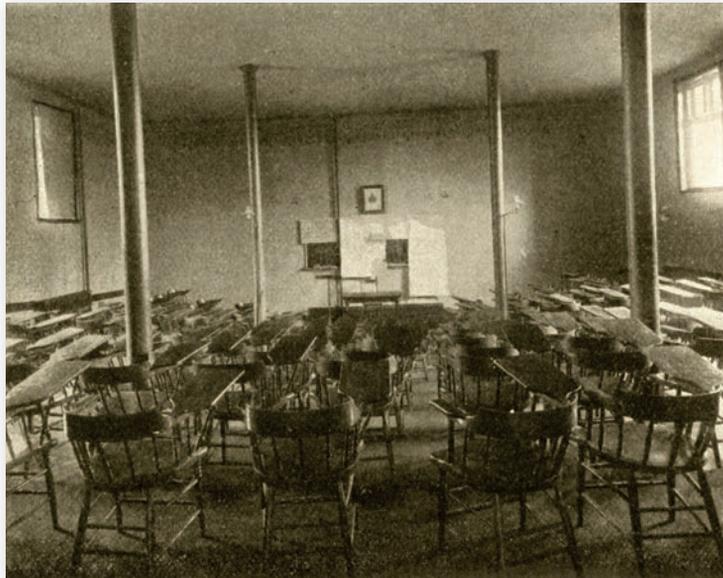
Upon the same floor there is a society-room, devoted to the Literary Association of the department, and also a recitation room for text-book work.

Upon the second floor there is a large and well-arranged library-room, a court-room, a lecture-room, and the offices of the Dean.⁶

THE LAW DEPARTMENT quickly outgrew Pattee Hall. By 1902 some classes were being held in a dancing hall over the University bookstore. In 1905 the building was enlarged, “providing superior lecture room and library facilities, besides making ample provisions for court rooms and offices.”⁷

Recitation room, 1899

UNIVERSITY OF
 MINNESOTA ARCHIVES





Law Library, 1898

GOPHER, 1898, UNIVERSITY OF MINNESOTA ARCHIVES



Law Library, 1904

UNIVERSITY OF MINNESOTA ARCHIVES

WHEN THE LAW SCHOOL opened its doors in 1888, the Law Library consisted of Dean Pattee's donated private collection. "For these books a rough book-case was constructed by a carpenter and fastened to the walls with nails and a coat of dark colored stain was put upon it by the dean himself. Later, he placed the books upon these shelves and the department was ready for business."⁸

Within two years, the *Ariel* (an early University of Minnesota magazine) reported that the library was rapidly growing:

*The Ohio State, Wisconsin, Iowa, and Vermont Reports, together with the entire National Reporter system have just been added. The Michigan, Illinois, California, and Pennsylvania State Reports will arrive in a few days. Furthermore, the room has been furnished with two large polished oak tables, and with smaller ones, and now as many students can be accommodated as desire to read. . . . The Law Library is now the most convenient place of study in the University, particularly when gas light is taken into consideration.*⁹

IN 1888 Dean Pattee was the sole professor of law. The school's two-year course of study was enhanced by hiring practicing members of

Law faculty, 1910

Seated: Henry J. Fletcher (1906), James Paige (1890), Dean William S. Pattee, A.C. Hickman, Robert S. Kolliner. Standing: Hugh E. Willis, H.V. Mercer

UNIVERSITY OF MINNESOTA ARCHIVES





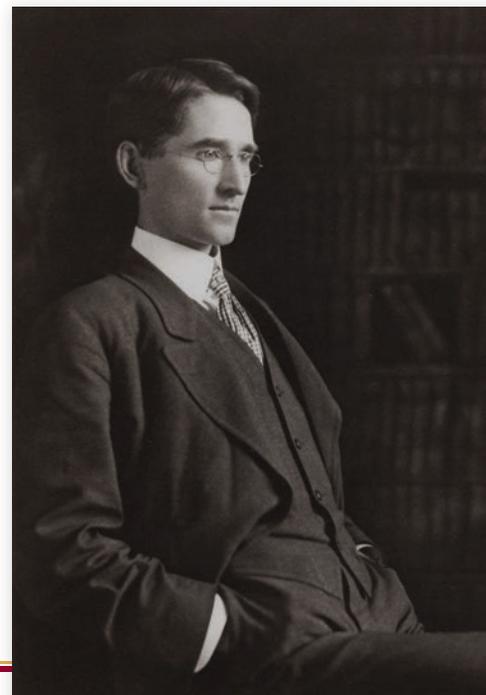
*Law students camping at
Lake Calhoun, ca. 1898*

HENNEPIN COUNTY HISTORICAL SOCIETY

the bar as lecturers: “The Dean devoted his entire time to instruction, and the various lecturers filled their appointments as the demands of the course required.”¹⁰ In 1890 James Paige (1890) was hired as the school’s second full-time faculty member, a position he held until 1934. In 1896 the Honorable A.C. Hickman was hired as the third full-time faculty member. This made possible the replacement of the two-year program with a more rigorous three-year program.

“ENTRANCE REQUIREMENTS IN 1888,” noted a history of the University, “permitted any one of good moral character and possessed of a good common school education to enter, but in 1910, a year of college work, and in 1911, two years of college work are necessary for admission to the department as a regular student.”¹¹

James Manahan, a member of the Class of 1889, the Law School’s first class





John Francis Wheaton
(1894)

JOHN FRANCIS WHEATON, Class of 1894, was the Law School's first African American graduate. He became a leader in the African American community, working for civil rights legislation and lobbying for the right of African Americans to volunteer in the Spanish-American War. In 1898 he was the first African American to be elected to the Minnesota House of Representatives—a Republican representing an area that was overwhelmingly white, from present day Kenwood through Excelsior and Eden Prairie. Within a few years he moved to New York, where he spearheaded African American rights in Harlem.



Officers of the Class of 1899 (McCants Stewart, top)

MCCANTS STEWART received his LL.B. from the University of Minnesota Law School in 1899 and his LL.M. in 1901. As an African American, he lived under the shadow of *Plessy v. Ferguson* and throughout his career fought injustices fostered by its “separate but equal” doctrine. Stewart fought discrimination while still a student, successfully challenging a Minneapolis restaurant that refused to serve him a meal. In 1904 he became the first African American admitted to practice in Oregon and a year later became the first African American to argue a case before the Oregon Supreme Court. Stewart vehemently fought discrimination in Oregon and throughout the country. In 1914 he put himself and his family in extreme risk by helping draft resolutions censuring Woodrow Wilson’s failure to interfere in the lynching of five African Americans in Louisiana.



Law students, 1894



Class of 1901
"Young gentleman of zeal and promise" —Dean Pattee¹²

James Paige (1890)

GOPHER, 1899, UNIVERSITY OF
 MINNESOTA ARCHIVES



Mabeth Hurd Paige,
 ca. 1925

MINNESOTA
 HISTORICAL SOCIETY

JAMES PAIGE (affectionately known by students as “Jimmie”) married Mabeth Hurd in 1895. He suggested that Mabeth “take up the study of law and so insure our being completely congenial.”¹³ She did study law; however, as she explained to her father, “I’m not intending to practice, of course. Jamie doesn’t want me to be admitted to the Bar. He feels it would be unwomanly for me to appear in court.”¹⁴

She nonetheless had a stellar career, making significant contributions to the Women’s Christian Association in Minneapolis and to the suffrage movement. In 1922 she became one of the first four women elected to the Minnesota Legislature. She served in the legislature until 1945, working on several initiatives: shorter work days and weeks, especially for girls and women, a bill to make street-selling by minors a misdemeanor for employers or parents, the enactment of the Minnesota Uniform Narcotic Drug Act, and aid to dependent children. Hurd also was an avid conservationist, fighting to preserve the boundary waters area.



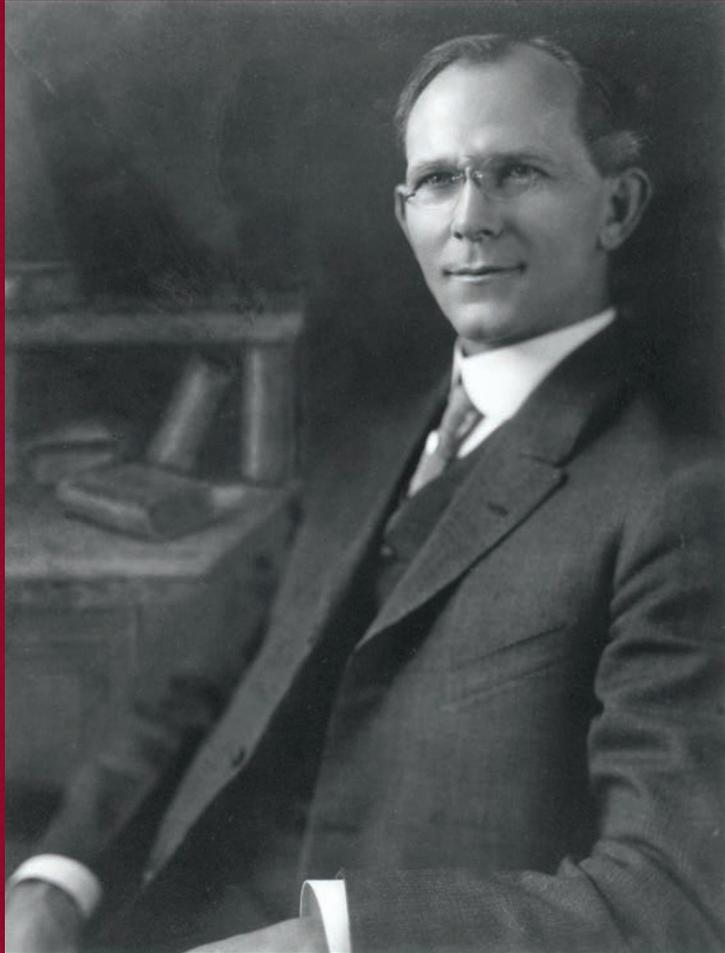
*Marie A. McDermott (1893)
and Flora E. Matteson-
Sheffield (1893)*

MARIE McDERMOTT AND FLORA MATTESON-SHEFFIELD were two of three women in the class of 1893. The *Ariel* “hoped not only that [Flora] would profit by her choice, but that many other young ladies will follow her excellent example.”¹⁵ However, few did. During the Pattee years there were never more than three women in any class. As Professor Robert Stein ('61) notes in his history of the Law School, preparing women for careers was not part of President Northrop’s vision for the University:

*I do not prepare any women for a career at the University of Minnesota. . . . Careers cannot make a happy home nor a good mother. Let the girls study higher mathematics and history or English or what they will, for this means mental enlargement, but let them study them for that reason and not with hopes of carving out a career for themselves.*¹⁶

-
- 1 E. Bird Johnson, *Forty Years of the University of Minnesota* (Minneapolis: General Alumni Association, 1910), 391.
 - 2 *Ibid.*, 142.
 - 3 University of Minnesota Department of Law Circular of Information, 1889–90, 3–4 (quoting Committee on Legal Education and Admission to the Bar, *Report* (1879): 216).
 - 4 Johnson, 142.
 - 5 *Gopher* (Minneapolis: University of Minnesota, 1893), 60.
 - 6 William S. Pattee, “Law School of the University of Minnesota,” *Green Bag* 2 (1890): 206.
 - 7 Johnson, 150.
 - 8 *Ibid.*, 142.
 - 9 *Ariel* (University of Minnesota) 13 (1890): 58.
 - 10 *Green Bag* 2 (1890): 205.
 - 11 Johnson, 149.
 - 12 *Green Bag* 2 (1890): 205.
 - 13 Darragh Aldrich, *Lady in Law: A Biography of Mabeth Hurd Paige* (Chicago: Seymour, 1950), 136.
 - 14 *Ibid.*, 161.
 - 15 *Ariel* 13 (1890): 127
 - 16 Robert A. Stein, *In Pursuit of Excellence: A History of the University of Minnesota Law School* (St. Paul: Mason, 1978), 5 (quoting “Pres. Northrop Speaks of Careers for Women,” *Minnesota Daily*, Nov. 9, 1910, at 1, col. 2).

🐉 THE VANCE YEARS 🐉
1911–1920



William Reynolds Vance, 1919

UNIVERSITY OF MINNESOTA ARCHIVES



*Cyrus Northrup (r) and
George Edgar Vincent (l)*

MINNESOTA HISTORICAL
SOCIETY

DEAN PATTEE established a firm foundation for the Law School: a robust student body and financial health. However, his tenure was not marked by academic rigor—by either students or faculty. This changed under William Reynolds Vance who succeeded him. “The school that had been academically undistinguished during its first 23 years was half-propelled and half-dragged to new and unaccustomed heights of scholarly excellence during the next eight years.”¹

Shortly before Dean Pattee’s death in 1911, George Vincent had become the President of the University. His presidency—marked by creativity, enthusiasm, and vigor—was described as “a second founding of the university.”² One of Vincent’s first accomplishments was to persuade William Vance to come to Minnesota as Dean of the Law School.

Vance received his law degree from Washington and Lee University, became its Dean at age 30, and five years later became Dean at George Washington University Law School. In 1910 he joined the faculty at Yale Law School. Vance accepted President Vincent’s offer to come to Minnesota after being convinced that the Regents would support implementation of “the thorough-going case system” and abolition of the night school, and would give the new Dean “a pretty free hand” in revamping the faculty.³



Law faculty, 1918

Henry J. Fletcher (Class of 1906), James Paige (Class of 1890), Edward S. Thurston, William R. Vance, Edmund M. Morgan, Ernest G. Lorenzen

GOPHER, 1918, UNIVERSITY OF MINNESOTA ARCHIVES

IN A LETTER written to President Vincent in 1912, Dean Vance was blunt in his assessment of the faculty: “We must not blink the unpleasant fact that we now have in the Law School a painfully weak faculty.”⁴ Vance quickly recruited Edward Thurston and Ernest Lorenzen—national candidates with strong academic and scholarly records. The recruitment of Edmund Morgan, a Harvard Law School graduate and an attorney in Duluth, was championed by those who felt that Vance was bringing too much “east coast snobbishness” to the school.⁵ Although Vance hired him reluctantly, Morgan became a brilliant and acclaimed member of the faculty.

Professor Lorenzen’s reputation for hard work was memorable:

After many years of bachelorhood Lorenzen took a wife in Minnesota, and it was shortly after this event that a colleague met him on the steps of the Law building at the close of the day. Lorenzen carried on his long, sturdy arm a green bag of the kind that used to be the distinguishing mark of the professor, and this was distended to its ultimate capacity with works of reference.

“Gus,” the colleague exclaimed. “It’s six o’clock. You are going to be back here the first thing in the morning. All those books! Just for tonight!”

“And every night,” Lorenzen responded solemnly. Then his eye brightened with a rare display of tenderness. “This year,” he added, “in honor of my wife I do not work Sundays.”⁶

Professor Morgan “collided head-on with Lorenzen:”

“That little octopus,” Lorenzen used to say [of Morgan], his mind divided between affection and hatred, “he is so little—so little—but he manages to be everywhere.”

They waged uncompromising warfare over such things as how many series of cases each should be permitted to require his students to read. Each wanted the whole time, the whole vitality, the whole interest of the young men at his feet.⁷



Ernest Lorenzen, ca. 1911



Edmund M. Morgan

HISTORICAL & SPECIAL
COLLECTIONS, HARVARD
LAW SCHOOL LIBRARY



Practice Court, 1925
UNIVERSITY OF MINNESOTA
ARCHIVES



Arthur C. Pulling

THE ARRIVAL OF ARTHUR C. PULLING from the Harvard Law Library in 1912 marked the beginning of a golden era of growth for the Library. When Pulling arrived he found some 17,000 volumes, poorly organized and incomplete. He set about aggressively building the collection, strategically collecting both contemporary and historical materials. With a fine eye for value and bargains, he purchased entire private collections in both the United States and Europe. When Pulling departed in 1942, the Law Library was the fifth largest legal collection in the United States with over 100,000 volumes.⁸

THE NIGHT LAW SCHOOL PROGRAM, established by Dean Pattee to accommodate working people and increase enrollment in the early years, was abolished in 1912. Resistance was strong, particularly by

alumni of the night school. Supporters argued that evening programs made it possible for poorer and perhaps less prepared students to attend law school: “Here in this broad west, where we have a tremendous influx of new American citizenship, where the second generation is scarcely ripe for education at our universities, we must have a broader view.”⁹

AN IMPORTANT GOAL in Dean Vance’s program to improve the Law School was to provide practical training to students who would soon be handling real cases on their own. He saw an opportunity to initiate a practice course in association with the Minneapolis Legal Aid Society, which had been serving indigent clients in temporary facilities and with short-term staff. Dean Vance proposed housing the Society in the Law School and staffing it with a full-time attorney who would also be a member of the faculty. The Board of Regents approved the plan, and in 1913 the Law School Clinic Program was born.

In 1914 Dean Vance reported to the President that the legal clinic, “so far as my knowledge extends . . . is exciting wide-spread interest throughout the country.”¹⁰

The long history of clinical education was discussed by Professor Laura J. Cooper, in her remarks as the 2008 honoree of the Fund for the Legal Aid Society:

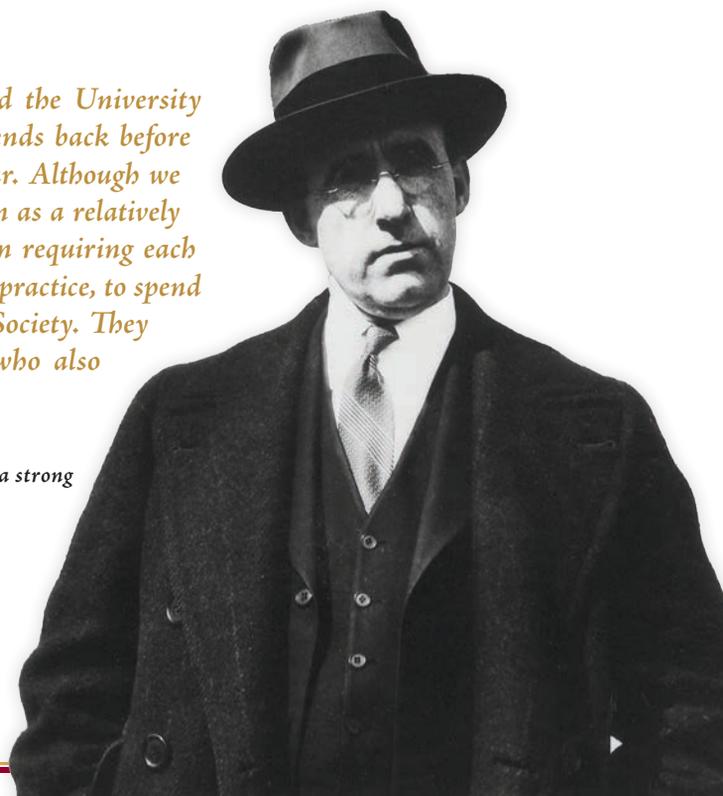
The collaboration between the Society and the University of Minnesota Law School remarkably extends back before World War I, to the Society’s founding year. Although we tend to think of law school clinical education as a relatively recent innovation, in 1913 Minnesota began requiring each third-year student, as part of a class in legal practice, to spend time representing clients of the Legal Aid Society. They were supervised by a legal aid attorney who also served as a law school instructor. . . .

Wilbur Cherry, a faculty member from 1914–1950 and a strong supporter of the Legal Aid Society

UNIVERSITY OF MINNESOTA ARCHIVES



GOPHER, 1917, UNIVERSITY OF MINNESOTA ARCHIVES





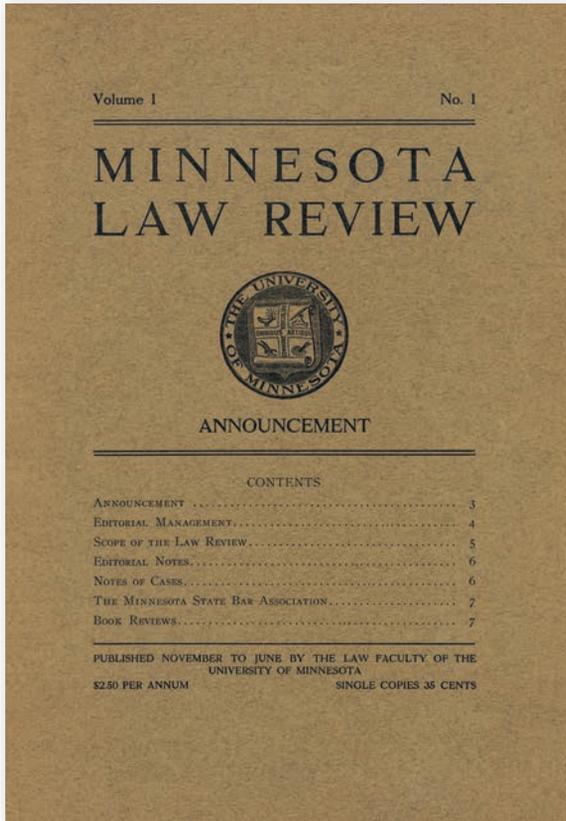
Henry Fletcher (Class of 1906), ca. 1919
 UNIVERSITY OF MINNESOTA
 ARCHIVES

Reminding us that the need to protect the basic legal rights of immigrants is not a new challenge, a report on the program in 1916 said that native-born Americans made up half the caseload and the remainder came from 20 to 25 different countries.”¹¹

THE FIRST ISSUE of volume I of the *Minnesota Law Review* was published in January 1917. Professor Henry J. Fletcher wrote in the foreword:

While the Minnesota Law Review will be published in the Northwest and for Northwestern readers chiefly, its design is not provincial or local. The harmonious development of the law as a whole will be its major theme. . . . Nevertheless, it

is recognized that each of the great sections of the country has its own peculiar legal problems, each state its own more special problems. It should be the duty of a state university to assist in the solution of these questions, in the legislature, in the courts, and in the forum of public opinion. . . . In this work the law review should in time become a recognized factor.¹²



IN HIS BOOK on the Law School’s history, Professor Robert A. Stein (’61) describes 1916–1917 as a “pinnacle” year: “A faculty of national stature, a student body beginning to adopt a new view of its academic and professional responsibilities, a legal clinic in which learning and serving were integrated, and a new periodical. . . .”



