



Henry J. Fletcher
Law Review Founder

Annual Symposium to Discuss Impact of *Citizens United*

The *Minnesota Law Review* will host its annual symposium, “***Citizens United: Democracy Realized—or Defeated?***” from 8:00 a.m. to 4:00 p.m. on Friday, October 21, 2011 at the Law School.

This year’s Symposium seeks to understand the state of political processes and the legal landscape after the U.S. Supreme Court’s *Citizens United* decision, in which the Court determined that the First Amendment does not permit limits on corporate funding of independent political broadcasts in elections. The 5-4 decision has caused considerable controversy in the already hot debate over political contributions. Experts and legal scholars at the symposium will represent a variety of perspectives from all sides of the

debate—from a needed victory for free speech to a devastating nod to corporate interests.

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

The second panel, “Don’t Look Now! *Citizens United: An Empirical Analysis*,” will present a practical analysis of the impact of the *Citizens*

United decision, featuring Professor Kenneth Goldstein of the political science department at the University of Wisconsin-Madison and Mike Wittenwyler, an administrative and regulatory attorney at Godfrey and Kahn S.C. and adjunct professor at the University of Wisconsin-Madison. The panelists are expected to discuss how the political landscape has changed with a focus on the numbers—money raised, television bought and races won.

The final panel, “After *Citizens United* is Campaign Finance Reform a Phoenix—or the Titanic?,” will include James Bopp, Jr., a campaign finance attorney at Bopp, Coleson, & Bostrom and lead counsel for

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Remembering...

C. Paul Jones *Volumes 33–35*

C. Paul Jones, Minnesota's first state public defender, passed away from complications of cancer on April 19, 2011 at age 84.

Jones earned his J.D. from the Law School in 1950 and his LL.M. from Minneapolis-Minnesota College of Law (later William Mitchell College of Law) in 1955. He began his career with Lewis, Hammer, Heaner, Weyl & Halverson in Duluth. He later served as an assistant deputy Hennepin County Attorney and an assistant U.S. Attorney for the District of Minnesota. Jones then returned to private practice with Maun & Hazel before joining Dorfman, Rudquist, Jones & Ramstead in 1961.



In 1966, after 15 years of practice, Jones became Minnesota's first public defender. When Jones opened the state's Public Defender's Office, it had three other employees and was located in the windowless basement of Fraser Hall, which the law school itself had vacated earlier. He built a reputation as a warm, humble person who was committed to equity and fairness—he made it his practice to hire women in the public defender's office at a time when most firms would not even interview them. He authored many editions of Minnesota police law manuals and other books on Minnesota criminal procedure, including two textbooks. In 1990, after 20 years leading the office, Jones retired.

Jones served as an adjunct professor at the Law School for 20 years. He also served as a professor and, later, Associate Dean for Academic Affairs at William Mitchell College of Law.

Jones founded the Minnesota Criminal Justice Institute, an annual event for legal experts to present developments in criminal law to lawyers, legislators, judges, police officers, and law students. Jones served on the Minnesota Supreme Court's Rules of Criminal Procedure Committee for 30 years. The C. Paul and Helen F. Jones Scholarship is awarded annually to a William Mitchell student to increase the diversity of the legal profession.

Jones is remembered for his passion for justice and his deep respect for his students. //

Stuart Williams Rider Jr. *Volume 27*

After serving as a Communications Officer and achieving the rank of Second Lieutenant in the United States Navy during World War II, "Stu" Rider enrolled for his bachelor's degree at Amherst College. After law school at the University of Minnesota, Rider was hired to serve as the solicitor for the Milwaukee Road. He hired his law school classmate **Gene F. Bennett** (vol. 34) to serve as his assistant solicitor for the railroad. Together, Rider and Bennett managed all of the company's legal affairs.



In 1960, the duo became a trio when Rider and Bennett joined with a third law school classmate, Bill Egan, to found a new Minneapolis law firm, Rider, Bennett & Egan (later known as Rider Bennett, LLP). Rider, not one to leave opportunity behind, retained the firm's first client by negotiating an agreement for his new firm to continue to handle all of Milwaukee Road's legal affairs, a relationship that lasted until the eventual absorption of the Milwaukee Road into the Soo Line in the mid-1980s.

