



Henry J. Fletcher
Law Review Founder

Annual Symposium to Focus on Cyberspace

On October 16, 2009, the *Law Review* will host its annual symposium, ***Cyberspace & the Law: Privacy, Property, and Crime in the Virtual Frontier***, at the Law School. The symposium will focus on three main areas: “Cybercrime,” “Internet Privacy, Anonymity and Free Speech,” and “Intellectual Property in Cyberspace.” Ninth Circuit Chief Judge Alex Kozinski will be the keynote speaker.

The first panel will include Professors Orin Kerr (George Washington), Paul Ohm (University of Colorado), and Christopher Slobogin (Vanderbilt University). They will address issues surrounding crime in cyberspace and will discuss the Computer Fraud and

Abuse Act in the workplace; proportionality, privacy, and public opinion; and limitless probable cause.

Professor Jane Kirtley (University of Minnesota), Sherrese Smith (general counsel to the *Washington Post*), and Professor Deirdre Mulligan (UC Berkeley School of Information) will lead a second panel that will address the interplay between privacy, anonymity, and free speech in an age of Google, YouTube, Facebook, and blogs.

The third panel will feature Professors Pamela Samuelson (UC Berkeley), Dan Burk (UC Irvine), and William Fisher (Harvard), who will discuss the future of intellectual property in this digital age.

A reception for *Law Review* alumni will follow the symposium. Details and registration information are at <http://www.minnesotalawreview.org/content/symposium>. Alumni also can contact **Nicole Murphy** at robe0431@umn.edu or 612-644-0742. //

CYBERSPACE & THE LAW:

Privacy, Property, and Crime
in the Virtual Frontier

FRIDAY OCTOBER 16, 2009
8:00AM – 4:00PM

University of Minnesota Law School
Walter F. Mondale Hall, Room 25

Minnesota Law Review
2009 SYMPOSIUM

FRIDAY OCTOBER 16, 2009

in the Virtual Frontier
Privacy, Property, and Crime

**CYBERSPACE
& THE LAW:**

Minnesota Law Review
University of Minnesota Law School
255 Mondale Hall
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Catching Up With...

Louise Dovre Bjorkman

Volumes 68-69



Judge **Louise Dovre Bjorkman** recently had friendly reminder of her work on the *Law Review* when the very case upon which she had structured her staff note was cited before her in an oral argument.

Judge Bjorkman is the first to recognize that the practice of law has changed dramatically since that article was published in the *Law Review*, but the experience has stayed with her nonetheless. The improved writing skills have proven useful, but Judge Bjorkman cites the discipline she gained from managing the workload of serving on the *Law Review* as one of her most valuable lessons.

Judge Bjorkman joined Rider, Bennett, Egan & Arundel after graduating cum laude in 1985. In 1998 she left Rider when she was appointed to the Ramsey County District Court, which she found to be a dramatic change from private practice. Being the sole decision maker in as many as a hundred cases a day made the trial bench a challenge, but Judge Bjorkman's lifelong dedication to public service made it a welcome one. She understands the importance of the district court judges' work, stating "for many, the trial courts are the face of justice because a typical case ends there."

After seven years on the fast-paced trial bench, Judge Bjorkman joined Larson King, LLP as a partner in the firm's appellate practice. Her background in the judiciary gave her a fresh perspective in representing clients effectively and efficiently, but she missed being a part of the "judicial family."

Just three years after leaving the bench, Judge Bjorkman was appointed to her "dream job" on the Minnesota Court of Appeals. From working with staff members as a Note and Comment editor to deciding cases with two other judges, Judge Bjorkman has always favored a collegial practice setting. It is apparent that the more writing-intensive, contemplative process afforded by the appellate bench suits Judge Bjorkman. When asked what is in store for the future, she emphatically stated, "I plan to stay on the bench as long as the people of Minnesota see fit to keep me here."

Outside of her judicial role, Judge Bjorkman maintains active involvement with the American Bar Association and Minnesota State Bar Association. In addition, she assists other nonprofit organizations, such as the Girl Scout Council of St. Croix Valley and the Everyone Wins Reading Program at the Benjamin E. Mays Elementary School in St. Paul. Judge Bjorkman has found her involvement in such organizations to be very rewarding and encourages all lawyers to dedicate some of their time to bar activities and community organizations. *///*

Roberta Levy

Volume 46



Some graduates enjoy law school so much that they keep coming back. For Judge **Roberta Levy**, that could not be more true. After a brief tour of duty at a local firm, Judge Levy soon found herself back in Fraser Hall, the predecessor to Mondale Hall. But this time Judge Levy was in the basement. She had accepted a position working under Minnesota's first state public defender, **C. Paul Jones** (vol. 33-35). Despite a less-than-luxurious location, the conversation was stimulating enough to make up for the surroundings. "We argued all the Warren court issues."