Al Spellacy



Gobs



Stanley K. Brown



Thomas Gallagher



*Parker
from 'Over Sea'*



G. P. Hough



Ray L. Overmire



Chas. Wangersteen

• *L.A.W.S.* •

It was not to last, however. The effects of World War I—combined with aggressive faculty recruitment by the Yale Law School—resulted in the loss of much of what Dean Vance had built. By the spring of 1918, the student body dropped to 74. Yale succeeded in hiring Professors Morgan, Lorenzen, Thurston, and, in 1920, Vance. Nonetheless, Stein notes that much of what Vance accomplished remains—the legal clinic, *Minnesota Law Review*, a superb library, an “attitude of scholarship and community service,” and, most important, his conviction that Minnesota was no longer “a prairie law school.”¹³

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- 1 Robert A. Stein, *In Pursuit of Excellence: A History of the University of Minnesota Law School* (St. Paul: Mason, 1978), 37.
 - 2 James Gray, *The University of Minnesota 1851–1951* (Minneapolis: University of Minnesota Press, 1951), 148.
 - 3 Stein, 40 (quoting Letter from George E. Vincent to Regents Lind, Nelson, Butler, and Smith, July 11, 1911, on file in Law School File, James Gray Papers, University of Minnesota Archives).
 - 4 Stein, 48 (quoting Letter from Dean Vance to George E. Vincent, Feb. 26, 1912, on file in President’s Papers 1912–1916, University of Minnesota Archives).
 - 5 Stein, 51.
 - 6 Stein, 50–51 (quoting Gray, 161).
 - 7 Gray, 162.
 - 8 Caroline Brede, “In Memory of Arthur C. Pulling,” *Law Library Journal* 57 (1964): 66.
 - 9 Stein, 44 (quoting Report of Board of Visitors of Law Alumni, June 1, 1912 (unpublished report on file at Law School Night Classes File, President’s Papers 1912–1918, University of Minnesota Archives)).
 - 10 Stein, 60 (quoting Vance in *University of Minnesota Bulletin: The President’s Report: 1914–1915*: 66).
 - 11 Laura J. Cooper, “Remarks” (honoree, Fund for the Legal Aid Society, Minneapolis, May 1, 2008), 2.
 - 12 Foreword, *Minnesota Law Review* 1 (1917): 65.
 - 13 Stein, 65–68.

🦉 THE FRASER YEARS 🦉
1920–1948



Everett Fraser, 1948

UNIVERSITY OF MINNESOTA ARCHIVES

EVERETT FRASER received his law degree from Harvard in 1910. He became Dean at George Washington University Law School in 1914. In 1917 he was recruited to teach at the University of Minnesota Law School and in 1920 he was appointed Dean.

Dean Fraser was a nationally recognized property law scholar, a master at faculty recruitment and retention, and the architect of innovative curriculum reform. He was convinced that law schools must do more than prepare students to serve clients. He felt law school must also educate students to be legislators, judges, policy makers, and civic leaders—and should offer courses in judicial administration and reform, criminology, penology, and legislation.



*Everett and Lois Fraser in
their home, ca. 1940*

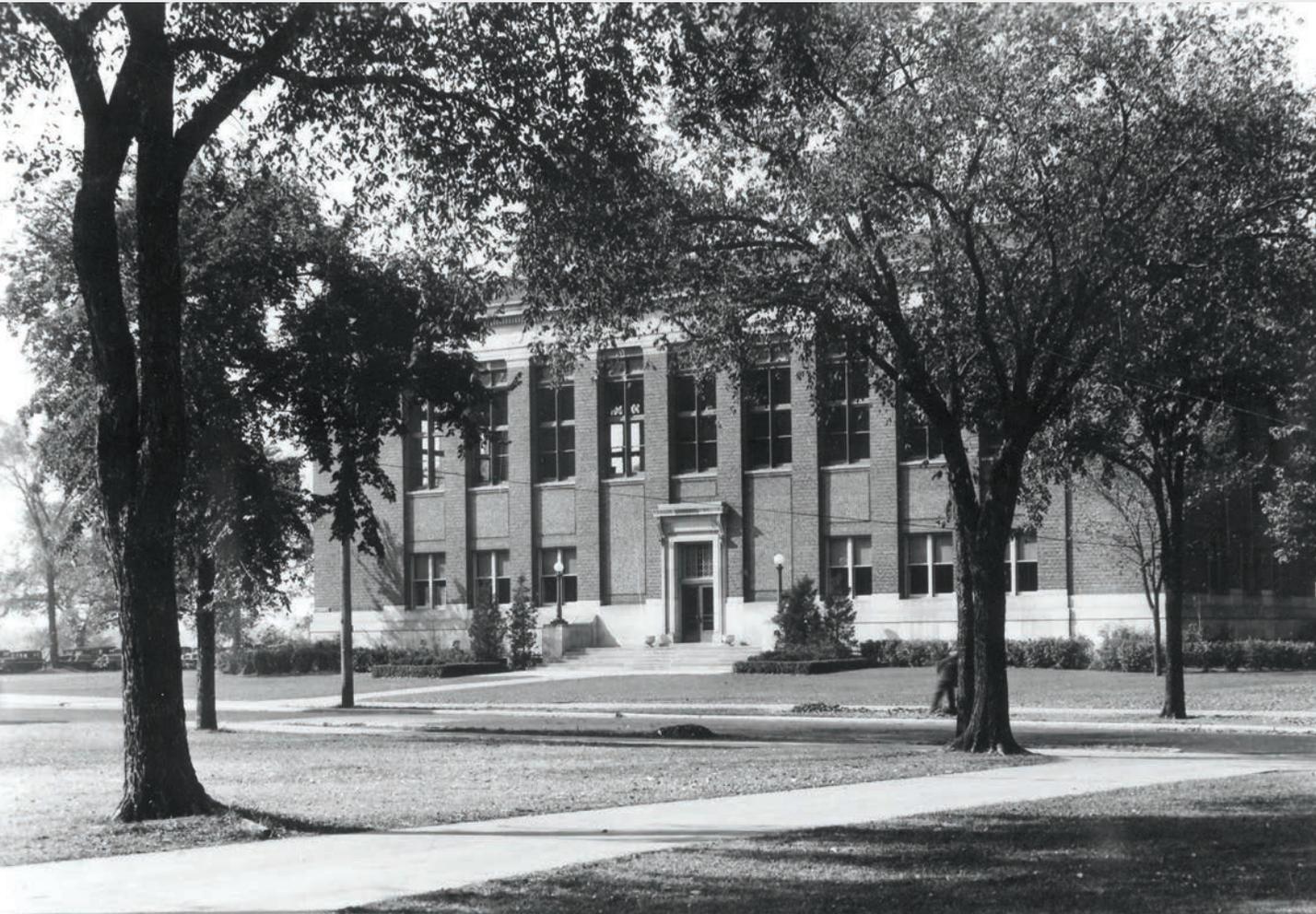
UNIVERSITY OF MINNESOTA ARCHIVES

The Minnesota Plan, inaugurated by the Law School in 1930, involved major curriculum reform and was studied throughout the country. The Plan called for two years of undergraduate work and four years of law school. This “2–4” plan allowed for legal culture classes to be taken, both in the Law School and throughout the University, in the student’s fourth year.

THE NEW LAW BUILDING, named Fraser Hall in 1951, was dedicated April 3, 1929.

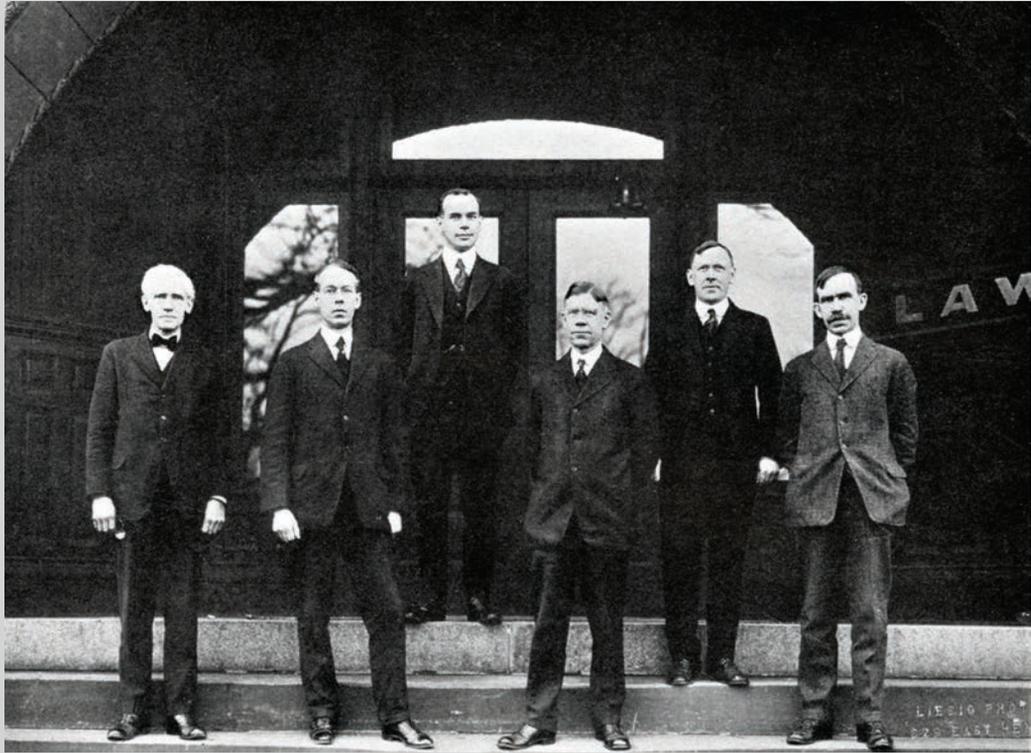
Fraser Hall, 1935

UNIVERSITY OF MINNESOTA ARCHIVES





Law Library reading room, 1929



Law faculty, 1922

Henry J. Fletcher (Class of 1906), Henry Ballantine, Everett Fraser, James Paige (Class of 1890), Arthur C. Pulling, Andrew Bruce

GOPHER, 1922, UNIVERSITY OF MINNESOTA ARCHIVES

WILLIAM PROSSER earned his law degree in 1928 at the University of Minnesota Law School and was hired as a part-time lecturer in 1929 and as an assistant professor in 1930. He remained on the faculty until 1942 and it was at Minnesota that he wrote his famous treatise, *Prosser on Torts*.

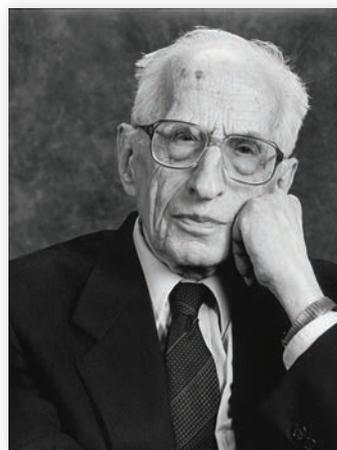


William L. Prosser ('28)



Stefan A. Riesenfeld, 1939

GOPHER, 1939, UNIVERSITY OF MINNESOTA ARCHIVES



Stefan A. Riesenfeld, 1996

STEFAN RIESENFELD—a noted scholar in international law—was born in Germany and educated at the universities of Breslau, Munich, Berlin, and Milan. While in Milan, he learned that Edwin Dickinson, then Dean of Boalt Hall School of Law, University of California, Berkeley, was looking for a research associate who was fluent in German, Italian, and French. Eager to leave Germany with the onset of the Third Reich, Riesenfeld applied and accepted the offer that was extended. It was only after his arrival in Berkeley that Dean Dickinson learned that Riesenfeld could not speak English. (Fluency in *that* language had never been mentioned!) Nonetheless, Riesenfeld received permission to enroll at Boalt Hall where, learning law and English simultaneously, he graduated with distinction in 1937. In 1940 Riesenfeld received a J.S.D. from Harvard.

Riesenfeld joined the faculty of the University of Minnesota Law School in 1938. In 1952 he was recruited by Dean William L. Prosser ('28) to join the faculty at Boalt Hall. In his remarks during the centennial celebration, Riesenfeld recounted his initial apprehension at joining the faculty and Fraser's reassurance:

Before I came to Minnesota, after completing my graduate studies at Harvard, I had some apprehensions about my fitting into a part of the United States totally unknown to me, especially since Dean Fraser had offered me the position without having ever laid eyes on me. I sought the advice of Eddie Morgan and Felix Frankfurter. Morgan said: You could not find any more congenial place, go! Frankfurter actually wrote to Fraser, telling him that I was worried about my acceptance, as he put it, in the community. Back came a letter in the characteristic brevity of Dean Fraser, betraying his Scotch ancestry:

Dear Professor Frankfurter:

Anybody whom I place on my faculty is welcome in the community.

Everett Fraser, Dean¹

In recognition of Riesenfeld's contributions to the University of Minnesota Law School and to the legal profession, the Law Library's rare books facility was named the Stefan A. Riesenfeld Rare Books Research Center in 2001.

HENRY ROTTSCHAEFER was described by Robert Stein ('61) as a "bulwark of the Fraser faculty."²

Rottschaefer drafted the state's first income tax law and the lion's share of a brief in the case that upheld its constitutionality. He was a prolific scholar and a brilliant teacher. William Prosser ('28) wrote in a tribute to Rottschaefer:

'Rotty' was easily, I think, the student favorite. In his classes there was never a dull moment. From the acrobatics on the platform, to the imminent peril of those in the front row, and the sudden darting pounce of the finger which started out in a sweep to the northward and ended by pointing at some hapless victim sitting south by west, to the five-minute sentences, full



Henry Rottschaefer,
William E. Mussman
(’46), Stanley V. Kinyon
(’33) in 1948

UNIVERSITY OF MINNESOTA
ARCHIVES

*of octagonal words and qualifying clauses qualified by sub-clauses in the best tradition of classical German prose, with the verb meticulously inserted next to the last word—all of it was calculated to discourage slumber.*³

STANLEY KINYON joined the faculty in 1934, where he remained until his retirement in 1974. Kinyon’s reputation in the classroom was legendary. Dean Lockhart wrote that he “never forgot that his principal function was to teach, which he did with meticulous clarity and endless patience.”⁴ In honor of his career, the Stanley V. Kinyon Teacher of the Year award was established in 1982.



GOPHER, 1926, UNIVERSITY OF MINNESOTA ARCHIVES

“The Law School is notably functional rather than interesting.”
—Gopher, 1948

STUDENT SCHOLARSHIP was a particular problem in the first-year class of 1921–1922. Dean Fraser reported that “never in the experience of the faculty has such a class entered the school. It threatened to break down [the school’s] traditions and morale.”⁵

One tactic that Dean Fraser found “helpful” was “to inform entering students of the percentage of failures in prior years.”⁶ Robert Stein wrote that this “undoubtedly was done through the vehicle of the now infamous ‘look to your left—look to your right’ speech. Borrowed from Harvard, the speech was a part of the Dean’s opening remarks to the first-year class. ‘Gentlemen,’ he advised, ‘look to the man on your left; now look to the man on your right. At the end of this year, one of you will not be here. At the end of three years, only one of you will remain.’”⁷



Law Review, 1933

GOPHER, 1933, UNIVERSITY OF
MINNESOTA ARCHIVES



*Arthur Pulling and
Edward S. Bade ('22), 1939*

UNIVERSITY OF MINNESOTA
ARCHIVES

THE BOTTOM PHOTOGRAPH on the facing page shows Arthur Pulling and Edward Bade ('22), Pulling's successor, examining *Laws of the State of New Hampshire*, printed in 1771 and once owned by Daniel Webster—just one of Pulling's rare book purchases. Pulling's creation of a stellar rare books collection was, as former law librarian Caroline Brede noted, the result of his "vast knowledge of books, prices, dealers, and his well-known ability to 'horse-trade.'"⁸ His purchases of English and American legal classics are the cornerstone of the Rare Books Collection and the foundation of the Law Library's reputation as the home of one of the outstanding legal research collections in the country.



Bernard W. Ella, Class of 1942



*James Svobodny,
Class of 1937*



*Kay Todd Jr.,
Class of 1936*



*Joseph F. Pleva,
Class of 1936*

IN MEMORY OF OUR CLASS-MATES WHO GAVE
THEIR LIVES IN WORLD WAR II
CLASS OF 1936–1937

THE INFLUENCE OF THE WAR was deeply felt at the Law School in terms of enrollment and curriculum. Fall enrollment of almost 350 in 1939 fell to about 60 in 1943. The faculty declined in number from eleven in 1938 to seven in 1944. Robert Stein noted:

The remaining students and faculty struggled to keep the school's program and traditions alive. The Law Review continued to be published with the faculty doing much of the work

itself, and although the curriculum was curtailed, the basic course work continued. In a crippled condition, the school hobbled on.⁹



Dean Everett Fraser and
Donald Fraser ('48), ca.
1962

Lots of lawyers have mentioned to me anecdotes about my father including the 'look to the right, look to the left' routine, later made immortal by the Prosser version, 'look to the right, look to the left, and at the end of the year you will all be gone.'¹⁰

- 1 Remarks of Stefan A. Riesenfeld, *University of Minnesota Law School Centennial Celebration, 1888–1988: Remarks of the Centennial Speakers*, October 6 and 7, 1988: 8.
- 2 Robert A. Stein, *In Pursuit of Excellence: A History of the University of Minnesota Law School* (St. Paul: Mason, 1978), note 48: 460.
- 3 William L. Prosser, "Henry Rottschaefer as a Teacher," *Minnesota Law Review* 42 (1957–58): 5–6.
- 4 William B. Lockhart, "Stanley V. Kinyon," *Minnesota Law Review* 59 (1974–75): xiv.
- 5 Stein, 95 (quoting Fraser, "The Law School," *University of Minnesota Bulletin: The President's Report for the Year 1921–22*: 150).
- 6 Stein, 96 (quoting *President's Report for the Year 1922–23*: 161).
- 7 Stein, 96 (See Letter from Helen Spink Henton to Dean Robert Grabb, Apr. 20, 1976, in *Reminiscences of Alumni Who Graduated 50 Years or More Ago* (1976)).
- 8 Caroline Brede, "In Memory of Arthur C. Pulling," *Law Library Journal* 57 (1964): 66.
- 9 Stein, 119.
- 10 Remarks of Donald M. Fraser ('48), *University of Minnesota Law School Centennial Celebration, 1888–1988: Remarks of the Centennial Speakers*, October 6 and 7, 1988: 18.

🦉 THE PIRSIG YEARS 🦉
1948–1955



Maynard E. Pirsig (25), 1948

UNIVERSITY OF MINNESOTA ARCHIVES

MAYNARD PIRSIG graduated from the University of Minnesota Law School in 1925, where he was a Note Editor of the *Minnesota Law Review* and elected to Order of the Coif. He became Director of the Legal Aid Society of Minneapolis and also taught part time at the Law School. Dean Fraser recruited him to develop courses needed to initiate the Minnesota Plan, the school's innovative four-year curriculum, consisting of traditional law classes as well as a variety of "legal culture" classes taken in the Law School or throughout the University. In 1933 Pirsig returned to Minnesota as a full-time member of the faculty.

Professor Pirsig's pioneering work in judicial administration, developed over twelve years of teaching, resulted in *Cases and Materials on Judicial Administration*, published to acclaim in 1946. His groundbreaking book on legal ethics, *Cases and Materials on Professional Responsibility*, went through five editions and several title changes. He continued to teach judicial administration until his retirement in 1970.