In addition to founding a prominent Minneapolis law firm, Rider is remembered for his eight years on the Minneapolis school board as it grappled with desegregation in the 1960s and 70s. From 1964 to 1972, Rider championed desegregation even as he brought a sense of calm to a tumultuous time on the board. Having become a target for opponents of desegregation, he resigned from the board in 1972 to allow a more electable supporter to run.

Rider believed strongly in public service and found great satisfaction with his service on the school board. He also served on the boards of the IDS Variable Annuity Insurance Company, Travelers Aid and Planned Parenthood.

Stuart Williams Rider, Jr. passed away on August 11, 2011, at age 92, and he is remembered for his intelligence, courage, compassion, and sense of humor. //

Send us your announcements
for the Spring 2012 issue today!

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Banquet Celebrates Accomplishments, Alumni

The 2011 *Minnesota Law Review* banquet was held one again at Windows on Minnesota at the top of the IDS Center on April 14, 2011.

The evening began with cocktails and proceeded to the traditional dinner and awards program. Dean David Wippman managed to perform an encore to his stand-up routine from the previous year and noted the incorrectly forecasted demise of student-published written legal journals, thanks in part to the work of the *Law Review*.

Allen I. Saeks (vol. 38–39) and **James D. Steiner** (vol. 55–56) each received Distinguished Alumni Awards, recognizing their significant accomplishments in developing successful practices, serving the community and working to improve the profession. Members of volumes 85, 70 and 45 reunited for the night to celebrate the 10-, 25- and 50-yearanniversaries of their time as editors and staff.

In his more familiar role at the banquet, **Allen I. Saeks** (vol. 38–39) presented the Leonard Street and Deinard Awards for excellent

student notes to board members **Laura Arneson** (vol. 94–95) **Karen Nelson** (vol. 94–95) and **Heather Abraham** (vol. 94–95) for their respective published student notes.

Laura Arneson (vol. 94–95), outgoing lead note and comment editor, presented the Volumes 35 and 36 Memorial Awards to staff members **Margaret Wade** (vol. 95–96) and **Mark Thomson** (vol. 95–96) **Daniel Iden** (vol. 95–96) for their published notes. Outgoing lead managing editor, **Chelsea Brennan** (vol. 94–95), recognized several staff members for their outstanding citechecking skills, as exhibited throughout the production cycle.

Outgoing editor-in-chief **Reed Schuster** (vol. 94–95) was presented with a gift from the board of Volume 95 to recognize the considerable time and effort he contributed to the journal during his tenure.

In closing for the night, **Schuster** introduced the new volume's editor-in-chief **Matthew J.M. Pelikan** (vol. 95–96) who provided a brief peek into the future of the journal. //

MINN. L. REV.: Excellent Writers Since 1917

Many things may have changed in the *Law Review* offices since your tenure on the journal. For example, the “cite-check room” is no longer located in a broom closet in the basement of Fraser Hall.

However, we have new evidence of a *Law Review* trait that survives. The alumni ledger continues to fill with solid writers.

This June, for the fifth time in six years, a member of the *Law Review* received the prestigious Burton Award for effective legal writing: **Eva Stensvad** (vol. 94–95) and her article “Immunity for Vaccine Manufacturers: The Vaccine Act and Pre-emption of Design Defect Claims.” Stensvad joins six past *Law Review* members who have received Burton Awards in the past decade:

Kari Dahlin (vol. 84–85), **David Leishman** (vol. 89–90), **Dan Robinson** (vol. 90–91), **Emily Melvin** (vol. 91–92), and **Noreen Johnson** (vol. 92–93).

The writing recognition doesn't stop there. Shortly after graduation in May, **Zac DesAutels** (vol. 94–95), was named the grand prize winner of the 2011 Paul Faherty Tax Writing Competition for his Article, “Virtually Untaxable? *Red Earth LLC v. United States* and Congressional Authorization for State Taxation of Internet Sales.” Here's hoping the \$3,000 he received in connection with the grand prize award is also “virtually untaxable.”

Thanks again to Eva and Zac for keeping up the legacy. //

Editor's Desk

Volume 96 is off to a great start! The editors are joined again this year by a roster of exceptionally gifted staff members, all of whom have completed their first cite-checks as well as selected the topics of their student Notes. Our editors are also enjoying their roles helping to supervise the journal and making sure that everything runs smoothly.