After six years as an assistant state public defender, Judge Levy again moved out of Fraser Hall to join a local firm. A few years later, however, she was again called back, this time to join the faculty. Charged with integrating the clinic program into the Law School, Judge Levy quickly learned that she was a popular addition. "I was the only woman on the faculty. They put me on the appointments committee my first year."

Judge Levy's passion for trial advocacy is evident in the now well-established trial practice program, which she initiated early in her academic career. "There was no fancy video equipment in the 1970s. I had to run the camera myself." She continued to administer the trial practice program at the Law School until her retirement in 2002.

In the meantime, Judge Levy had been appointed to the Hennepin County Municipal Court in 1978 and to the District Court in 1983. A year later, the Municipal Court was officially merged with the District Court, but the change was in name only. When she was elected as the first female chief judge for the Hennepin County Court system in 1989, Levy vowed to "push as strongly as I can to create one bench in spirit." Even with the challenge of creating what is now a unified bench, Levy recalls, "I loved being on the district bench."

In 2002, Levy left the bench to pursue a unique opportunity stemming from a settlement between the State of Minnesota and Blue Cross Blue Shield. She agreed to serve as one of three members of an independent panel tasked with hearing appeals from Blue Cross members who were denied mental healthcare. "It was a chance to do something new and exciting and turned out to be very rewarding work." Although the panel was eventually dissolved under the terms of the settlement, Judge Levy is confident its work resulted in systemic changes in the provision of mental health coverage.

Since retirement, Judge Levy has been serving as a substitute judge, mediator, and special master. She sums up her current practice with a simple phrase, "Have robe. Will travel." *///*

Annual Banquet Celebrates Another Successful Year

For a second time, the *Law Review's* annual banquet was held at Windows on Minnesota on April 16, 2009. Dean David Wippman gave the first of what will hopefully be many welcome addresses at *Law Review* banquets, setting the tone for a night filled with humor and celebration.

Many alumni and current *Law Review* members attended the event, and firm sponsorship remained high despite the downturn in the economy. The strong attendance allowed for a great celebration of the accomplishments of **Philip Garon** (vol. 55-56) and **Ronald Schutz** (vol. 65) who received Distinguished Alumni Awards. Both shared their insights for success in a legal career. This year's distinguished alumni also inspired the banquet attendees with their clear love and passion for practicing law.

Recognizing the anniversary volumes, the banquet also paid tribute to Volumes 43, 68, and 83. Members of each of these honored volumes were present at the banquet, making the celebration truly multi-generational.

In addition to honoring alumni, the banquet acknowledged the hard work of the Volume 93 board and staff. **Stanley Efron** (vol. 36-37) and **Allen Saeks** (vol. 38-39) presented awards to the top publications by staff and board members. Outstanding citecheckers from the Volume 93 staff received awards. And **Kyle Hawkins**, the outgoing editor-in-chief, was given a commemorative gift honoring his dedication and service to Volume 93.

The night ended with an introduction of Volume 94 and remarks by **Kristin Zinsmaster**, the incoming editor-in-chief. It was a night filled with humor, words of wisdom from honored alumni, and an opportunity for all to reconnect with *Law Review* colleagues. Remember to watch for word of next year's celebration, which will undoubtedly be another great event. //

Springtime brings about three certainties for the *Law Review*: the completion of another volume, the annual banquet, and continued dominance by *Law Review* alumni in racking up national writing awards. For the fourth straight year, a current member of the *Law Review* won a prestigious Burton Award for effective legal writing. **Noreen Johnson's** article "Blight and its Discontents: Awarding Attorney's Fees to Property Owners in

Redevelopment Actions" continued the *Law Review's* streak. In fact, the Law School is only one of five law schools to win a Burton Award four years in a row. This decade, five students from the Law School have won a Burton Award. All were members of the *Law Review*: **Kari Dahlin** (vol. 84-85), **Dave Leishman** (vol. 89-90), **Dan Robinson** (vol. 90-91), **Emily Melvin** (vol. 91-92), and Johnson (vol. 92-93). //



Garon



Schutz

The Editor's Desk

Since we last met at the Alumni Banquet in April, the *Law Review* has impaneled a new Board, solidified our Symposium roster, all but filled Volume 94 with quality articles and essays, and welcomed thirty-nine new staff members.

Perhaps the most exciting development is the launch of our online companion journal *Headnotes*. The brainchild of Volume 93, *Headnotes* is an online forum for shorter pieces written by academics in response to articles that appear in our print edition. Citations to *Headnotes* are attributed to the *Law Review*. Launching the online companion also entailed an



update of our website in general, including the archives of past Volumes. We envision that *Headnotes* will evolve to include rejoinders to the responses and a monitored blog to encourage academic discourse. With this development, the *Law Review* joins a small but growing number of the best law journals with similar online capabilities. *Headnotes* is on our website at <http://www.minnesotalawreview.org>.