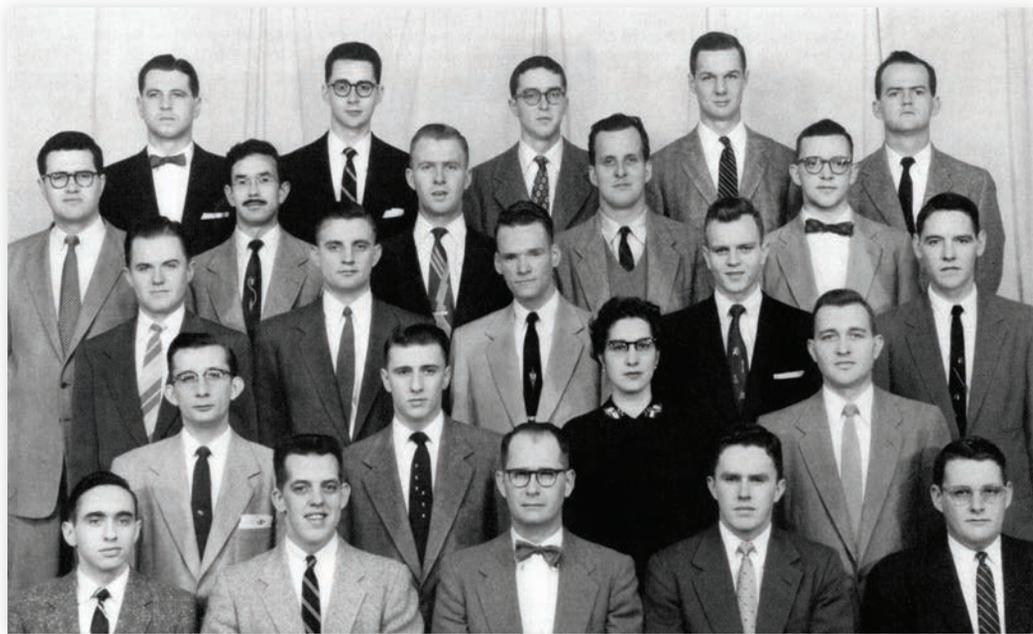
Maynard Pirsig was appointed Dean in 1948. His deanship was marked by excellence in faculty recruitment, which brought several highly regarded scholars to Minnesota—Kenneth Culp Davis, David Louisell ('38), Charles Alan Wright, Monrad Paulsen, and Michael Sovern. It was also marked by "tumult and transition."¹ The post-war bulge in enrollment resulted in stress on the faculty and the building. The library was filled to overflowing. Questions about the efficacy of the Minnesota Plan arose in both the 1950 Curriculum Committee Report and a report by Professor Davis, entitled "Unrealized Potentialities of the Minnesota Plan." Davis asserted that the primary result of the fourth year was simply a three-year curriculum stretched out over four years. He posed the question: "Are we, as one member of our faculty has put it, 'running a night school with classes in the morning?'"² Other challenges included a first-year attrition rate of 40 percent; lack of support from central administration; and a faculty that wanted to assume a greater leadership role in the administration of the school.

AFTER HAVING TAUGHT at the University of Texas and then at Harvard, Kenneth Culp Davis joined the faculty at Minnesota in 1950. During his eleven-year tenure at the school, Davis published his four-volume administrative law treatise, described as “one of the truly monumental events of this generation of legal writing.”³



Kenneth Culp Davis
UNIVERSITY OF MINNESOTA
ARCHIVES

MARY JEAN COYNE ('57) (pictured below, row 2) was the first University of Minnesota Law School alumna and the second woman to serve on the Supreme Court of Minnesota (appointed 1982).



Minnesota Law Review, 1954

Front row: Allen Sawks ('56), Clint Schroeder ('55), Gene Warlick ('55), Jerry Mahoney, Douglas Head ('56).
Row 2: John Killen ('55), Gilbert Harries ('55), Mary Jean Coyne ('57), Blaine Harstad ('56). Row 3: Harold MacLaughlin ('56), Walter F. Mondale ('56), Leonard Bucklin ('57), Milton Rosenblad ('57), Lee Corcoran ('55). Row 4: Neil Powell ('55), Lawrence Vaubel ('56), Richard Desmond ('57), Thomas Brown ('55), Jack Blair ('56). Back row: Roger Pauly ('55), Ted Stone ('57), Mason Reidal, Rollin Whitcomb ('55), Clay Moore ('56)

GOPHER, 1955, UNIVERSITY OF MINNESOTA ARCHIVES



LAW SENIOR JERRY SIMON, CENTER, PAUSES ON LAW SCHOOL STEPS TO TALK TO RUSSELL BENNETT ABOUT PROCEEDINGS IN SCHOOL'S MOCK COURT

MORE THAN MOST

The Quality of the Law School
Is Determined by Its Library

The average law student probably reads more than any other student on this campus. He must spend endless hours in the Law School library methodically studying case history after case history.

"The life of a lawyer is centered around books," says Dean Maynard E. Pirsig. "The quality of a law school is determined by the quality of its library."

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IN LAW REVIEW OFFICE ARE, LEFT TO RIGHT, JOHN BYRON, JERRY SIMON, DONALD ALSOP, MITCH GOLDSTEIN AND JOHN HETLAND



CENTERED around books is the life of Dean Maynard E. Pirsig. Among special features of his Law School library are old American documents, some dating from as far back as 1620, which cannot be duplicated and which are stored in safe vaults. Foreign collections are both rare and extensive.

Minnesota's law library is expanding by nearly 9,000 volumes each year. It now contains more than 185,900 books, some of which are overflowing the sixth tier of stacks and are stored in bookcases in the aisles and on tables in the reading room.

Only four other universities in the United States have larger law libraries than the University of Minnesota. And

the University Law School may be "as high as second in some special areas," according to Pirsig.

One of these special areas is the School's foreign collection. The library contains volumes from the Lower Province of Bengal, India, West Australia and the Scandinavian countries in large numbers, in some cases, than the countries themselves possess.

ALL THE LAW there is, is in books. Jerry looks up one of many case histories he needs.





Law Library staff, 1954

Front row: Louella Rasula, Caroline Brede, Vera Carlson.

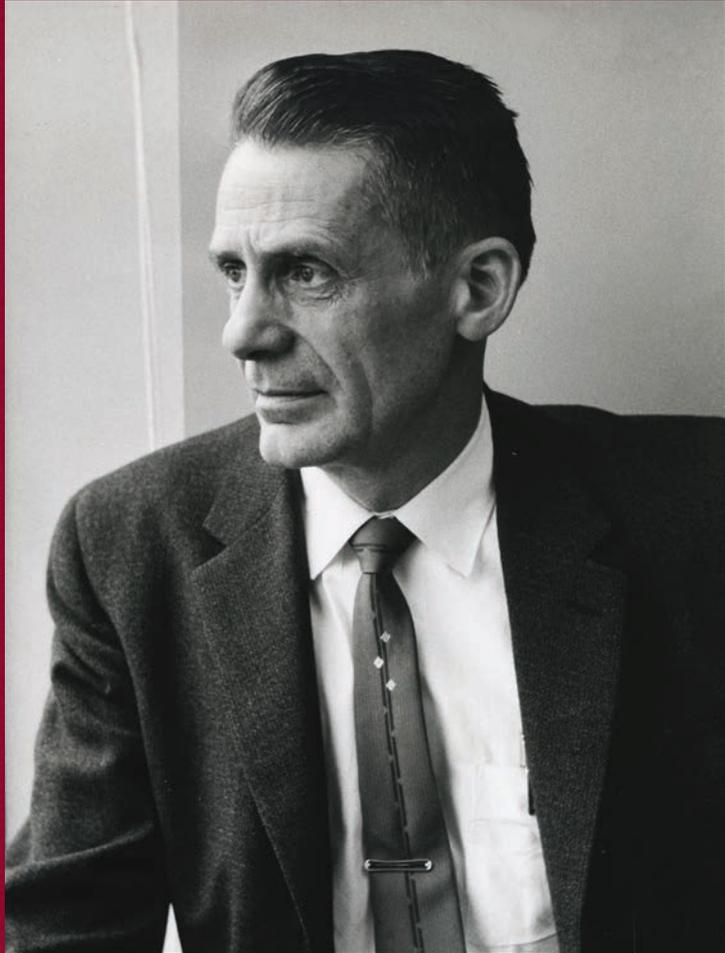
Row 2: Doris Pagel, Marlys Marshall, Arlette Soderberg,

Ester Motz. Back row: Leon Liddell

LEON LIDDELL joined the Law School in 1949, the first full-time librarian since Arthur Pulling's departure in 1942. One of Liddell's major contributions was the establishment of a department for cataloging, replacing the method employed by Pulling, who, "able to recall the scope and position of his library with great precision, was his own catalogue."⁴

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- ¹ Robert A. Stein, *In Pursuit of Excellence: A History of the University of Minnesota Law School* (St. Paul: Mason, 1978), 125.
 - ² *Ibid.*, 149 (quoting Davis, *Unrealized Potentialities of the Minnesota Plan*, Oct. 9, 1951 at 5, on file with Law School Papers, University of Minnesota Archives).
 - ³ Earl W. Kintner, "A Government Lawyer Comments on the Davis Treatise," *Minnesota Law Review* 43 (1959), 620.
 - ⁴ Stein, 140 (Interview with Maynard E. Pirsig (Nov. 15, 1977).

🐣 THE LOCKHART YEARS 🐣
1956–1972



William B. Lockhart, ca. 1960

WILLIAM LOCKHART received his J.D. from Harvard in 1933, where he was Book Review Editor of the *Harvard Law Review*, and earned his S.J.D. from Harvard in 1943. After serving as a law professor at Stanford and in active duty in World War II, he joined the Minnesota law faculty in 1946.

He was a gifted teacher and an outstanding scholar. He received national recognition for the casebooks on constitutional law that he coauthored with Professors Yale Kamisar and Jesse Choper, both of whom he recruited while Dean. Kamisar recounted the early days of that collaboration in his remarks at the Law School's Centennial Celebration, October, 1988:

I remember Dean Lockhart asking me in the early 1960s whether I would like to do a constitutional law casebook with him. Of course, I said yes. But this project involved so much work that after a while I suggested we bring a third co-author aboard, the most junior member of the faculty . . . Jesse Choper. Bill readily agreed. Thus began a wonderful collaboration that has now extended to six editions.

I remember the thrill, and the great sense of relief, when we finally completed the manuscript for the first edition of that casebook. Neither Jesse nor I were willing to trust the mails. We hand-carried that precious manuscript to West Publishing Company, and waiting for us when we arrived at the plant was a smiling young salesman, who was soon to become . . . vice-president and manager of the Law School Department, Roger Noreen [48].

*Yale Kamisar
Professor, Law School 1957–1965¹*

THE MINNESOTA PLAN—the Law School's 2–4 curriculum that had been in place since 1930—was abolished during Dean Lockhart's tenure. Lockhart and most of the faculty were convinced that two years of prelaw work was not enough, and that four years of law



Dean Lockhart, 1972

school was too long. In 1957 the curriculum was changed to 3-½ years, intensifying the study of law, while leaving time for courses especially developed for the Minnesota Plan. In 1965 the length of the curriculum was reduced, and Minnesota, for the first time since 1930, returned to a three-year law course.

IN 1968 President Lyndon Johnson appointed Dean Lockhart to the United States Commission on Obscenity and Pornography. He was elected chair by his fellow commissioners. The charge to the Commission was to recommend definitions of obscenity and pornography; to



Law School faculty, 1966

Seated: Robert C. McClure ('39), Maynard E. Pirsig ('25), Dean William B. Lockhart, Carl A. Auerbach, Stanley V. Kinyon ('33), John G. O'Brien. Standing: Joseph M. Livermore, Charles W. Wolfram, Ernest E. Smith, Robert A. Stein ('61), David P. Bryden, C. Robert Morris, Dan B. Dobbs, James F. Hogg, James L. Hetland ('50). Back row: Robert F. Grabb, Thomas P. Lewis, Donald G. Hagman, John J. Cound, David L. Graven ('53), Robert W. Hamilton, Robert J. Levy, Stephen B. Scallen ('59). Not pictured: Thomas L. Waterbury, Bruno H. Greene, Richard J. Clendenen, George C. Christie, Arnold N. Enker, Allan H. McCoid

explore the nature of traffic in obscene and pornographic materials; to study the effect of these materials on the public, especially minors; and to recommend actions to regulate the flow of such materials.

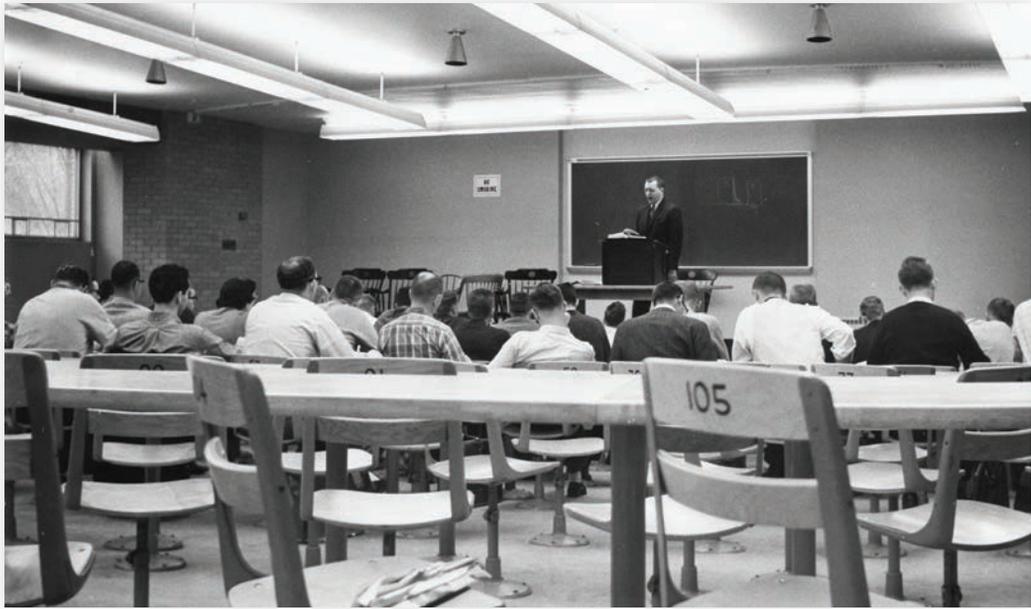
The report's recommendations were controversial. The Commission found no evidence of a link between pornography and sexual crimes and it urged that the law "be revised to let consenting adults make their own decision on what they will read or view." It recommended a "massive program of sex education to produce healthy attitudes toward sex."²

The Nixon administration criticized the report and it was rejected by the Senate, 60–5. South Carolina Senator Strom Thurmond stated that the "report is an utter disgrace and should go straight into the trashcan."³ Walter F. Mondale was the sole senator who spoke in defense of Lockhart:

Dean William Lockhart . . . is one of the nation's most gifted attorneys. He is a balanced, responsible, and measured man, whose career has been one of prudence and responsibility and which stands for the highest standards of public service and commitment. . . . Few men in this country have spent as many years as he has studying the explosive issue of obscenity and pornography in American life.⁴

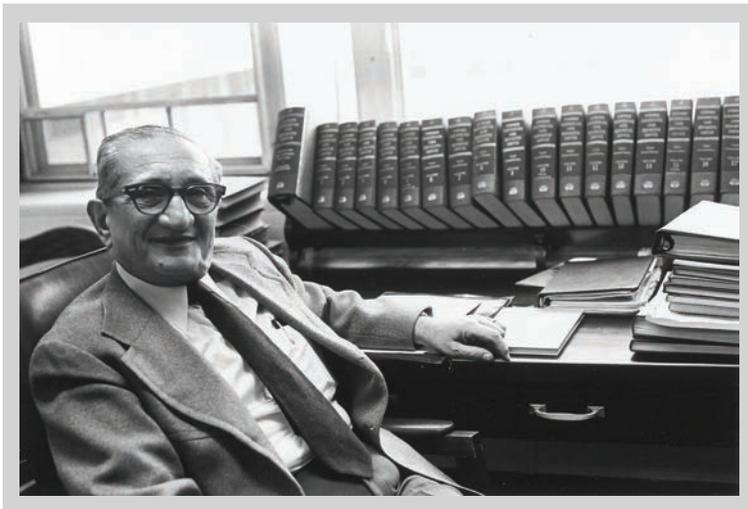
Robert Stein ('61) wrote in his history of the Law School:

Throughout the vitriolic and often personal attacks on the Commission's work, Lockhart never indicated that the criticisms bothered him. . . . It was only later, at the time of President Nixon's resignation, that a comment made to the author revealed how deep the wounds had been. Of Nixon, Lockhart said, with great emotion, "and this is the man who called me morally bankrupt."⁵



Professor John Cound and class, 1960s

BRUNO GREENE was Director of the Law Library from 1960 until his retirement in 1974. He was instrumental in developing the Library's foreign, comparative and international law collection, which today still ranks among the finest such collections in the country.



Bruno Greene, ca. 1978



Professors Robert Levy and John Cound, 1966



Dorothy Oerting Lareau ('52), 1957

UNIVERSITY OF MINNESOTA ARCHIVES



Joyce A. Hughes ('65), 1971

DOROTHY LAREAU ('52) was the Law School's first woman faculty member. She taught legal research and served as Assistant Dean for placement and student counseling from 1956–1959.

JOYCE HUGHES ('65, Order of the Coif) was the first black faculty member (and, at the time of her appointment in 1971, the sole woman faculty member).

Robert Stein wrote that “she quickly became an advisor to minority students and to many women students . . . ; a counselor to minority applicants; and a black representative on a host of law school and University committees.”⁶

ROBERT MCCLURE ('39)—affectionately known to students as “Boots” because of his preferred footwear—was a beloved member of the faculty from 1946–1985. Typical of his concern for students was his invitation to attach a tape cassette to their examination blue books; McClure would then record a running commentary while grading each student's exam.⁷

McClure was recognized for his scholarship on the law of obscenity. In the 1950s and early 1960s he coauthored four major articles with William Lockhart. The Lockhart-McClure articles were cited extensively, most notably by Justice William O. Douglas in his dissenting opinion in *Roth v. United States*. “In *Roth*,” wrote Stein, “Justice Douglas, with a somewhat amusing choice of words, referred to Lockhart and McClure as ‘two of our outstanding authorities on obscenity.’ While presumably Lockhart and McClure would prefer to be known as outstanding authorities on *the law of obscenity*, rather than on obscenity itself, it is clear that Douglas paid them a great compliment.”⁸



“Boots” McClure ('39)

THE LAW SCHOOL'S *Partners in Excellence* program had its origins in 1967 with a conversation between Dean Lockhart, Julius Davis ('36), and Solly Robins ('36). The problem facing the school was described in an article in the *Minnesota Law School News*:

The Law School today has an excellent young faculty. Throughout its history, however, its unfortunate experience has been that, just as these men reach national prominence, too many of them are drawn away by other schools that can offer higher salaries and, more important, can offer association with a larger nucleus of eminent men in various fields of law.⁹

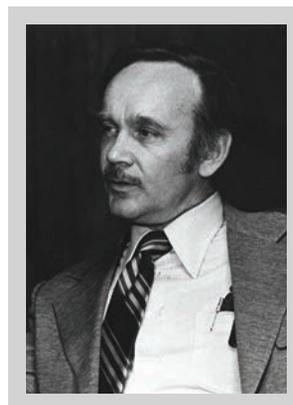
Lockhart proposed funding to make Minnesota attractive for established scholars. Julius Davis and Solly Robins supported the idea and offered to make significant annual contributions to a fund for faculty chairs and visiting professorships. This generous support led to the establishment of *Partners in Excellence*, which in 2013 has evolved into the school's primary fundraising program for repeatable annual gifts, generating nearly \$1 million in support of the budget annually.

THE LAW SCHOOL was a pioneer in clinical education, establishing one of the first clinical programs in the country in 1913. However, in the ensuing years the program did not grow significantly. The 1955 Self-Survey Report called for a re-evaluation of the program. A three-student committee worked on the idea of establishing an on-campus law clinic to help University of Minnesota students and wrote a 44-page report. A joint student-faculty committee presented the report's proposals to the state bar association, which applied certain restrictions but authorized the clinic itself.

The Legal Aid Clinic opened in 1957 under the direction of a student board and faculty member James Hetland ('50). In its first 18 months the Clinic handled approximately 130 cases and by 1960 it reported a 220 percent caseload increase. In 1966 the Office of the State Public Defender was created by the legislature and housed in the Law School, thus strengthening the criminal case component of the Legal Aid Clinic.

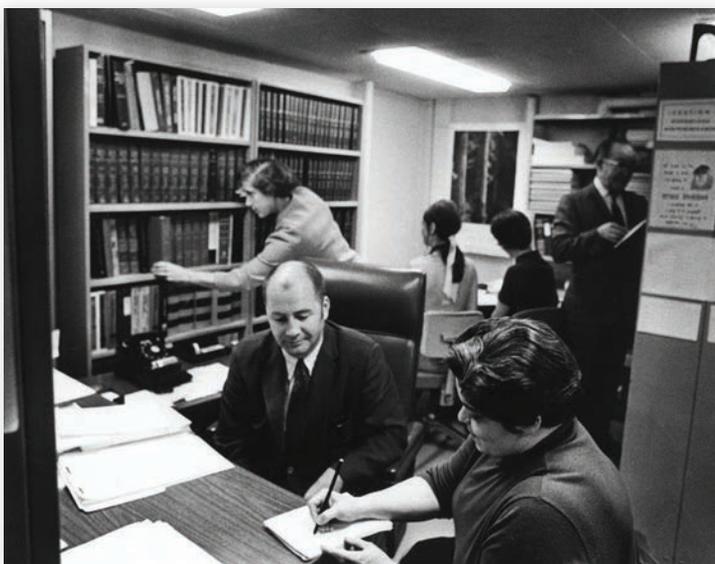


Julius E. Davis ('36)



James L. Hetland ('50),
1973

C. Paul Jones ('50), 1976,
Minnesota's first State
Public Defender



C. Paul Jones helped build Minnesota's public defender system from the ground up . . . He is credited for many of the improvements in the state's representation of criminal defendants and inmates. He also earned a reputation for helping new attorneys build their careers, and for hiring women at a time when many firms weren't even interviewing them.¹⁰

Minnesota Law Review,
1960



IN 1967, in what Dean Lockhart called “the greatest curricular advance” of the biennium, the Minnesota Supreme Court adopted a rule permitting senior law students, under supervision, to appear in court on behalf of indigent clients.¹¹ Soon thereafter Robert E. Oliphant ('66) was appointed part-time director of the Legal Aid Clinic.



Stephen B. Scallen ('59), far right



Fraser Hall, ca. 1960

FOR MOST OF ITS HISTORY, the Law School employed a “revolving door” policy of admissions; any student with a C average could matriculate, but failure rates for first-year students averaged between 40 percent and 50 percent.¹²

Dean Lockhart advocated for a stricter admissions policy. He assured University President James Morrill in a 1956 letter that “we have no intention of trying to skim off just the cream of the crop, for we recognize that a state university has an obligation to educate all who



ca. 1973

have a reasonable prospect for success in law studies.”¹³ Morrill replied that his “primary concern, as you know, is that educational opportunity of the University of Minnesota not be foreshortened by major admission policy revisions.”¹⁴ Although significant tightening of standards was thereby restricted, the faculty did recommend somewhat stricter requirements for grade point average and LSAT scores for applicants in 1958.



ca. 1969

INADEQUATE SPACE in Fraser Hall was noted as early as 1944. A building designed for about 300 students was, in the post-war years, accommodating more than 400. In 1952 Dean Pirsig declared the condition critical, “an urgent necessity.”¹⁵

In 1956 construction began on an addition to Fraser Hall. However, from the beginning the added space was inadequate, and in just a matter of years, Dean Lockhart stated that a “major addition . . . or a new Law Building will be necessary in the near future.”¹⁶



Law Library reading room, ca. 1960



Fraser Hall, Law Library lounge, ca. 1960



Law School addition, 1957

UNIVERSITY OF MINNESOTA ARCHIVES



Fraser Hall courtroom,
1960

THE ROAD TO FULL ACCEPTANCE of women in law school was long and arduous. Helen Henton, Class of 1925, reminisced in a 1980 oral history:

Jimmy [Paige] taught Criminal Law at the time and through the grapevine I had learned that he was more than a little upset at the idea of a woman in his class. How, he asked, could Criminal Law be taught without rape and sodomy, and how could that be discussed in mixed company. I suggested to Hilda Blair, who was the grapevine in question, that maybe I could sit behind a curtain.¹⁷

The issue of women in the classroom remained problematic 45 years later. A 1970 issue of the school's magazine reported that "twenty years ago, the pool hall, the barber shop, and the Law School, were all free from the influence of the feminine hand. Now . . . the walnut-stained doors of Fraser Hall have been thrown open to the bobby-pinned hordes."¹⁸ The "hordes" of women graduates in 1970 did not exceed ten.¹⁹ By 1978 there were 67 women in the graduating class of 221.

16 INVADERS

●

A Minority Report



(AUTHOR'S NAME WITHHELD)

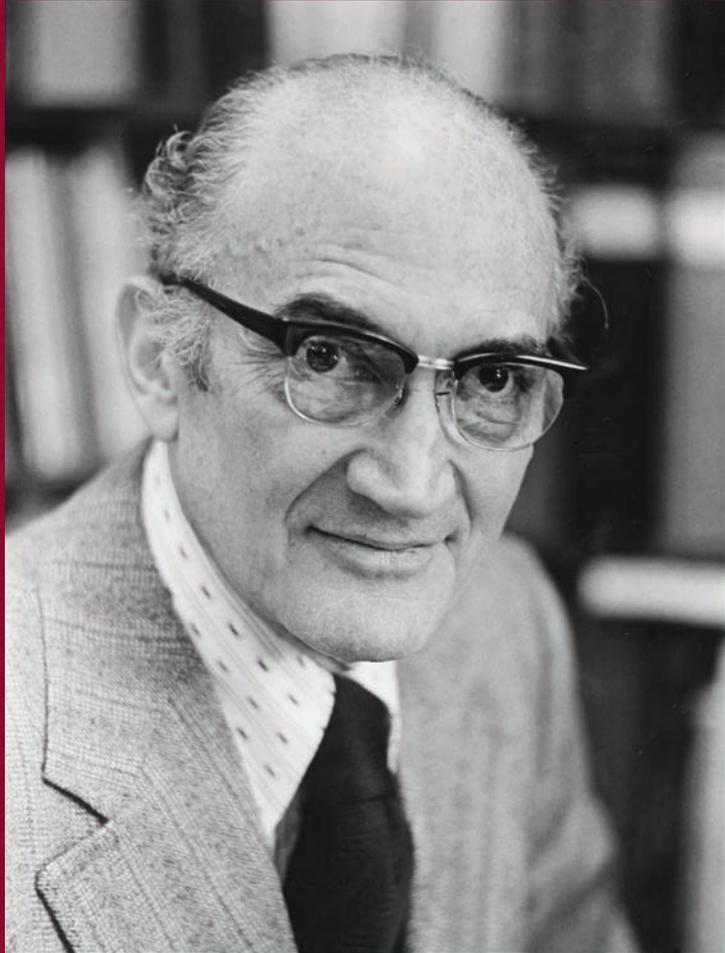
"Gentlemen, Gentlemen, what is the issue in this case?" might be a professor's opening remark before he calls on one of the few girls in the classroom for an answer. For a woman law student it is not a rare occurrence to be either totally ignored, or else to have an exaggerated emphasis placed upon the fact that you are a female. These seem to be the two poles around which the small number of women law

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"16 Invaders," Law School News, spring 1967

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- 1 Remarks of Yale Kamisar, *University of Minnesota Law School Centennial Celebration, 1888–1988: Remarks of the Centennial Speakers, October 6 and 7, 1988*: 6–7.
 - 2 William Lockhart, “The Findings and Recommendations of the Commission on Obscenity and Pornography,” *Oklahoma Law Review* 24 (1971): 212–215.
 - 3 116 Cong. Rec. 36,474 (1970).
 - 4 Ibid.
 - 5 Robert A. Stein, *In Pursuit of Excellence: A History of the University of Minnesota Law School* (St. Paul: Mason, 1978): 174.
 - 6 Stein, 234.
 - 7 Robert A. Stein, “In Memoriam, Robert C. McClure,” *Special Session: Annual Hennepin County Bar Memorial*, 2008: 27.
 - 8 Stein, *In Pursuit of Excellence*, 172.
 - 9 “Partners in Excellence,” *Minnesota Law School News*, Winter 1968, 3.
 - 10 Jessica Thompson, “Minnesota’s Legal Hall of Fame,” *Law & Politics*, Aug./Sept. 2007: 28.
 - 11 Stein, *In Pursuit of Excellence*, 216.
 - 12 “Law School,” *University of Minnesota: Biennial Report of the President and of the Board of Regents to the Legislature of the State of Minnesota, 1954–1956*, 159.
 - 13 Stein, *In Pursuit of Excellence*, 193 (quoting letter from William B. Lockhart to President James L. Morrill, Mar. 15, 1956, on file with the Presidents’ Papers, University of Minnesota Archives).
 - 14 Stein, *In Pursuit of Excellence*, 193 (quoting letter from President James L. Morrill to William B. Lockhart, May 3, 1956, on file with the Presidents’ Papers, University of Minnesota Archives).
 - 15 *Biennial Report of the President, 1950–52*, 150.
 - 16 *Biennial Report of the President, 1960–62*, 150.
 - 17 Helen S. Henton, “Recollections of Law School Days” (unpublished manuscript, Oct. 4, 1980): 4 (on file, University of Minnesota Law Library Archives).
 - 18 “Co-Counsel of the Month,” *Law School News*, Winter 1970, 8.
 - 19 “More Women,” *Law School News*, Winter 1973, 7.

🐉 THE AUERBACH YEARS 🐉
1972–1979



Carl A. Auerbach, 1963

CARL AUERBACH received his law degree in 1938 from the Harvard Law School. He held several governmental positions, culminating as General Counsel of the Office of Price Administration in Washington, D.C. He joined the faculty at Minnesota in 1961, hired to replace Kenneth Culp Davis as a distinguished scholar in administrative law. Appointed Dean in 1972, Auerbach was a prolific scholar in the areas of administrative law, civil rights, constitutional law, legal education, and law and the social sciences. Through his writings and associations, he worked to advance liberal thought and impact political and social issues, making him “one of the most overtly political of Minnesota’s deans.”¹

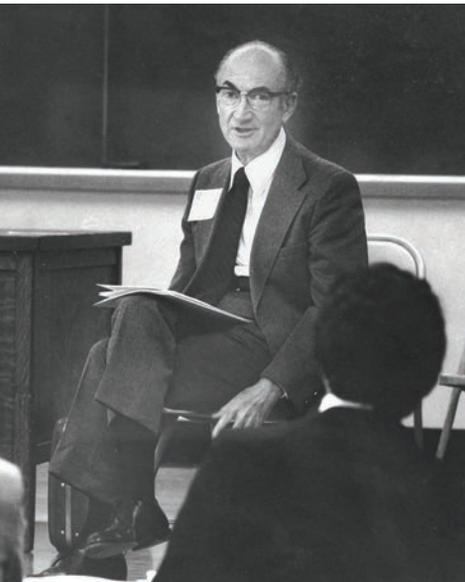
Dean Auerbach’s primary goal from the outset of his deanship was to procure funds for building a new Law School. The need for a new building had been articulated as early as 1962; in 1967 the Law School Planning Committee, chaired by Professor Auerbach, further emphasized the need in its report, “The University of Minnesota Law School in the Decades Ahead.”²

The Decades Ahead report served as a blueprint for the design of a new building and as a source for the school’s programmatic objectives well into the 1980s. Most important, the report, wrote Robert Stein (’61), was “predicated on the premise that the University of Minnesota Law School had been, was then, and should in the future remain among the most outstanding of the nation’s law schools.”³

The road to a new building was arduous. The 1969 campaign to secure funding was the first of five:

For . . . seven years the proposal [was] scrutinized, questioned, and modified. The fundamental issue, the need for new facilities, along with each successive decision in the formulation of the plan, [was] argued and reargued. Why the expansion to 1,000 students? Why plan for only 1,000 students? Why the improved student-faculty ratio? Why should the new law school be on the West Bank? Why couldn’t the law school simply expand into facilities already available? Must the law library also be moved?⁴

Carl Auerbach





Law faculty, 1972

Seated: Richard W. Swanson ('66), David P. Bryden, Donald G. Marshall, Joyce A. Hughes ('65), Carl A. Auerbach, William B. Lockhart, David L. Graven ('53), Ferdinand P. Schoettle, Bruno H. Greene. Standing: Charles W. Wolfram, Glen O. Robinson, Leo J. Raskind, Alan D. Freeman, Bart Koeppen, Robert Oliphant ('66), John A. Sebert, Stephen B. Scallen ('59), Allan H. McCoid, William Douglas Kilbourn, Edward H. Cooper, Loftus Becker, Robert A. Stein ('61), Robert F. Grabb, Robert E. Keeton, Thomas P. Lewis. Not pictured: John J. Cound, Stanley V. Kinyon ('33), Robert J. Levy, Joseph M. Livermore, David W. Louisell ('38), Robert C. McClure ('39), C. Robert Morris, Fred L. Morrison, Thomas L. Waterbury



Fred L. Morrison, ca. 1978

David S. Weissbrodt, ca. 1978





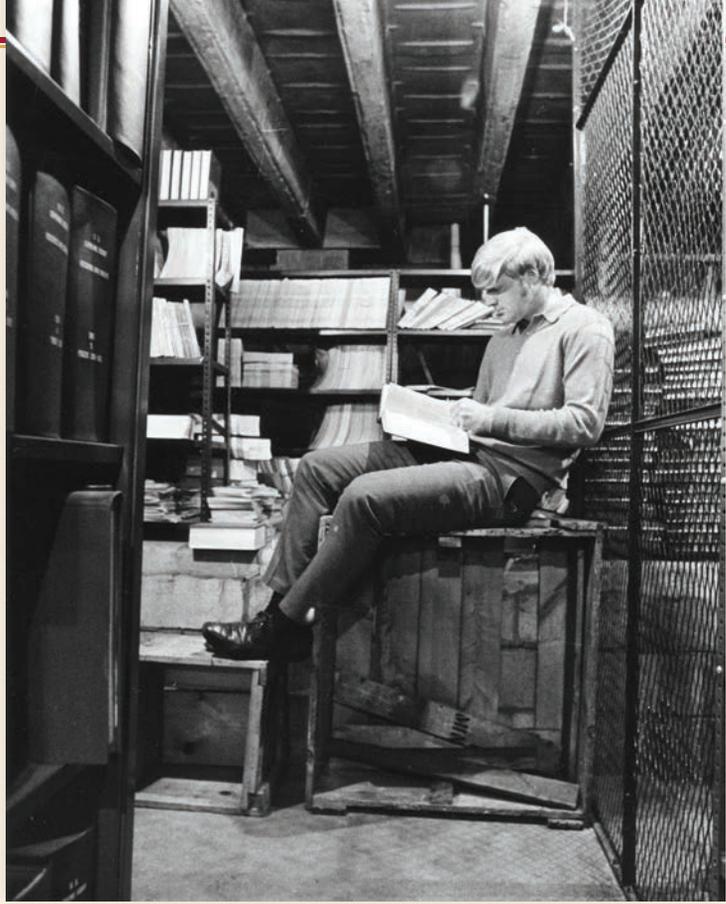
ROBERT STEIN noted that large classrooms were a “crippling byproduct” of the casebook method of teaching, in which lectures and discussion could often be accomplished with large classes.⁵ The Decades Ahead report proposed an increase in faculty to enhance individualized instruction in research and writing, advocacy instruction, and development of clinical programs.⁶

FRASER HALL—with its addition—was designed for 450 students. The Law School Building Committee, appointed by Dean Lockhart in 1967 and chaired by Professor Stein, recommended that the new building be designed to accommodate 1,000 students and 66 faculty members.

For the next seven years, as enrollment grew (reaching 750 in 1971), the Law School defended its position on the size of the building. However, in 1975, facing the prospect that the building appropriation would be stalled for yet another legislative session, the Law School accepted a compromise: The new building would accommodate 800 students and 45 faculty (thus eliminating a fifth floor).



Rottschaefer Lounge



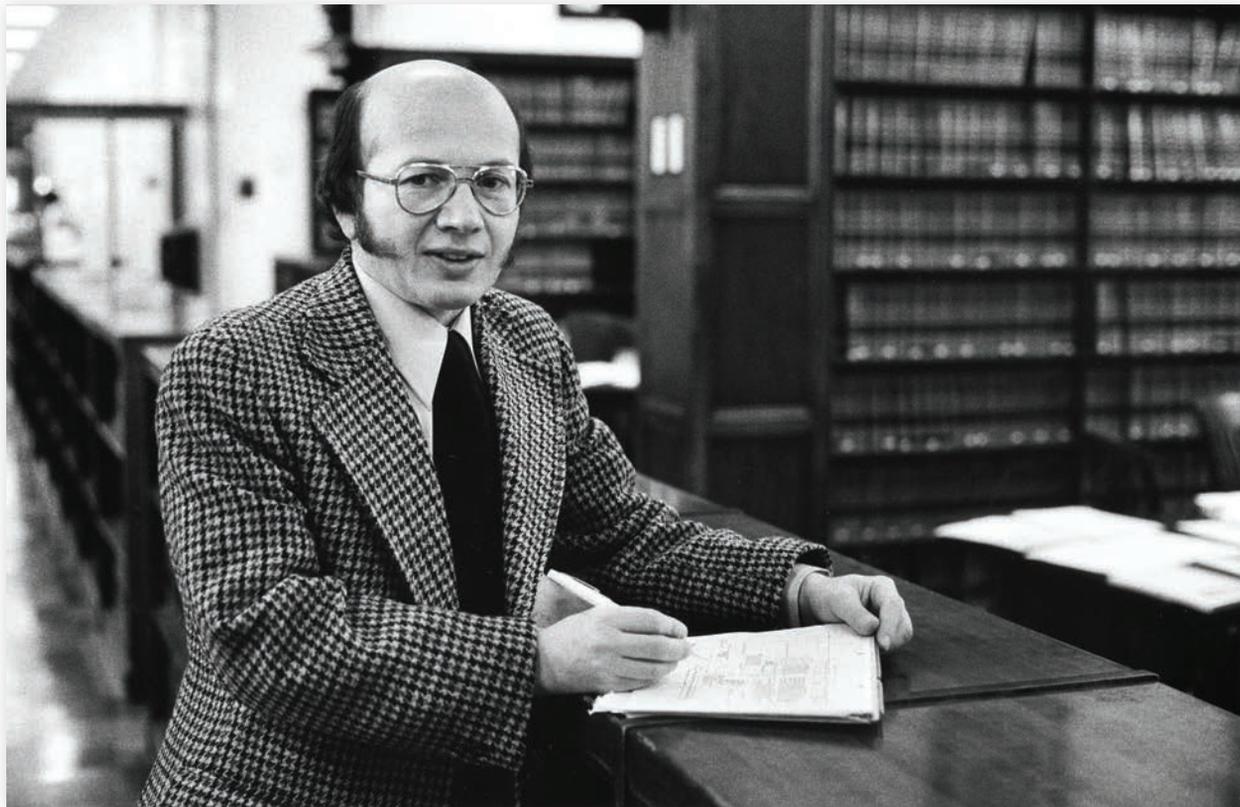
"Study space" in the basement of the Library, Fraser Hall

Law Library, ca. 1975



IN 1967 the Law Library was near to capacity with 300,000 volumes. In 1972 the Law Library had reached a “critical state”: the sub-basement was “jammed full” of books and seating was available for only 43 percent of the students.⁷

GEORGE GROSSMAN became the Library Director in 1973 during a period of sweeping change. His challenge was twofold: plan a new state-of-the-art facility and usher the Law Library into the age of technology. In 1978 the Library moved from Fraser Hall to the current building and was immediately heralded as one of the finest legal research facilities in the nation.



George Grossman, 1977

WITH FRASER HALL bursting at the seams, the Legal Aid Clinic relocated in the 1970s to a building constructed during World War II and considered so temporary it was known simply as “Temporary North of Mines.” The role of clinical education in the curriculum was highly controversial, particularly with regard to the status of clinical faculty. Should clinical faculty be hired to work solely in the clinic or should they be professors who, in addition to regular classroom and scholarly responsibilities, also worked in the clinic? The question was answered for the time being by the appointment of Robert Oliphant ('66) as the first permanent full-time clinical professor in 1972 and Roberta K. Levy ('64) as the second full-time clinical professor in 1975. Both assumed classroom and clinical responsibilities.