The upcoming Volume 94 will publish articles from such distinguished professors and jurists as Richard Epstein (University of Chicago), Orin Kerr (George Washington), and Judge Alex Kozinski (Ninth Circuit Court of Appeals). We will continue publishing some of Minnesota's top scholars, including Professors Kristin Hickman, Claire Hill, Stephen Cribari, and Greg Shaffer.

It is truly an honor to lead Volume 94. My door and email inbox are always open to your thoughts as alumni of the journal. It is the knowledge and support of alumni that will prepare us to build upon the *Law Review's* tradition of excellence. I speak for the entire Volume 94 team when I say we are excited to do just this. //

Kristin Zinsmaster is the editor-in-chief of vol. 94.

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The Fletcher Files is published twice annually. Send news, articles for submission, updated contact information, or general feedback to Ryan Stai, 2414 Buchanan St NE, Minneapolis, MN 55418, 612-335-7039, or ryan.stai@leonard.com. The submission deadline for the spring issue is Feb. 10, 2010.

*Editors Ryan Miske
Ryan Stai*

Contributors

Joshua Colburn (vol. 90-91)

Lauren Frank (vol. 92-93)

Claire Deason (vol. 92-93)

Nicole Murphy (vol. 93-94)

Kristin Zinsmaster (vol. 93-94)

Minnesota
Law
Review

Alumni News

Karen Clauson (vol. 71-72) now heads Integra Telecom's law and policy group in Minneapolis.

George Eck (vol. 60-61) and **Susan Gaertner** (vol. 63-64) were inducted into the American College of Trial Lawyers. Eck is a partner at Dorsey and Whitney in Minneapolis. Gaertner is the Ramsey County Attorney.

Ann Huntrods (vol. 64-65) has been appointed by Sen. Amy Klobuchar to serve on the Judicial Selection Committee that will recommend a nominee for the U.S. District Court for the District of Minnesota. The committee, chaired by former Law School Dean Tom Sullivan, will recommend a replacement for Judge James Rosenbaum, who is taking senior status. Huntrods practices at Briggs and Morgan in Minneapolis.

James Lyon (vol. 60-61) has been acting president of the Federal Reserve Bank of Minneapolis. He has been with the Federal Reserve since graduating from the Law School in 1977.

James Roth (vol. 60-61) has been named Deputy Advocate-General for the International Human Rights Tribunal, an independent citizens' commission in Washington, D.C., that addresses human rights cases.

Allen Saeks (vol. 38-39) received the 2009 Attorney Professionalism Award from the Hennepin County Bar Association for his promotion of public service and ethical conduct in the practice of law. Saeks has been at Leonard, Street and Deinard in Minneapolis since 1960.

In Memoriam

Melvin Cohen, vol. 24-25
Dec. 16, 2008, Eau Claire, Wis.

James Garvey, vol. 37-38
Feb. 12, 2009, Eau Claire, Wis.

Henry Somsen, vol. 17
Jan. 22, 2008, Rochester, Minn.

Carlton Varner, vol. 55-56
Nov. 21, 2008, Los Angeles

Robert Zalk, vol. 52-53
Aug. 3, 2009, Minneapolis, Minn.

Kaplan Named Ambassador

Sam Kaplan (vol. 43-44) has been named ambassador to Morocco by the Obama Administration. He is the second *Law Review* alumnus to serve as an ambassador. **Ben Whitney** (vol. 70-71) is currently ambassador to Norway.

Since 1979, Kaplan has practiced at the Minneapolis law firm of Kaplan, Strangis, and Kaplan, which he formed with his *Law Review* colleague **Ralph Strangis** (vol. 42-43). Kaplan was honored in 2007 with the *Law Review's* Distinguished Alumni Award.



Kaplan will break barriers as one of only a few Jewish Americans serving as diplomats in an Arab country. Long-time friend **Walter Mondale** (vol. 39) has no doubt that Kaplan will succeed. "Sam will be a star there," Mondale told the *Star Tribune*.

Kaplan was confirmed by the U.S. Senate on August 4 and sworn in on September 18. He will be stationed in Rabat, Morocco's capital.

In his statement to the Senate Foreign Relations Committee, Kaplan paid special tribute to the *Law Review*. "Serving as President of the *Minnesota Law Review*," he said, "Was a test of stamina as much as intellect. My 48 years of practicing law has been a continuation of that heady time. I have had an amazing and rewarding career as a lawyer." //