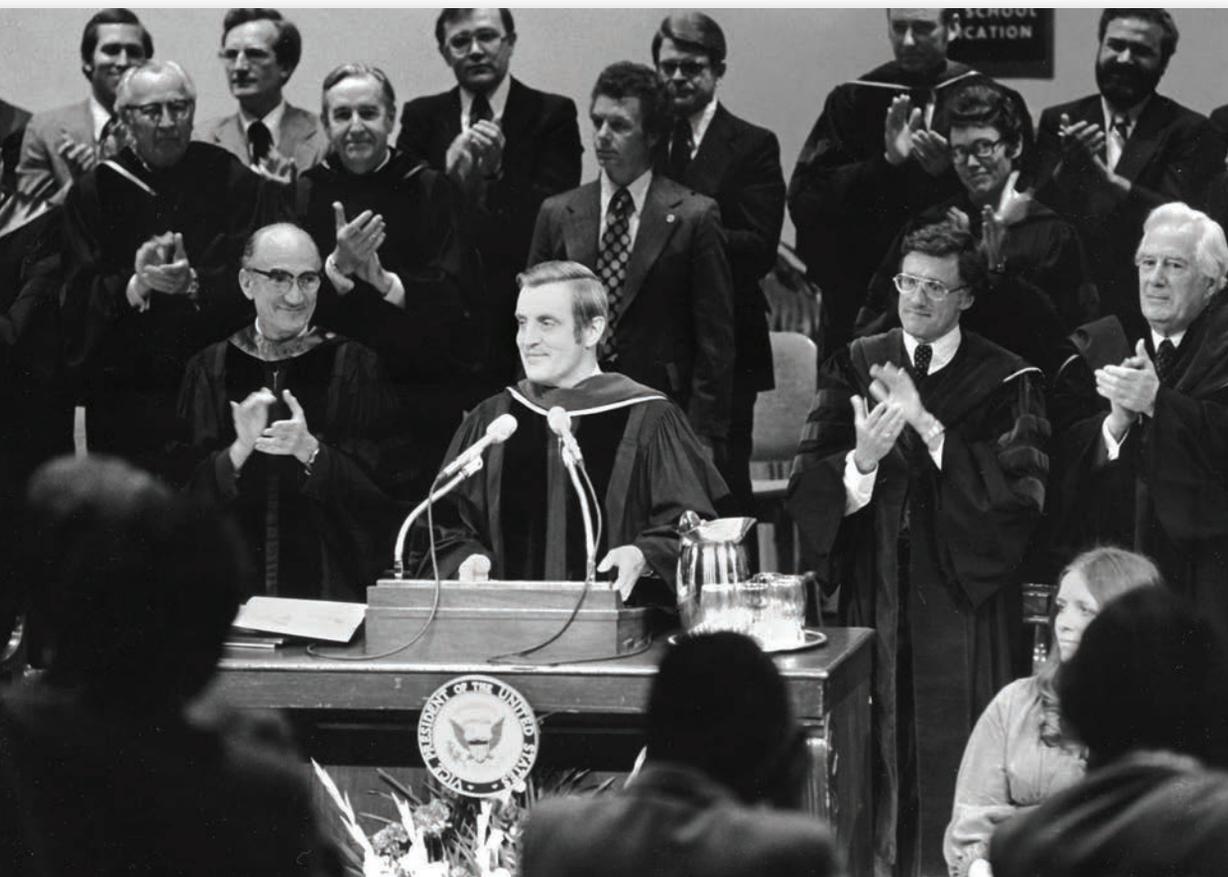
On June 4, 1975, Governor Wendell Anderson ('60) signed the appropriations bill for the new building into law

*Seated: Governor Wendell Anderson ('60), Dean Carl Auerbach
Standing: Stanley Kegler, U of MN; Harold W. Chase, U of MN; Michael J. Hoover ('74), Law School Council President; Elmer L. Andersen, Chair, Board of Regents; Professor Robert A. Stein ('61); Robert J. Tennesen ('68), Minnesota Senate*

Construction site, 1977

*Dean Auerbach,
Peter Dorsey,
Julius Davis ('36)*



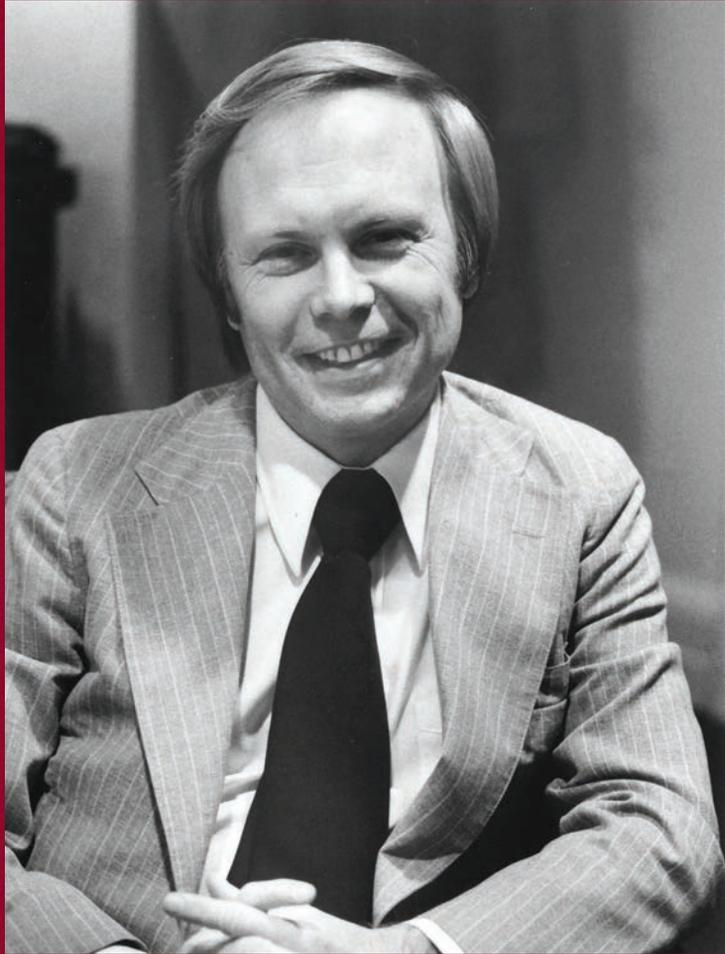


*Dedication, New Law
Building, April 4, 1978*

*Dean Auerbach, Vice Pres-
ident Walter F. Mondale
(’56), U of MN President
C. Peter McGrath, U.S.
Supreme Court Chief Jus-
tice Warren E. Burger*

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- 1 Robert A. Stein, *In Pursuit of Excellence: A History of the University of Minnesota Law School* (St. Paul: Mason, 1978), 273.
 - 2 “The University of Minnesota Law School in the Decades Ahead: A Report to the President of the University of Minnesota,” Dec. 6, 1967.
 - 3 Stein, 279.
 - 4 *Ibid.*, 296.
 - 5 *Ibid.*, 282.
 - 6 “The University of Minnesota Law School in the Decades Ahead,” 20–23.
 - 7 “Law School Building Project: Update Report,” June 23, 1972: 2–3

🐣 THE STEIN YEARS 🐣
1979–1994



Dean Robert A. Stein, ca. 1979



Robert A. Stein, William B. Lockhart, Maynard E. Pirsig, 1987

ROBERT STEIN received his undergraduate degree from the University of Minnesota and his J.D. degree, summa cum laude, from the University of Minnesota Law School in 1961. After three years in private practice, he joined the Law School faculty in 1964. Robert Stein is a gifted teacher and a prolific scholar, nationally recognized in the areas of property law, decedents' estates and trust law, and estate planning. From 1976–1977, he served as Associate Dean of the Law School, and from 1977 through 1980, he served as Vice President for Administration and Planning for the University of Minnesota. As chair of the Building Committee for the new law center, he played a pivotal role in legislative approval for the project and completion of the building in 1978. In 1979, Robert Stein became the seventh dean of the University of Minnesota Law School.





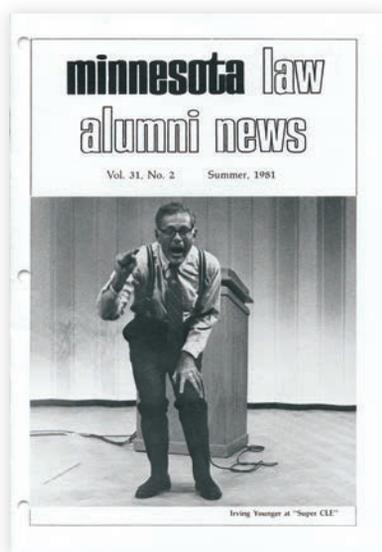
Law School faculty, 1980

Seated: Allison Dunham, Robert C. McClure ('39), Carl A. Auerbach, Robert A. Stein ('61), Thomas L. Waterbury, John J. Cound, Ferdinand P. Schoettle Jr. Row 2: Leo J. Raskind, Susan A. Short ('77), Kathryn J. Sedo, David S. Weissbrodt, Laura J. Cooper, Alan D. Freeman, M. Kathleen Price, Barry C. Feld, Arlette M. Soderberg, Vera Carlsson, Joseph Levstik, Alex M. Johnson Jr., Charles W. Wolfram

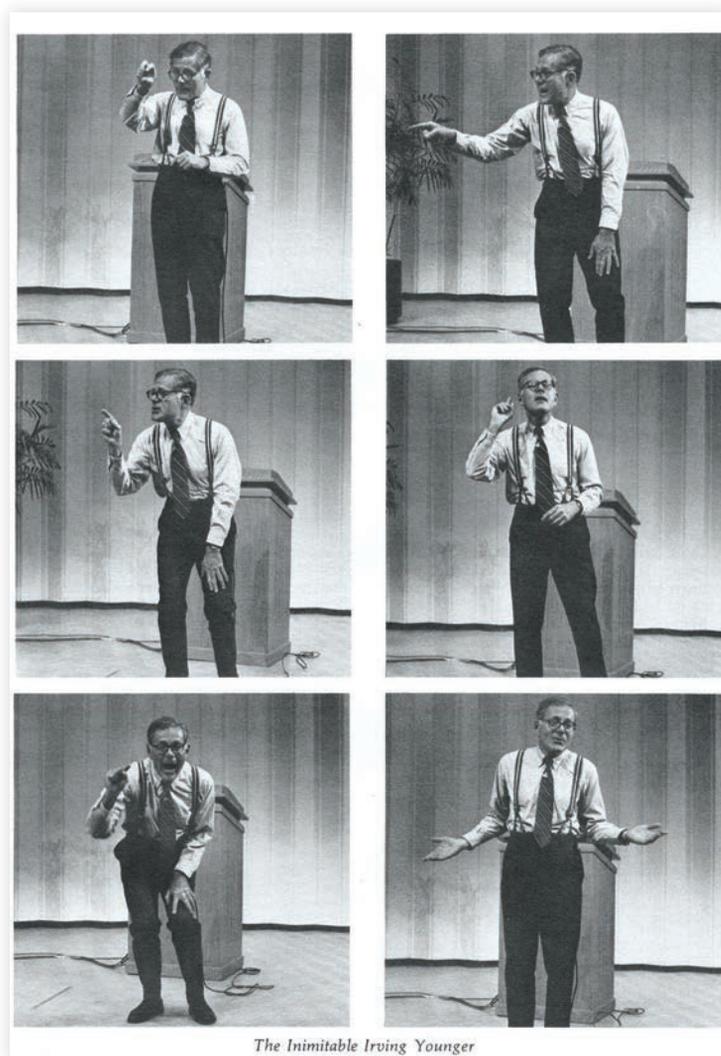
Row 3: Robert F. Grabb, Jane A. Kammerman ('75), Thomas L. Hamlin, Jon M. Hopeman ('76), Richard S. Frase, Steven S. Nemerson, Fred L. Morrison, Donald G. Marshall, Roger C. Park, K. Bart Koeppen, Stephen S. Dunham, Robert J. Levy. Not pictured: Barbara Ann Banoff, David P. Bryden, Robert E. Hudec, Wm. Douglas Kilbourn, C. Robert Morris, Stephen R. Munzer, Stephen B. Scallen ('59)

DEAN STEIN was enormously talented at faculty recruitment. Professor Edward Adams notes:

A profound milestone which typified successful faculty appointments during Stein's tenure was reached in 1982 when the Law School hired five new permanent faculty members. The hiring of these five professors, Professor Suzanna Sherry, Professor John Matheson, Professor Catharine MacKinnon,



Irving Younger



The Inimitable Irving Younger

*Professor Ann Burkhart, and Professor Stephen Befort ['74], was such a coup that Dean Stein wrote in his letter to the alumni, 'It has been such a great source of pleasure for me to receive calls from law school deans around the country who, noting Minnesota's success, have said this appears to have been Minnesota's year.'*¹

ONE OF DEAN STEIN'S many successes was the recruitment in 1984 of Irving and Judith Younger—a “nationally renowned legal superstar team.”²

IN 1979 Laura Cooper became the first tenured female law professor in the school's history. At the time she said, “I feel a part of the institution, but it would be a different and better institution if there



*Justice Rosalie E. Wahl
and Laura J. Cooper, 1987*



*John S. Pillsbury Jr. ('40)
becoming acquainted with
new technology at the
Law School in 1985, with
William T. Hedeem ('48),
Curtis B. Kellar ('40) and
Dean Stein*

were more tenured women on the faculty.”³ Dean Stein was committed to achieving a diverse faculty, understanding that “life is enhanced by difference and that justice requires an open heart.”⁴ His efforts were successful; by 1994, there were eleven women tenure-track faculty members, making up 29 percent of the total faculty.

DEAN STEIN was equally committed to hiring minority faculty. “Under his leadership,” wrote Professor Adams, “the white, male-dominated faculty landscape was dramatically transformed.”⁵ Several professors from diverse backgrounds were recruited by Dean Stein, including Alex Johnson, Gerald Torres, Carl M. Warren (’75), Jim Chen, John A. Powell, and Karen A. Brown, increasing the number of diverse tenure-track faculty from none to 11 percent.

INCREASING FINANCIAL SUPPORT through the *Partners in Excellence* campaign was one of Dean Stein’s key goals during his tenure. The school’s endowment increased from approximately \$3 million in 1979 to \$40 million by 1994.⁶ *Partners in Excellence* supported faculty summer research grants, clinical education, law journals, international programs, and financial aid—in short, it made possible the achievement of Dean Stein’s vision of making the Law School “the best that it could be.”⁷



Stephen F. Befort (’74), Director of the Clinic program from 1982–2003

DEAN STEIN'S SUCCESS in engaging alumni in the life of the school—through his semi-annual letter, alumni trips, and special events—was emulated by deans throughout the country. James P. White, professor of law at Indiana University, reported that “soon after Dean Stein assumed his deanship, American legal educators began to notice the steady and quite spectacular growth in annual giving at the University of Minnesota Law School. ‘How does he do it? What are his secrets? How can we learn from him?’ his fellow deans asked.”⁸

THE LAW SCHOOL'S CLINIC PROGRAM grew dramatically during Dean Stein's tenure “from a tiny poverty law office [in 1968] to a large and integral part of the Law School curriculum.”⁹ By 1994 the school had fifteen clinics.



Ma Rongjie with Deans Robert Stein, Carl Auerbach, William Lockhart, and Maynard Pirsig, December 1982

IN THE FALL OF 1981 the Law School welcomed Ma Rongjie as a visiting professor teaching courses on the Chinese legal system and comparative law. Ma Rongjie was a graduate of the first law class in the People's Republic of China following the revolution. He became one of China's most prominent criminal lawyers, most notably in his defense of the Gang of Four in late 1980.

AN ERA in the Law Library came to an end with the retirement of Arlette Soderberg, reference librarian from 1946–1983. She had, “in the best sense of the word,” become an institution, wrote Dean Stein in a tribute:

One day shortly after we moved into the new Law School Building, one of our more illustrious graduates was showing the new building to his wife. When he came to the Reference Office he greeted Arlette and said to his wife, “This is Arlette Soderberg. . . . Without her help I would have never made it through the first year.” Arlette was polite and gracious, but in later recounting the visit to a colleague, she noted that the visitor had graduated seven years before she began working at the Law School. It is one thing to be remembered by your students, it is quite another to be remembered so fondly by students you never had.”¹⁰

Arlette Soderberg, 1983

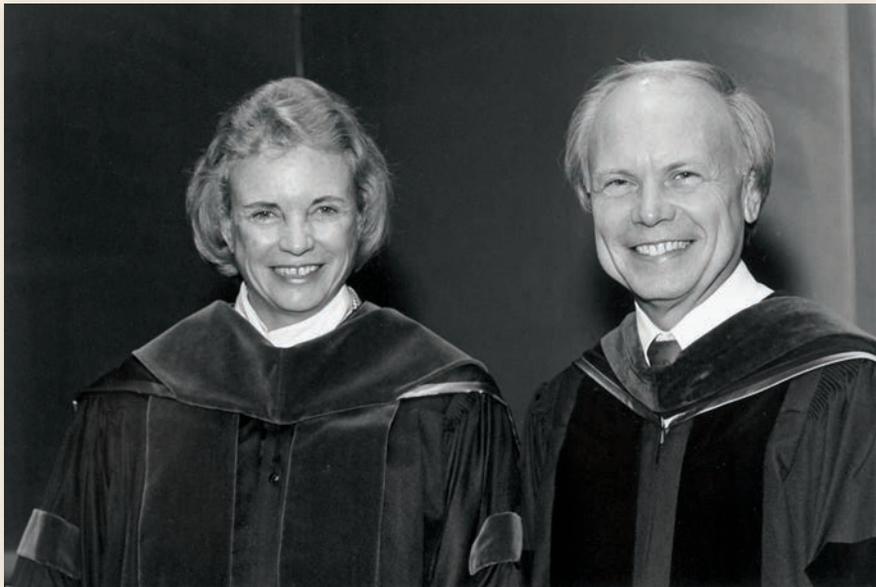




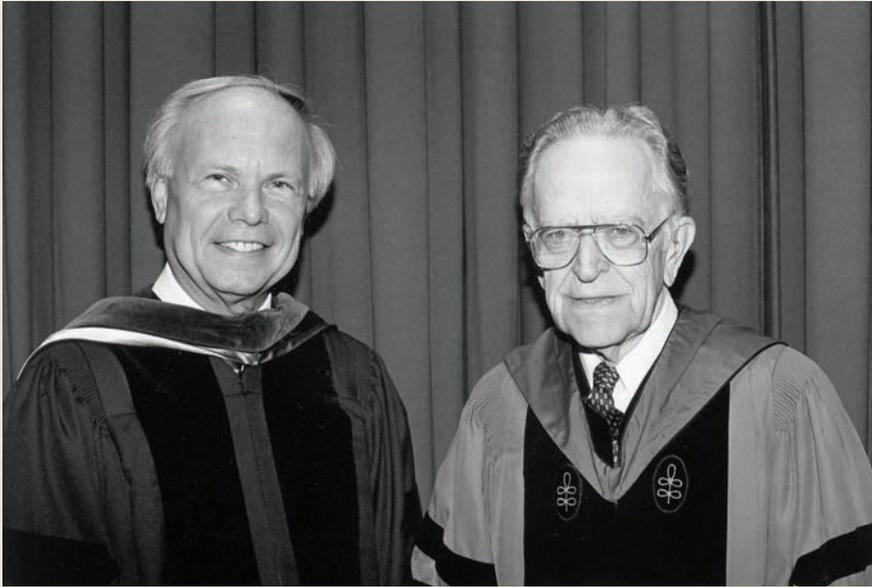
*Associate Justice William
H. Rehnquist, 1984 (became
Chief Justice in 1986)*



Chief Justice Warren E. Burger with Dean Stein, 1986



Justice Sandra Day O'Connor with Dean Stein, 1987



Justice Harry A. Blackmun with Dean Stein, 1991



Justice Anthony M. Kennedy, 1991



University of Minnesota
Law School Centennial
celebration, October 1988

Tonight, on this joyous occasion, with the largest gathering of Law School graduates and friends in the history of the School, with the greatness of our Law School represented so brilliantly by the remarkable achievements of the people in this room, let us commit ourselves to continuing our dedicated pursuit of excellence into our second century.

Honored guests, faculty, students, graduates, and friends of the Law School, please raise your glass with me. I offer a toast to the Law School. As we enter our second century, may our star continue to shine as brightly as it does tonight.¹¹

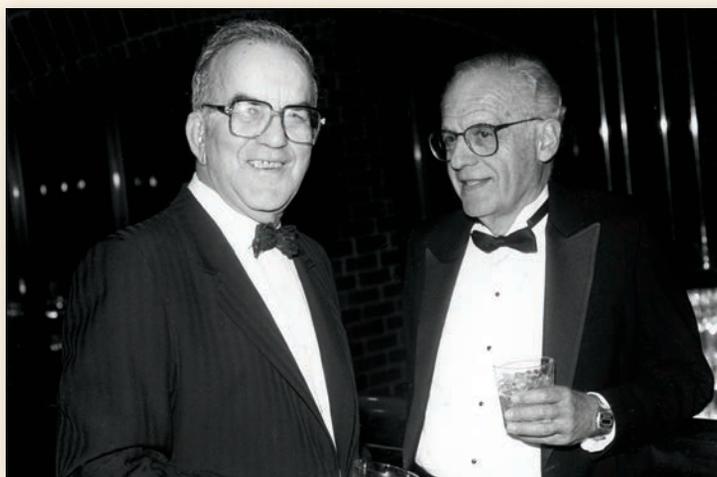


Vice President Walter F. Mondale ('56) and Dean Stein



Professor Gerald Torres

*Judge Myron H. Bright
(’47) and Professor
Leo J. Raskind*



*Julius E. Davis Chair in Law in 1989, Gerald Torres, with past recipients
Front: Steve Nickles, David S. Weissbrodt, Mrs. Julius “Babe” Davis,
Laura J. Cooper, Barry C. Feld, Robert J. Levy. Back: Richard S. Frase,
Daniel J. Gifford, Gerald Torres, Roger C. Park (the first Davis chair
recipient, appointed in 1980)*

THE JULIUS E. DAVIS CHAIR in Law was the Law School's first endowed chair, established in 1979 in memory of Julius Davis ('36).



*Mary Louise Fellows
with Arvonne and Donald
Fraser ('48), 1990*

IN 1990 Professor Fellows was named the first Everett Fraser Professor of Law. She is the first woman to hold a permanent appointment to an endowed chair at the University of Minnesota.

FACULTY RETENTION was one of the school's biggest challenges throughout the 1950s, 60s, and 70s. When Stein became Dean the school had no endowed chairs. By 1994 there were 28. Only one tenure-track faculty member left the school permanently while Dean Stein was at its helm; from 1981–1994, which encompasses all but two years of his deanship, no faculty members left despite offers from several prestigious schools.



Edith Powers Wargo ('38) with Dean Maynard Pirsig on his 90th birthday, 1992

LEX ALUMNAE, an organization of women graduates of the Law School, was established in 1981 by Edith Powers Wargo ('38). By the time of her death in 2006, Lex Alumnae had become the largest active organization of women law alumni in the nation.¹²



M. Kathleen Price, 1987



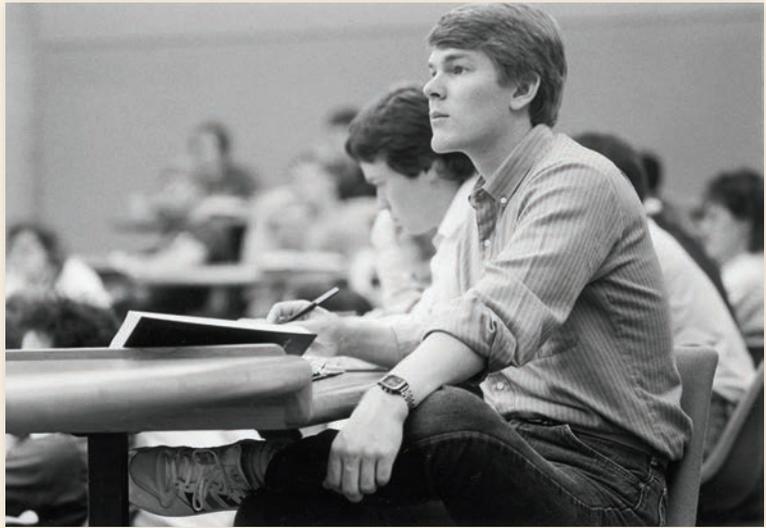
Joan S. Howland, 1992

IN 1994 the Law Library was ranked as the sixth largest law library in the country. M. Kathleen Price, who assumed the directorship in 1980, expanded the Library's technological capabilities by introducing the online public access catalog. Joan S. Howland was appointed Director in 1992. Under her leadership, the Library continued to develop its excellent services and strong collection, integrating both print and digital resources.

DEAN STEIN made great strides in diversifying the student body. During his deanship, women in the entering class rose from 34 percent to 47 percent, and students identifying themselves as persons of color rose from 4 percent to 21.5 percent.



Commencement 1993



Students



Law School faculty, 1994

Seated: John H. Matheson , Karen C. Burke, Philip P. Frickey, Suzanna Sherry, Ann M. Burkhart, Robert A. Stein ('61), Daniel A. Farber, David S. Weissbrodt, Carol L. Chomsky, Jim Chen

Row 2: Laura J. Cooper, Betsy Baker, Russell Burris, Judith T. Younger, John J. Cound, Vanne O. Hayes ('84), Ferdinand P. Schoettle, Jr., Barry C. Feld, Joan S. Howland, Daniel J. Gifford, Susan M. Wolf, C. Robert Morris, Sharon L. Reich

Row 3: Richard S. Frase, Tahirih V. Lee, Steve H. Nickles, Robert J. Levy, Edward S. Adams, Donald G. Marshall, Carl M. Warren ('75), Fred L. Morrison, Steven D. Penrod, Robert E. Hudec

Not pictured: Stephen F. Befort ('74), Karen B. Brown, David P. Bryden, Mary Louise Fellows, Wm. Douglas Kilbourn, Jr., Bart Koeppen, Roger C. Park, Michael S. Paulsen, Michael H. Tonry

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- 1 Edward S. Adams, “In Pursuit of Excellence—A History of the University of Minnesota Law School, Part VII,” *Minnesota Law Review* 82 (1997–98): 1534–36.
 - 2 *Ibid.*, 1536.
 - 3 “Cooper: First Woman to Receive Tenure at University Law School,” *Minnesota Law Alumni News*, winter, 1980: 3.
 - 4 Fred L. Morrison, “A Tribute to Dean Robert A. Stein,” *Minnesota Law Review* 80 (1995–96) (tribute by Trina Grillo): 8.
 - 5 Adams, 1543.
 - 6 *Ibid.*, 1532.
 - 7 *Ibid.*, 1533 (quoting University of Minnesota press release, Mar. 3, 1980).
 - 8 Morrison, 27.
 - 9 “Clinical Program,” *Law Alumni News*, spring, 1993: 4.
 - 10 Robert A. Stein, “Arlette M. Soderberg: A Tribute on Her Retirement,” *Minnesota Law Review* 67 (1982–83): xvi.
 - 11 Remarks of Dean Robert Stein, *University of Minnesota Law School Centennial Celebration, 1888–1988: Remarks of the Centennial Speakers, October 6 and 7, 1988*: 1.
 - 12 Corrine Charais, “Edith Wargo,” *Perspectives* (spring 2007): 55.

🦉 THE SULLIVAN YEARS 🦉
1995–2002



Dean E. Thomas Sullivan, 2002

ON JULY 1, 1995, E. Thomas Sullivan became the eighth Dean of the University of Minnesota Law School and the second William S. Pattee Professor of Law. E. Thomas Sullivan graduated magna cum laude from Indiana University Law School in 1973, where he served as Articles Editor of the *Indiana Law Review*. After serving as a law clerk to a federal district judge in Miami, Florida, he worked as a trial attorney in the Criminal Division of the United States Department of Justice in Washington, D.C. He then practiced at Donovan, Leisure, Newton, and Irvine in Washington, D.C., specializing in antitrust and trade regulation. E. Thomas Sullivan began his teaching career in 1979 at the University of Missouri-Columbia. He went on to serve as Associate Dean at Washington University Law School in St. Louis and then Dean of the University of Arizona College of Law. He is a nationally recognized authority on antitrust law and complex litigation.

SOON AFTER assuming his new position Dean Sullivan would play an instrumental role in the “Tenure Wars,” a fierce battle between



E. Thomas Sullivan with Students

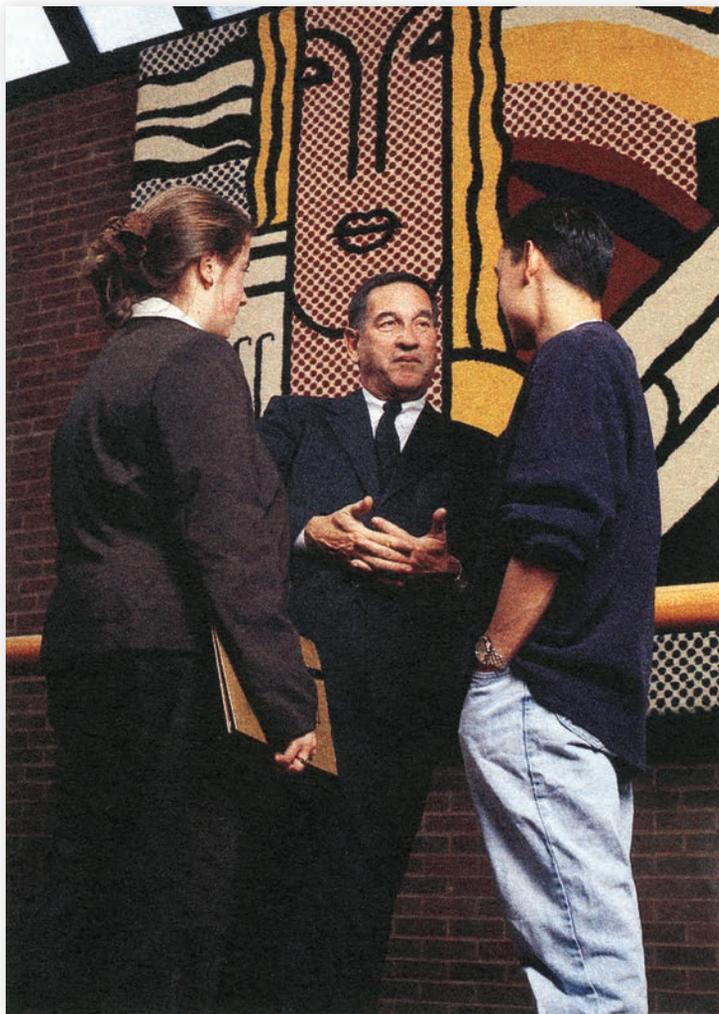


Julius E. Davis Chair in Law, 2000: Jim Chen, with past recipients and Dean Sullivan

Left to right: David S. Weissbrodt, Daniel A. Farber, Stephen F. Befort ('74), Richard S. Frase, Dean Sullivan, Mrs. Julius "Babe" Davis, John a. powell, Jim Chen, Daniel J. Gifford, Laura J. Cooper, Michael Stokes Paulsen

the University of Minnesota faculty and the Board of Regents over proposed changes in tenure. According to Professor Edward Adams, many faculty members considered the Regents' proposals "a direct assault upon traditional faculty ideals."¹ The high-stakes confrontation, which started in the fall of 1995, was "the first major battle in a new national controversy over academic status."² Dean Sullivan's compromise—"a system of 'shared risk'"—was well received by both sides and was nationally considered "trail-blazing" work in tenure change.³

SHORTLY AFTER assuming the deanship, Dean Sullivan laid out an ambitious agenda for the Law School, summarized in a seven-point plan. His first goal was to recruit and retain outstanding scholars and teachers. “Great law schools,” he wrote, “are made when there are great faculty teaching bright students and when there is a community of scholars advancing, through research, important new legal theories



Elliot S. Kaplan ('61) with students

and ideas.”⁴ His plan for the school included increasing the quality and diversity of the student body; improving and expanding an integrated curriculum (combining theory, doctrine, ethics and practical skills); expanding interdisciplinary teaching, scholarship, and faculty appointments; expanding current and creating new Joint Degree Programs; promoting ethics and professionalism throughout the curriculum and Law School community; and increasing student support, student mentoring, and student advising.⁵

IN 1999 DEAN SULLIVAN launched the School’s capital campaign, “Campaign Minnesota: The Law School’s Next Century,” to assure that the Law School remained a leader in legal education. Elliot S. Kaplan (’61), chair of the campaign wrote: “The University of Minnesota Law School will be the first law school to offer a fully integrated curriculum, uniting theory and doctrine with skills and practice.”⁶

“Fundraising,” wrote Edward Adams, “was one of Dean Sullivan’s most celebrated attributes.”⁷

Campaign Minnesota’s \$30 million goal—considered a “stretch goal,” according to Elliot Kaplan—raised \$50 million and funded a major building addition; scholarship endowment (resulting in the creation of 32 endowed scholarships); and endowments for faculty, library, clinics, and technology. Campaign Minnesota was planned, launched, and completed during Dean Sullivan’s administration. Director of Development Martha A. Martin commented on the remarkable success of Campaign Minnesota:

*Dean Sullivan inspired confidence and vision in the hearts and minds of Law School alumni and friends. He dramatically elevated the philanthropic standard for the Law School. As public university law schools face heightened fiscal challenges in the years ahead, this culture will remain a deeply significant part of his far-reaching legacy to the University of Minnesota Law School and its continued eminence as one of the great American law schools.*⁸



Dedication of Walter F. Mondale Hall, May 17, 2001

Left to right: Dean Sullivan; Saumil Mehta, 2001-02 Law Council President; Elliot Kaplan ('61); U of MN President Mark Yudof; Walter F. Mondale ('56); President Jimmy Carter, Board of Regents Chair Patricia B. Spence



Dean Sullivan, Walter F. Mondale ('56), President Jimmy Carter



*Riesenfeld Rare Books
Research Center*

*Katherine Hedin, Curator,
with President Jimmy Carter*

ONE OF DEAN SULLIVAN'S visions was the construction of a rare books facility to house the Law Library's exceptional rare books collection, which he described as "an irreplaceable resource that needs an endowment to ensure its permanence as a resource for future legal scholars."⁹ The Riesenfeld Rare Books Research Center, built as part of the new addition in 2001, provides a secure and climate-controlled space for the Arthur C. Pulling Rare Books Collection and assures the preservation of these treasures for future generations.



*Riesenfeld Rare Books
Research Center*

DEAN SULLIVAN was a strong supporter of the Human Rights Center, established in 1988, and the Institute on Race and Poverty, established in 1993. Adams wrote that “from the start of his tenure, Dean Sullivan recognized the importance of strengthening these institutes. . . . He viewed the Law School not merely as a vehicle for gradu-





ating new attorneys, but as an institution of higher learning, offering students and professors the opportunity to make important contributions to society.”¹⁰

Three new research institutes were created during Sullivan’s administration: Kommerstad Center for Business Law and Entrepreneur-



*Clinical faculty, 2000:
Professors Stephen F. Befort
(’74), Jean M. Sanderson,
Carl M. Warren (’75),
Kathryn J. Sedo, Maury S.
Landsman, Beverly Balos
(’77)*



Bradley G. Clary, 2003

ship, Institute on Criminal Justice, and the Consortium on Law and Values in Health, Environment and Life Sciences.

A STRONG LEGAL WRITING PROGRAM was key to Dean Sullivan's vision of an integrated curriculum and to this end he recruited Professor Bradley G. Clary ('75) as a full-time legal writing director. He also created the position of Director of Lawyering Skills and appointed Professor Maury S. Landsman to provide leadership in the integration of skills such as counseling, interviewing, presentation, and negotiation into traditional courses. "The Dean really encouraged faculty to develop this pedagogical tool within each of their courses," Landsman said. "Without his support, this would have been a much more difficult task. Traditionally, these skills, other than legal analysis and legal writing, have not generally been valued by law schools."¹¹

DEAN SULLIVAN added four new clinics to Minnesota's nationally recognized clinical program. By 2002 the Law School had one of the country's most robust clinical programs, with eighteen clinics



Moot Court

and an average annual enrollment of 300 students. Professor Stephen Befort ('74), Clinical Director from 1982–2003, stated that the strength of the program “is directly attributable to the personal dedication and ingenuity of Tom Sullivan.”¹²

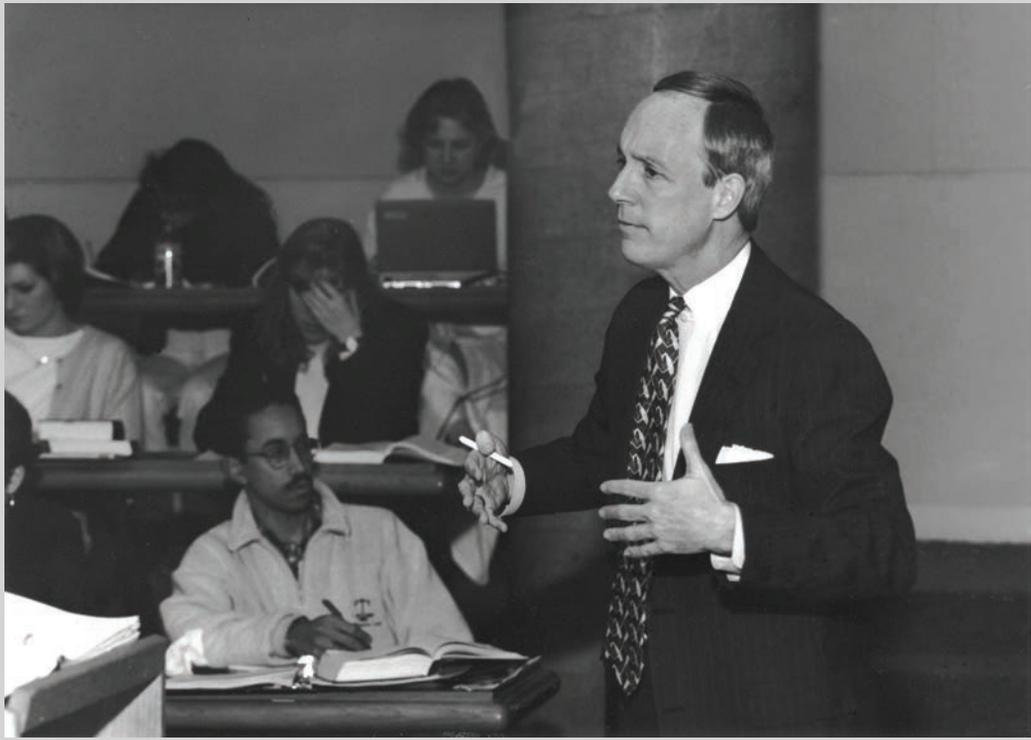
THE COVER of the Fall 1996 alumni magazine featured the president of the Law Council and the three editors-in-chief of the Law School’s student-edited law journals—the first time that all three journals were led by women editors. During the same year, 34 percent of the faculty and 46 percent of the students were women.



*Catherine Berg Stafford,
Melissa Weldon, Iris
Leibowitz Dori, and Sandra
Levitsky of the Class of 1997*



DEAN SULLIVAN was a dedicated supporter of public service and pro bono programs at the Law School. In 1999 he launched the Public Service Program, encouraging law students to perform 50 hours of voluntary, law-related public service during their time in school. The Program was initiated in partnership with William Mitchell and Hamline University law schools, the Minnesota State Bar Association, and the Minnesota Justice Foundation. The effort was the nation's first law school public service program to operate on a statewide basis.



JOINT DEGREE PROGRAMS flourished under Dean Sullivan. The establishment in 1999 of the Joint Degree Program in Law, Health & the Life Sciences, under the leadership of Professor Susan Wolf, was a major achievement, involving more than 300 faculty across seven disciplines from the University.

THROUGHOUT his deanship, Sullivan's enthusiasm for teaching remained undiminished. He taught each semester, and he consistently maintained an open-door policy for students. "I got into academia because I love teaching," he said.¹³ One of his priorities in designing the new addition was to make the Law School more "student-friendly," including appealing lounges and a café—named the Sullivan Café by the students.



Susan M. Wolf, ca. 1996



William Douglas Kilbourn Jr. with Linda Lokensgaard and Rosemary Rogers, upon his retirement in 1998 after 27 years on the law faculty. Professor Kilbourn specialized in tax law and was selected by the Class of 1998 as the Stanley V. Kinyon Teacher of the Year

SULLIVAN SOUGHT to “increase in quality and quantity student support, student mentoring, and student advising.” Some 60 percent of first-year students participated in informal academic support groups. “It’s very unusual,” said Meredith McQuaid (’91), Associate Dean of Students. “I don’t know of any other law school in the country that is doing this kind of thing.”¹⁴ In 1994 Meredith McQuaid was appointed Director of International and Graduate Programs. A year later, the Law School graduated its first “non-thesis” LL.M. class.



Robert Hudec, 1987

PROFESSOR ROBERT HUDEC taught at the Law School for 28 years before retiring in 2000. He was one of the founders of the study of international trade law and a leading authority on the World Trade Organization and its predecessor, the General Agreement on Tariffs and Trade.



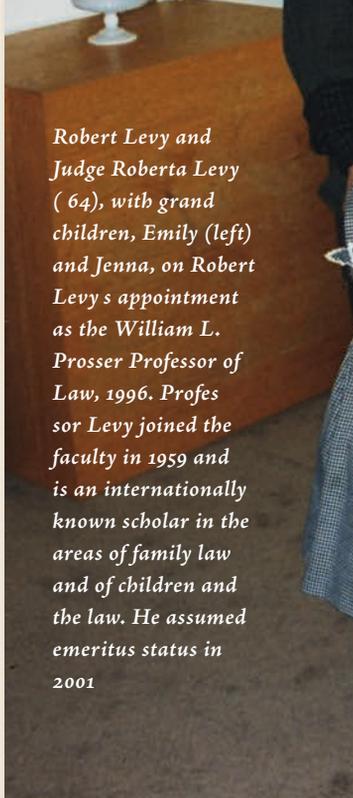
Robert Hudec and Marianne Hudec at “The Political Economy of International Trade Law,” a conference at the Law School honoring Hudec, September, 2000



John Cound with Dean Robert Stein ('61) and Dean Sullivan at his retirement, 1995. Professor Cound, a leading authority on civil procedure, joined the faculty in 1956



C. Robert Morris with Dean Sullivan and Sandra Morris at his retirement in 2000. Professor Morris joined the faculty in 1964 and is nationally recognized for his work in corporation law



Robert Levy and Judge Roberta Levy (64), with grand children, Emily (left) and Jenna, on Robert Levy's appointment as the William L. Prosser Professor of Law, 1996. Professor Levy joined the faculty in 1959 and is an internationally known scholar in the areas of family law and of children and the law. He assumed emeritus status in 2001



Professor David P. Bryden

PROFESSOR DAVID BRYDEN joined the faculty in 1966 and assumed emeritus status in 2001. He was the co-founder and editor of the faculty-edited journal *Constitutional Commentary* and is nationally recognized for his scholarship in the areas of constitutional law and land use planning. He drafted and lobbied for the Minnesota Wild and Scenic Rivers Act.

DEDICATION

The editors and staff members of the *Minnesota Intellectual Property Review* dedicate this inaugural issue to Dean E. Thomas Sullivan, whose support, encouragement, and guidance allowed this journal to come to fruition. The creation of this journal is one of the many advancements that Dean Sullivan has pioneered during his tenure at our law school. Dean Sullivan has guided a capital campaign to fund the construction of a new addition to the law school building. In addition, Dean Sullivan has enhanced the law school's curriculum by strengthening the clinical programs, developing the Intellectual Property program, and continuing to support the moot court teams. Despite the time commitment of guiding the law school's administration, Dean Sullivan's hallmark may be his accessibility. He teaches both an upper level antitrust class and the first-year civil procedure course. He maintains an unflagging interest in the well being of the student body.

Dean Sullivan has continued to foster the prestige of our law school. It is with great honor that we dedicate this inaugural issue to him.

*Minnesota Intellectual
Property Review dedica-
tion of inaugural issue to
Dean Sullivan*

THE MINNESOTA INTELLECTUAL PROPERTY REVIEW began in 2000 and was the first online law journal of the Law School. In the 2004 it became the Minnesota Journal of Law, Science & Technology.

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- 1 Edward S. Adams, "Dean E. Thomas Sullivan: Building a Stronger Foundation," *Minnesota Law Review* 88 (2003-04), 4-5. (quoting "How Do Observers Elsewhere View the Minnesota Tenure Struggles?" *St. Paul Pioneer Press*, Nov. 26, 1996, at 8A).
 - 2 Fred L. Morrison, "Tenure Wars: An Account of the Controversy at Minnesota," *Journal of Legal Education* 47 (1997): 369.
 - 3 Adams, 4-5.
 - 4 E. Thomas Sullivan, "Letter from the Dean," *The University of Arizona Law Record* (spring 1995): 1.
 - 5 Joel Hoekstra, "Duty Done: Dean E. Thomas Sullivan Steps Down After Seven Years of Accelerated Law School Growth," *Law Alumni News* (spring 2002): 32-33.

- 6 “Campaign Minnesota: the Law School’s next century.” [1999]
- 7 Adams, 18.
- 8 Adams, 20 (interview with Martha A. Martin, Apr. 24, 2002).
- 9 Katherine Hedin, “Seven Centuries of Law: A Celebration of the Rare Books Collection of the University of Minnesota Law Library,” *Law Alumni News* (fall 2000): 23.
- 10 Adams, 6.
- 11 Hoekstra, 33.
- 12 Adams, 16.
- 13 Hoekstra, 31.
- 14 Hoekstra, 33.

🍷 THE JOHNSON YEARS 🍷
2002–2006



Alex. M. Johnson, Jr., 2005



Celebrating the installation of Dean Johnson: Maureen Reed, Chair, Board of Regents; Alex M. Johnson, Jr.; Christine Maziar, Provost; and Robert H. Bruininks, President, University of Minnesota

ALEX JOHNSON received his law degree from the University of California, Los Angeles in 1978. After two years of practice with Latham & Watkins in Los Angeles, he took a leave to teach at the University of Minnesota Law School. In 1984, Alex Johnson was appointed to the faculty of the University of Virginia Law School and later served as Vice Provost for Faculty Recruitment and Retention. A prolific scholar, he is an expert in the areas of modern real estate, critical race theory, and legal education. In 2002 Alex M. Johnson, Jr. was installed as the ninth dean of the University of Minnesota Law School.

AT THE BEGINNING of his tenure Dean Johnson identified several priorities as important: recruit additional faculty to reduce the faculty/student ratio and provide a greater variety of courses; increase student diversity to recruit underrepresented students; increase scholarship funding to attract the best students; and obtain additional



resources to maintain the quality of “our world-class law library.”¹ But soon after assuming his new position, Dean Johnson faced tough economic realities caused by a state budget deficit that eliminated almost one-third of the Law School’s state support. This created “a financial environment more demanding than that of previous eras.”²

Despite financial pressures, under Dean Johnson’s leadership, the Law School made great strides in several key areas. One of Dean Johnson’s goals was to increase the size of the faculty—“in order to provide a deeper curriculum with smaller classes”—but this was initially “imperiled” by the cuts in state funding.³ However, deft management of the decline in funding combined with strategic recruiting efforts were so successful that by 2006 the faculty had grown to one of the largest in the country, the student-to-faculty ratio was reduced, and a broader variety of courses were available to students.⁴

Julius E. Davis Chair in Law, 2004, Oren Gross and Bradley C. Karkkainen with past recipients and Dean Johnson

Front (left to right): John H. Matheson, Mrs. Julius “Babe” Davis, Ann M. Burkhart, Stephen F. Befort

Back: Daniel J. Gifford, Robert J. Levy, Oren Gross, Susan M. Wolf, Barry C. Feld, Alex M. Johnson, Jim Chen, Laura J. Cooper, Bradley Karkkainen, Richard S. Frase, Michael Stokes Paulson

IN THE COURSE of making more lateral hires than the Law School had seen in a decade, Dean Johnson recruited several leading scholars with expertise in criminal law, environmental law, intellectual property, and international law. Additionally, successful faculty recruiting enabled the school to “strengthen and expand its joint degree programs, create new student concentrations, add new institutes and centers, and offer a corporate internship to students.”⁵ “Due to [Dean Johnson’s] efforts,” said Professor Guy-Uriel Charles, “we now have one of the best criminal law faculties in the country; we have one of the best corporate faculties in the country; we have one of the best IP faculties in the country; and we have one of the best public law faculties in the country.”⁶

DEAN JOHNSON also focused his energies on enhancing the diversity and academic strength of the student body. Throughout his career,

*Dean Johnson
with Students*



In 2005 Professor David S. Weissbrodt was appointed as the first Regents Professor at the Law School. The Regents Professorship, established in 1965, is the highest recognition given by the University to a member of its faculty



Dean Johnson has demonstrated a deep commitment to diversity. As a prominent legal scholar and the first African American dean of a top twenty law school, he is an important leader in this effort. According to Professor Ruth Okediji, “In so many respects, Johnson has been an inspiration to the entire legal community, and especially to scholars of color . . . Having his career as a role model is something that many, many scholars of color take seriously and find greatly encouraging.”⁷

DEAN JOHNSON’S tireless fundraising efforts enabled the Law School to continue to grow. In 2006 the school set a new record for gifts in a non-capital campaign year. Significantly, the Law School was able to maintain its high national ranking with other top schools despite financial pressures.

DURING DEAN JOHNSON’S ADMINISTRATION, the Law School expanded study exchange programs and encouraged students to pursue study abroad opportunities with established exchange programs in France, Germany, Ireland, the Netherlands, Spain, and Sweden.



One of Dean Johnson's most exciting initiatives was the Law School's work to establish an LL.M. Program in American law in Beijing. The program was a partnership between the Law School and the China University of Political Science and Law. The program, said Associate Dean Meredith M. McQuaid, will be "the first of its kind in China offered by an American law school." Dean Johnson also supported law students studying abroad in China by reviving a summer study program in China in 2006. Dean McQuaid stated, "Dean Johnson put his money where his mouth is about getting involved in Asia."⁸

IN ADDITION to academic programs, Dean Johnson supported other student-focused initiatives and community building activities. The Annual Race for Justice Fun Run/Walk was established in 2003 to support the Loan Repayment Assistance Program (LRAP) of Minnesota, which helps new attorneys provide legal assistance to low-income clients by subsidizing education debts. The Race draws participants from throughout the Twin Cities legal community. The Law School musical theater group, Theatre of the Relatively Talentless (TORT), was established in 2002 to provide a venue for annual productions that are writ-

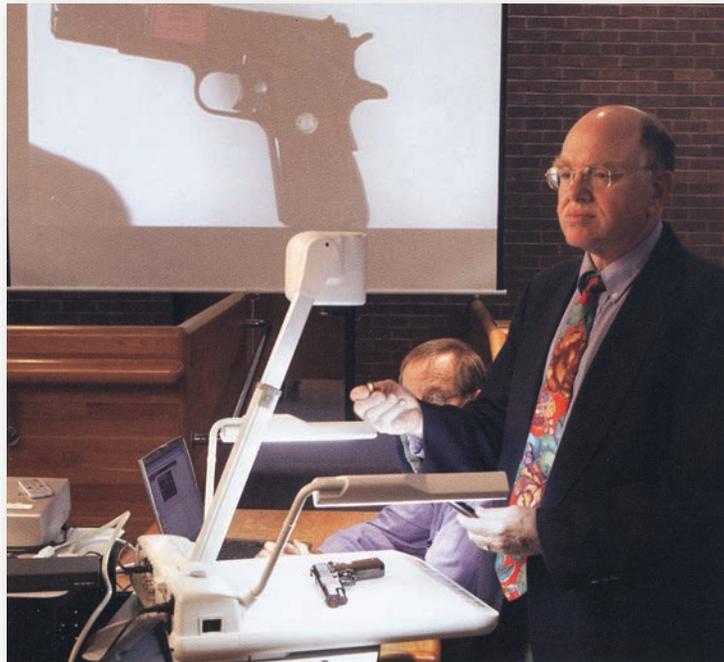
LAW CLINICS



Clinics

ten, produced, and performed entirely by University of Minnesota law students. In April 2003, Dean Johnson and the Library collaborated on a celebration of the opening day of the baseball season with food, drinks and prizes. This has become a popular annual celebration held every April in the Law Library.

IN 2003 the Law School's clinics received a half-million dollars for renovation, creating "the finest clinical space in the country."⁹ According to Professor Carl M. Warren, students engaged in clinical work "aren't just learning how to do things. They're learning how to be. They are looking at moral and ethical issues. They're learning how to deal with angry attorneys and untruthful clients in a productive way. They are figuring out what it means to be a person and a lawyer of integrity. There's no way to learn those things in the classroom."¹⁰



Stephen M. Simon

In 2004 the Law School's trial practice program was improved with the installation of new courtroom technologies including a high-resolution image camera. "Sometimes," explained Professor Simon, a picture is "worth 10,000 [words] . . . You can't hand a gun to jurors to examine. . . .You have to tell them what you want them to know or you have to show them. Visuals are much more accurate and powerful."¹¹

On October 22, 2004, the Law Library celebrated the acquisition of its millionth volume, *The Papers of Clarence Darrow*: letters, manuscripts and documents pertaining to the eminent American lawyer Clarence Darrow. Preserved by Darrow's direct descendants, this collection of letters and documents had remained inaccessible to scholars and researchers since Darrow's death in 1938. This acquisition established the University of Minnesota as the nation's premier repository of Clarence Darrow material.



Associate Dean Joan S. Howland, holding a letter from John Scopes to Clarence Darrow

“A case can be made that the Law Library is the educational and intellectual center of the Law School. It is the one place where faculty, students, alumni and staff meet as equals in their search for information and knowledge. It is the one indispensable facility in the Law School. Can you imagine a world-class law school without a law library? I cannot.”¹²

PROFESSOR DONALD G. MARSHALL retired in 2005. An expert on torts and evidence, Professor Marshall was an exceptional teacher and was honored with the Stanley V. Kinyon Teaching Award in 1983, 1989, 1991, and 1995. In 1995, he was appointed as the first Law Alumni Distinguished Teacher.

Dean Johnson and Governor Tim Pawlenty ('86)

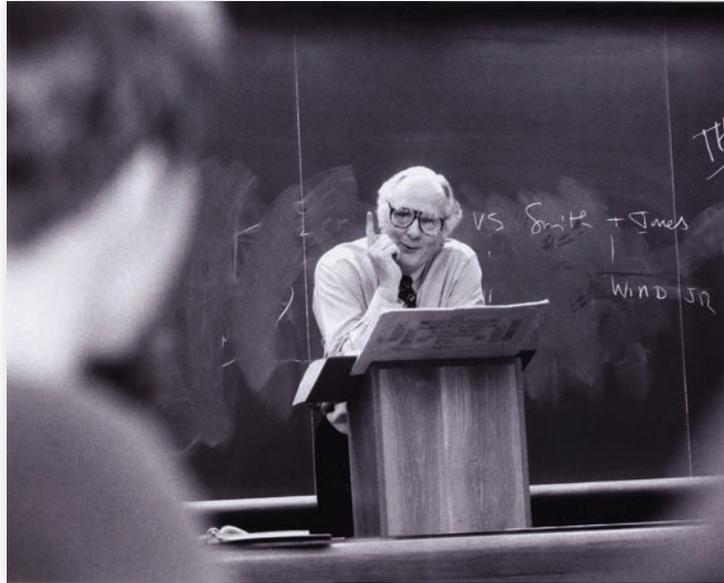




Judge John R. Tunheim ('80), Dean Johnson, and Justice Alan Page ('78), Race for Justice, 2004



Professor
Donald G. Marshall



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- 1 Joel Hoekstra, "Agent for Change," *Law Alumni News* (fall/winter 2003): 25.
 - 2 Edward S. Adams, "Continuing the Path to Excellence: University of Minnesota Law School Dean Alex M. Johnson, Jr.," *Minnesota Law Review* 91 (2006–07): 23.
 - 3 "Dean's Perspective," *Law Alumni News* (spring 2003): 1.
 - 4 Adams, 16.
 - 5 *Ibid.*, 17.
 - 6 Leslie Watson, "forward Momentum: Reflections on the Legacy of Dean Alex M. Johnson, Jr.," *Perspectives* (spring 2006): 59.7 *Ibid.*
 - 8 Edward S. Adams, "Continuing the Path to Excellence: University of Minnesota Law School Dean Alex M. Johnson, Jr." *Minnesota Law Review* 91 (2006–07): 23.
 - 9 "Dean's Perspective," *Law Alumni News* (fall 2003): 1.
 - 10 Meleah Maynard, "The Human Face of Legal Education," *Law Alumni News* (spring 2004): 28–29.
 - 11 Maynard, "Hi-Tech Justice," *Law Alumni News* (spring 2004): 32.
 - 12 "Dean's Perspective," *Law Alumni News* (fall 2004): 1.

☞ MORRISON AND CHARLES ☞
INTERIM DEANS
2006–2007



Dean Fred Morrison and Dean Guy Uriel E. Charles



Dean Charles and Associate Dean Howland with students

GUY-URIEL E. CHARLES AND FRED L. MORRISON served as interim co-deans beginning in 2007. A renowned scholar of international law and comparative public law, Professor Morrison received his advanced degrees from Oxford and Princeton, his law degree from the University of Chicago and has been both a Rhodes Scholar and a Fulbright Professor. He joined the faculty in 1969 and has served as the Counselor on International Law for the United States Department of State and as counsel for the United States before the International Court of Justice.



PROFESSOR CHARLES is a nationally recognized scholar in the areas of constitutional law, election law, law and politics, and race. He received his law degree from the University of Michigan where he was editor-in-chief of the *Michigan Journal of Race & Law*. He clerked for the Honorable Damon J. Keith of the United States Court of Appeals for the Sixth Circuit prior to joining the faculty in 2000.

The co-deans moved forward with an impressive agenda: creating new momentum in fundraising; completing and submitting a proposal for the Robina Foundation; recruiting outstanding faculty; and improving the scholastic quality and diversity of the entering class.

Dean Morrison with students

*Celebrating 25 years of
teaching law*
Professors Stephen Befort,
Ann Burkhart, and John
Matheson



*Brett McDonnell and
Claire A. Hill*



“Our aim at the Law School is to teach our students that we represent values beyond ourselves. Even in the mundane details of drawing up a contract, making an estate plan to pass property from one generation to another, representing an unpopular criminal defendant, passing legislation, or concluding a merger and acquisition, our vigilant attention to the law embodies the spirit behind a free and just society.”¹
—Dean Charles and Dean Morrison



Professor Francesco Parisi

THE INSTITUTE FOR LAW AND RATIONALITY was created in 2006 under the direction of Professor Claire Hill. The Institute promotes “interdisciplinary collaborations among legal scholars and scholars in such fields as psychology, political science, philosophy, sociology, anthropology, economics (and neuroeconomics) to inquire into how the law does and should understand human behavior.” It conducts seminars and conferences and hosts distinguished scholars, with the aim of helping “develop a model of human behavior that lawmakers can use to ground public policy.”



*Kristine S. Erikson ('72)
and Ronald A. Erikson ('60)*
Joe Treleven / Photographer
www.trelevenphotography.com

ESTABLISHED IN 2006, the Institute for Law & Economics, “promotes interdisciplinary research at the interface of economics and the law. . . [and] seeks to promote interdisciplinary collaborations within the University, as well as with other centers and scholars, nationally and internationally.” It is directed by Professors Brett McDonnell and Francesco Parisi.

IN 2007 the Law School launched a Legal History Program, made possible by a generous gift from Kristine S. Erikson ('72) and Ronald A. Erikson ('60). The program’s mission is to support the study of law in its historical context. The Program includes a year-long Legal History Workshop featuring presentations by scholars from around the world; courses cross-listed in Law and History; the Ronald A. and Kristine S. Erikson Legal History Lecture Series; and the Erikson Graduate Fellowship in Law and History.

IN 2006 the Law School offered its first summer Study Abroad Program in Beijing, China in partnership with China University of Political Science and Law. Twenty two students from the University of Minnesota and other law schools spent five weeks studying the Chinese economic, legal, and political systems.





*Emily Kraack ('08) and
Matt Janiga ('08)*



Matt Roman ('08), Karin Larson ('07), Emily Kraach ('08) with students from China University of Political Science and Law

IN 2007 the Law School commemorated the 25th anniversary of the founding of *Law and Inequality: A Journal of Theory and Practice*. Scholars from throughout the country gathered for a symposium addressing the ways in which law influences social expressions of inequality.

ON APRIL 7, 2008, Senator Patrick J. Leahy delivered the fourth annual University of Minnesota Law Library Distinguished Lecture in honor of the life and career of Vice President Walter F. Mondale ('56). A gala reception followed in celebration of the Vice President's eightieth birthday.



The Law Library's Hedin Alcove



Vice President Walter F. Mondale, Mayor R.T. Rybak, Senator Patrick J. Leahy



Walter F. Mondale with students from the class of '07: Masha Yevzelman, Fredricka Ung, Megan Healy, Joshua Colburn, Jessica Johnson, Jason Zucchi, Amy Bergquist

AFTER LONG DAYS of studying, students can find a welcome respite at the Law Library's Barbara Steffens Hedin Alcove on Law, Literature, and the Arts. Creation of the Alcove was made possible by a generous donation to the Law Library by Barbara S. and Douglas A. Hedin, who funded renovation of the space and donated their extensive



collection of classic and popular legal fiction. The collection includes legal humor, poetry, plays featuring the bench and bar, and artwork, as well as secondary works that comment on the relationship of law to literature and art.

*Suzanne Thorpe, Law
Library's Associate Director
for Faculty Research and
Instructional Services*



Harold M. and Rada N. Fredrikson Reading Room



Professor Maury S. Landsman

PROFESSOR LANDSMAN, recognized for his work in pre-trial skills, professional responsibility, and judicial ethics, retired in 2008. He joined the faculty in 1986 and became the first Director of the Lawyering Skills Program in 1997. He served as Director of the Clinics and Skills from 2003–2007. On the occasion of Professor Landsman’s retirement, Professor Simon stated, “Maury epitomizes the concepts of collegiality, inclusiveness, intellectual dialogue, and commitment to the professionalism of the practice of law.”²

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- 1 “Dean’s Perspective,” *Perspectives* (winter 2007): 1.
 - 2 *Perspectives* (spring 2008): 29.

🦉 THE WIPPMAN YEARS 🦉
2008—



*David Wippman, Dean and William S. Pattee Professor of Law,
The University of Minnesota Law School's 10th dean*





Provost E. Thomas Sullivan; keynote speaker Michael Hurley ('80); Dean Wippman; Dr. Patricia Simmons, Chair, Board of Regents; President Robert Bruininks

DAVID WIPPMAN was appointed Dean of the Law School on July 1, 2008. A native of Minnesota, he grew up in St. Louis Park and Edina. His father, Harold, graduated from the Law School in 1949.

DAVID WIPPMAN received his B.A., summa cum laude, from Princeton, his M.A. in English Literature from Yale, and his J.D. from Yale, where he was the editor-in-chief of the *Yale Law Journal*. He clerked for the Honorable Wilfred Feinberg, Chief Judge of the U.S. Court of Appeals for the Second Circuit. He then practiced law for nine years in Washington, D.C. with a focus on international arbitration, political consulting on public and private international law issues, and representation of developing countries in litigation. His work



*Dean David
Wippman, William
S. Pattee Chair in
Law Appointment
Lecture, "The Politics
of the Law of War"
February 16, 2010*



LAW

UNIVERSITY OF MINNESOTA
LAW SCHOOL

included representing Nicaragua in the International Court of Justice in The Hague and representing the interim government of Liberia.

IN 1992, fulfilling a career goal to teach, he joined the Cornell Law School faculty. He subsequently became the Associate Dean of Academic Affairs at Cornell Law School and later served as Vice Provost for International Relations. In 1998, while at Cornell, he was appointed a director in the Office of Multilateral and Humanitarian Affairs at the National Security Council (NSC). In addition to participating in a wide range of NSC initiatives, he worked on the creation of the United Nations' International Criminal Court in Rome.

Planning for the Future

“We aim to be one of the country’s leading centers for innovative law teaching and research and a locus for the development of creative solutions to pressing public policy problems. To achieve those objectives, we will need to redefine what it means to be a public law school.”¹

DEAN WIPPMAN was well aware of the rapid changes affecting society and the legal profession and the importance of lawyers with the requisite education and knowledge to address novel and complex problems. Soon after his arrival at the Law School, Dean Wippman began laying the groundwork to best position the Law School to prepare students for an increasingly complicated world.

In 2010, after a rigorous 18 month process that involved the participation of all Law School constituents, the school’s strategic plan was approved as the foundation for directing the school’s growth and development. Developed to keep the school on the forefront of teaching, research, and policy development, both nationally and internationally, the plan is built on five key goals: create “arcs to excellence” to prepare students for legal practice; focus investment in four existing or emerg-

ing areas of strength—business law, international law, law, science, and technology, and criminal law—while maintaining traditional areas of strength; recruit a more diverse faculty and student body; engage alumni as full partners in building toward the future; strategically manage the decline of state funding.

“Our efforts to combine legal theory, doctrine, and practical skills have produced a curriculum that is recognized as one of the most innovative and effective in the nation”²

THE LAW SCHOOL is a national leader in curricular innovation. New courses have recently been introduced with the goal of better preparing students for legal practice while still providing them with exceptional theoretical learning. These new classes include intensive training in statutory interpretation which is integrated into the legal writing program; “Law in Practice,” introducing students to the practice of law and its theoretical and ethical underpinnings; and “Perspectives on the Law,” exposing students to different perspectives on such issues as law and economics and critical race theory.

AN IMPORTANT CURRICULAR INITIATIVE is the development of capstone courses which integrate doctrinal instruction with skills and professional training. Students can choose capstone courses in Climate Change and Clean Energy, Environmental Law: Brownfields Redevelopment and Litigation, Health Law Compliance, Labor and Employment Law, and Twin Cities Regional Planning.

Additionally, students can choose to focus on courses in eight legal concentrations: Business Law, Criminal Justice, Environmental and Energy Law, Health Law and Bioethics, Human Rights Law, Intellectual Property and Technology Law, International Law, and Labor and Employment Law. These concentrations draw from the law faculty’s expertise and interdisciplinary partnerships with other University of Minnesota programs, and build upon and complement the Law School’s standard curriculum.



*Justice
Clarence Thomas*

UNITED STATES SUPREME COURT JUSTICE Clarence Thomas visited the Law School in April 2009 as part of the Law School's Jurist-in-Residence Program, joining Professor Davis Stras for a week to teach a special course in constitutional law. More than 900 students, faculty, and members of the legal community attended "A Conversation with Justice Clarence Thomas." As a part of his visit, Justice Thomas held "office hours" in Rottschaefer Lounge, had breakfast with student leaders, spoke in several classes, and toured the Riesenfeld Rare Books Research Center.

International Law and Human Rights

THE HUMAN RIGHTS CENTER, founded on the 40th anniversary of the Universal Declaration of Human Rights, marked its 20th anniversary in December 2008 with a dinner in celebration of the Dobiáš Human Rights Fellowship. The Fellowship was established by William E. Drake ('66) to honor Přemysl Josef Dobiáš who joined a resistance group in 1938 to help smuggle Jews through Slovakia and Hungary into Italy.

Supported by a \$1 million grant from the U.S. State Department, the Center hosts ten law fellows annually through the University of Minnesota's Hubert H. Humphrey International Fellowship Program. This program brings mid-career professionals from developing nations and emerging democracies to the United States for a year of professional development and related academic study and cultural exchange.

THE HUMAN RIGHTS LIBRARY, described by Professor David Weissbrodt as one of the Center's "proudest achievements," includes over sixty thousand core human rights documents in digital format.³ This comprehensive research tool is accessed by more than 250,000 students, scholars, and human right advocates monthly from over 150 countries. Documents are available in nine languages—Arabic, Chinese, English, French, Japanese, Korean, Russian, Spanish, and Swedish.

UNDER DEAN WIPPMAN'S leadership, the Law School continued to build on its scholarly reputation in international law and human rights by hiring several more faculty members with expertise in these areas. Professor Jennifer M. Green, who joined the school in the fall of 2009, specializes in international and international human rights law, and in litigation in U.S. courts and the international legal systems. Also arriving in fall 2009, Professor John Borrows focuses on Indigenous Law, Comparative Law, and Human Rights. Starting in the summer of 2011, Professor Christopher N.J. Roberts brings an interdisciplinary law, sociology, and public policy perspective to human rights and international law.

ON JUNE 27, 2013 negotiators gathered in Marrakesh, Morocco under the auspices of the World Intellectual Property Organization (WIPO) adopted a landmark new treaty: *Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or Otherwise Print Disabled*. Professor Ruth Okediji, who had worked for nearly a decade with advocates from the blind and visu-



*Professor
Ruth Okediji*

ally impaired communities to legalize cross-border sharing of books in accessible formats, was appointed to serve as Lead Expert and Chief Negotiator for Nigeria and provided expert support to the 56 African countries represented in the Africa Group. During the year-long process, she worked closely with and advised the World Blind Union. Scott LaBarre ('93), former General Counsel to the National Federation of the Blind (NFB) of Colorado and President of the National Association of Blind Lawyers, was a key presence at the Diplomatic Conference.

IN APRIL 2011 the Law School formally launched the five-year public phase of “GENERATIONS: The Campaign for the University of Minnesota Law School.” Under the leadership of Chair Bruce W. Mooty ('80) and Co-Vice Chairs Kris Erickson ('72), and Elliot S. Kaplan ('61) and with the generous support of the Robina Foundation, the campaign had the ambitious goal of raising \$70 million for the Law School. The Campaign is raising \$30 million for scholarships and student support; \$20 million for strategic initiatives intended to recruit outstanding new faculty and build on the school’s existing research strengths; and \$20 million in core support and unrestricted giving. In 2015 the GENERATIONS campaign exceeded its \$70 million goal.

Elliot Kaplan ('61) and Bruce Mooty ('80)



ONE OF THE LAW SCHOOL'S biggest challenges is to continue its mission of providing an excellent legal education and training the next generation of lawyers and public servants without state support:

“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. . . . 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.”⁴

Robina Foundation

ESTABLISHED IN 2004 by James H. Binger ('41), the Robina Foundation, which “seeks to positively impact critical social issues by encouraging innovation and financially supporting transformative projects”⁵ has generously supported the Law School as one of its four institutional partners.

IN 2008 the Robina Foundation made a \$6 million gift for the Law School’s Program on Law, Public Policy, and Society. Building on the success of this program, the Robina Foundation extended its support with a \$2 million gift in 2010. In April 2011 a grant of \$8.75 million was used to create the Robina Institute of Criminal Law and Criminal Justice. The first institute of its kind in the nation, it advances research, addresses key public policy issues, and builds on the strengths of the Law School in the criminal justice field. In addition, the Law School received a \$3.5 million gift from the Robina Foundation in 2012 to support a new Public Interest Scholars Program. The program creates a seamless path from admission to full-time employment for students interested in public service careers. In May 2013 the Robina Foundation pledged \$9 million to the Law School, one of the largest gifts in



Professor Michael Tonry

Professor Antony Duff

the school's history. This generous gift supports the Robina Institute of Criminal Law and Criminal Justice and a new immigration law center, the University of Minnesota Law School Center for New Americans. Built on a unique partnership with leading Twin Cities law firms, legal services nonprofits and three clinics, the Center for New Americans is the first of its kind in the United States.

Professors Kevin Reitz and Richard Frase



THE ROBINA INSTITUTE of Criminal Law and Criminal Justice is directed by Professors Michael Tonry and Antony Duff. The Institute brings together policy-makers, practitioners, and scholars to generate transformative ideas for improving criminal justice policies and practices. The Institute focuses on three core areas: criminal justice policy, criminal law theory, and sentencing law and practice.

“‘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.”⁶



John Borrows

PROFESSOR JOHN BORROWS, Robina Chair in Law, Public Policy, and Society, is widely recognized as North America's leading scholar on indigenous law. He is a member of Ontario's Chippewas of Nawash First Nation and Anishinaabe. John Borrows left the Law School in March 2014 for the position of Canada Research Chair in Indigenous Law at the University of Victoria Law School.

THE UNIVERSITY created the Consortium on Law and Values in Health, Environment & the Life Sciences in 2000. "The Consortium combines the multidisciplinary skill and scholarship of its 19 member centers to conduct research, serve students, and bring the public, through lectures and conferences, into essential dialogue on the societal implications of the life sciences."⁷ As of 2013, the Consortium reports to the Office of the Vice President for Research.



Professor Susan Wolf, Founding Director, Joint Degree Program in Law, Health & the Life Sciences; Founding Chair, Consortium on Law and Values in Health, Environment & the Life Sciences

THE JOINT DEGREE PROGRAM in Law, Health & the Life Sciences (JDP) was founded in 1999. The JDP offers 24 degree combinations making it the “broadest and most intensive program of its kind in the country.”⁸ In 2013 the JDP moved from the Office of the Vice President for Research to the Law School and the JDP name was changed to the Joint Degree Program in Law, Science, and Technology. The new name reflects areas emphasized in the Law School’s strategic plan and also will facilitate adding additional degree combinations that further build the school’s health, environmental, and intellectual property programs.

THE MINNESOTA JOURNAL of Law, Science & Technology (MJLST), formerly the Minnesota Intellectual Property Review, is a cutting-edge multidisciplinary journal focusing on law, health, the sciences, and bioethics. The journal is edited by faculty and students with a Faculty Editorial Advisory Board drawn from across the University of Minnesota. MJLST tackles issues in intellectual property, technology policy and innovation, bioethics, and law and science, while maintaining a rigorous grounding in law, values, and policy.

IN 2011 the Law School expanded its business law program with the establishment of the Corporate Institute directed by Professor John Matheson and Executive Director David Fisher. The Institute builds on the strength of the Law School’s exceptional business law faculty, including internationally recognized experts. Operating in a vibrant business community, the institute combines new programs and current business-oriented activities to establish an area of excellence at the Law School. Students can earn a concentration in business law and the Business Law Clinic offers students the opportunity to represent business clients in a non-litigation context. Each January, the Corporate Institute offers the Leadership Foundations Program in recognition of the role that lawyers provide as leaders, both in business and throughout the fabric of modern society.



IN JUNE 2013 the school's Law Clinic Program celebrated its 100th anniversary. With 24 diverse clinics, the Law School offers one of the nation's largest and most distinguished programs of clinical education. This allows more than 50 percent of law students to participate in at least one clinic program.

John Mooty ('44), Dean David Wippman, Bruce Mooty ('80), Kris Erickson ('72) and Professor John Matheson



Faculty Co-Editor *Laura Cooper*, Lead Managing Editor *Mikel Sporer* ('13), Faculty Co-Editor *Stephen Befort* ('74), Editor-in-Chief *Jonathan Reiner* ('13)

IN 2009, after a nationwide competition, the American Bar Association, Section of Labor and Employment selected Professors Stephen Befort ('74) and Laura Cooper as faculty co-editors of the *ABA Journal of Labor & Employment Law*. This is the first journal at the Law School edited collaboratively by faculty and students. Unlike other journals published at the Law School, its primary audience is practicing attorneys.

THE LAW SCHOOL'S labor and employment law program is one of the strongest in the country and includes a specialized moot court program, the Workers' Rights Clinic, and internships at the National Labor Relations Board and Equal Employment Opportunity Commission. Its capstone course offers students the opportunity to represent clients in a simulation that integrates diverse areas of labor and employment law with practical skills and ethics.



Justice Alan Page ('78) and Justice Sandra Day O'Connor

RETIRED United States Supreme Court Justice Sandra Day O'Connor visited the Law School in 2010, speaking to students and meeting with members of the Minnesota judiciary and other distinguished guests.



*Justice Sandra Day
O'Connor and Judge
Diana E. Murphy ('74)*

THE HONORABLE Diana E. Murphy ('74) is the first University of Minnesota Law School alumna and first woman to serve on the United States Court of Appeals for the Eighth Circuit (appointed 1994). Judge Murphy is also the first woman to serve as United States District Court Judge in Minnesota (appointed 1980) and the first woman to serve as Chief Judge of the United States District Court in Minnesota (appointed 1982).

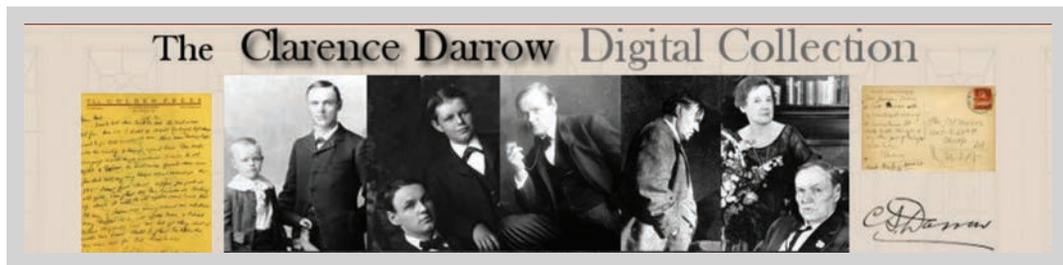
IN 2011 the Honorable Judge James M. Rosenbaum (Ret.) designated the Law Library as the recipient of his papers. Judge Rosenbaum served for 25 years as a U.S. District Judge for the District of Minnesota. The papers document the career of one of Minnesota's most distinguished jurists and are a significant acquisition for the Law Library. In his Bearmon Lecture on Legal Ethics and Professional Responsibility



*Judge James M. Rosenbaum
(’69)*

Joe Treleven / Photographer
www.trelevenphotography.com

ity for the incoming Class of 2014, Judge Rosenbaum told the students on their first day: “The Law School is very dear to my heart, and I have every confidence that over time it will become dear to yours.”⁹



*The Clarence Darrow
Digital Collection*

IN JUNE 2010, the Law Library made publicly available the *The Clarence Darrow Digital Collection*¹⁰ the most comprehensive digital collection of Clarence Darrow material in the world. In 2012 the site was awarded the *Roy Rosenzweig Prize for Innovation in Digital History*. This prize is sponsored jointly by the American Historical Association and the Center for History and New Media at George Mason University.

Walter F. Mondale

Spokesman for Reform and Justice in the U.S. Senate

"My Senate years were the happiest of my public career. I found my sweet spot here. I loved working with friends and colleagues, and I loved learning new things. I loved watching my colleagues do their stuff."

Address, United States Senate Leader's Lecture Series, September 4, 2002



*Walter F. Mondale:
Spokesman for Reform and
Justice in the U.S. Senate*

OVER ITS 125 YEARS, the Law School has graduated many who have gone on to make countless important contributions as leaders in the legal profession, public service and numerous other professions. Our most illustrious graduate, Walter F. Mondale ('56), has been a leader on many important legal, political and social issues for decades.

His record of public service includes Vice President of the United States, U.S. Ambassador to Japan, U.S. Senator, and serving as the Democratic Party's 1984 nominee for President. He served as the Attorney General for the State of Minnesota from 1960 to 1964. He is currently Senior Counsel with the law firm of Dorsey & Whitney LLP. Over the years he has become a beloved member of the Law School community and a great ambassador for the Law School.

IN MAY 2013, the Law Library completed a website devoted to the senatorial career of Walter Mondale ('56) titled *Walter F. Mondale: Spokesman for Reform and Justice in the U.S. Senate*.¹¹

*Professor Myron Orfield, Director of the Institute on
Metropolitan Opportunity*



THE INSTITUTE on Metropolitan Opportunity “investigates the ways that laws, policies, and practices affect development patterns in U.S. metropolitan regions, with a particular focus on the growing social and economic disparities within these areas.”¹² The Institute builds upon the work of its predecessor, the Institute on Race & Poverty founded in 1993 by Professor John A. Powell who directed the institute until 2002.

THE WILLIAM E. MCGEE National Civil Right Moot Court Competition marked its 25th anniversary in 2011. Professor Carl M. Warren has been the advisor and competition supervisor for eighteen years. William E. McGee ('80) was a strong advocate for human rights and devoted much of his career to representing the poor and underprivileged. He was the first African American to be appointed Chief



*Moot Court team with
Carl Warren*



Asylum Law Project students Eric Peffley, Caroline Marsili, Terran Chambers, Jake Vandelist, Dave Pascoe, Seth Nadler, and Eleanor Frisch (all Class of 2014) listen to a border guard during a 2011–12 winter break trip to El Paso to volunteer at an immigration clinic, helping clients, attending court hearings, and writing briefs. Led by first-year Law School students, Asylum Law Project members volunteer at nonprofit organizations at U.S. points of entry to represent immigrants and asylum-seekers on legal issues

Public Defender in the state of Minnesota. He also served as a public defender and prosecutor for Hennepin County, and as Executive Director at the Legal Rights Center.

GALA CELEBRATIONS were held in 2008 in both Sweden and Minnesota to mark the 25th anniversary of the exchange program between Sweden's Uppsala University and the University of Minnesota Law School. The Law School hosted a symposium, an open house in the Riesenfeld Rare Books Research Center, and a celebration at the Weisman Art Museum.



THE SCHOOL'S LL.M program continues to attract foreign lawyers from around the world. The program provides foreign lawyers "with a rigorous academic experience, exposing them to a broad array of legal skills and knowledge."¹³ In the fall of 2012, the school expanded the LL.M. program by creating a Business Law LL.M program that offers "a rigorous business law experience, exposing [students] to a broad array of legal skills and knowledge crucial to the global practice of business law."¹⁴ In addition to the business law curriculum, new courses offer insights into the legal profession in the United States, practical skills and leadership training.

Commencement 2013



Faculty and staff, April 2013



*Photos from 125th
Celebration*

A GALA CELEBRATION of the 125th Anniversary of the Founding of the University of Minnesota Law School was held on October 4, 2013. Five hundred gathered to celebrate 125 years of educating legal professionals and shaping the Rule of Law. The Honorable Walter F. Mondale ('56) was the Special Guest Speaker and the Honorable Kathleen Blatz ('84) was the Master of Ceremonies.





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- 1 David Wippman, "Creating a Future of Possibilities," *Perspectives* (spring 2009): 1.
 - 2 David Wippman, "New Strategy for Long-Established Commitment," *Perspectives* (spring 2010): 1.
 - 3 www.umn.edu/humanrts
 - 4 David Wippman, "Self-Sufficiency by Any Other Name," *Perspectives* (fall 2011): 1.
 - 5 Mission Statement <http://www.robinafoundation.org/mission.php>
 - 6 "Robina Institute," *Perspectives* (fall 2011): 11 (statement of Dean David Wippman)
 - 7 <http://consortium.umn.edu/about/home.html>
 - 8 <http://www.jointdegree.umn.edu/about/home.html>
 - 9 "Orientation for the Class of 2014," *Perspectives* (fall 2011): 8.
 - 10 darrow.law.umn.edu/index.php
 - 11 mondale.law.umn.edu/
 - 12 <http://www.law.umn.edu/metro/index.html>
 - 13 <http://www.law.umn.edu/llm/overview.html>
 - 14 <http://www.law.umn.edu/llm/business-law-llm.html>

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