During the petition period in the spring, we focused on increasing student participation in the journals by holding a series of workshops for second-year law students to review the petition process with me, Lead Managing Editor **Nadia Aboussir** (vol. 95–96) and Managing/Research Editors **Kelly McNabb** (vol. 95–96) and **Jason Steck** (vol. 95–96). This program was met with great success as there was an almost seventy percent increase in student applications to join the journal for the 2011–12 academic year. Continuing this strong interest will be a priority moving forward and we will also work on always trying to improve the journal's diversity as well.

Our new website is totally up and running, and thanks to our Article Editor/Online Articles Editor Mark Thomson we are making sure that it functions as well as it looks! If you haven't seen it yet, please visit us online at minnesotalawreview.org.

Since I joined *Minnesota Law Review* as a staff member last year, I have been continuously engaged by the work we do, impressed by the caliber of my fellow members, and humbled by the tradition of excellence which has come before us. I hope you will stay in touch as we move forward through what I am sure will be a great year! //

Matthew J.M. Pelikan is
editor-in-chief of Volume 96.

**MINNESOTA LAW REVIEW
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The *Fletcher Files* is published twice annually.

Send news, articles for submission, updated contact information, or feedback before February 15, 2012 for inclusion in the spring issue.

Editors
Joshua Colburn (vol. 90–91)

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Issue Contributors
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(vol. 95–96)

Margaret Wade (vol. 95–96)

Alumni News

Alain M. Baudry (vol. 70–71) has been named leader of the litigation practice group at Maslon Edelman Borman & Brand, LLP.

Gov. Dayton has appointed **Nancy E. Brasel** (vol. 79–80) and **Philip C. Carruthers** (vol. 62–63) to the bench of Minnesota's Fourth Judicial District.

John J. Bursch (vol. 80–81) became Solicitor General for the State of Michigan effective May 1, 2011 and argued his first case in the U.S. Supreme Court on March 30, 2011.

A portion of Leonard, Street and Deinard, P.A.'s generous contribution to the Law School's Generations capital campaign established the Amos S. and **Benedict S. Deinard** (vol. 5) Scholarship Fund.

Brad Delger (vol. 87–88) has been elected as a shareholder of Aafedt, Forde, Gray, Monson & Hager, PA.

Ruilin Li (vol. 85) was named as an officer in Fredrikson & Byron P.A.'s securities, energy and international practice groups.

Prof. **John H. Matheson** (faculty advisor, vol. 69–74) has been appointed director of the Law School's new Corporate Institute.

Alan G. Page (vol. 58) received the American Legion's James V. Day "Good Guy" award for his work with the Page Education Foundation.

Gregory J. Pulles (vol. 56–57) joined Briggs and Morgan, PA as a shareholder for its financial institutions and real estate section.

Steven M. Rubin (vol. 52–53) will be presented the Sidney Barrows Lifetime Commitment Award at the Twin Cities Cardozo Society's 12th Annual Dinner on November 1, 2011.

Gov. Dayton has appointed **Stephen F. Rufer** (vol. 57–58) to the Commission on Judicial Selection.

David A. Schultz (vol. 81–82) has been appointed to serve on the ABA Death Penalty Representation Project Steering Committee.

Ronald J. Schutz (vol. 65) has been elected to the executive board of Robins, Kaplan, Miller & Ciresi L.L.P.

Robert R. Weinstine (vol. 52–53) has been elected to the board of directors of Winthrop & Weinstine, P.A.

In Memoriam

John Patrick Byron (vol. 36)

December 28, 2010 — Bloomington, MN

C. Frank Claybourne (vol. 26–27)

July 28, 2011 — Wyoming, MN

C. Paul Jones (vol. 33–35)

April 19, 2011 — Minneapolis, MN

Janice Mileo (vol. 60–61)

March 5, 2010 — Roswell, GA

John Edward Simonett (vol. 34–35)

July 28, 2011 — St. Paul, MN

James David Steiner (vol. 55–56)

June 13, 2011 — Tonka Bay, MN

Stuart Williams Rider Jr. (vol. 27)

August 11, 2011 — River Falls, WI

**CITIZENS UNITED:
DEMOCRACY REALIZED—OR DEFEATED?**

FRIDAY, OCTOBER 21, 2011
8:00 A.M. TO 4:00 P.M.
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(Symposium from page 1)

Citizens United in the lower courts, and Professor Spencer Overton of the George Washington University Law School. The panelists are expected to discuss the future of campaign finance and the impact of the new legal landscape on future campaigns. Professor Overton is expected to address the importance of an improved, effective public financing system in the aftermath of the decision and the flaws of past public financing programs in light of the Court's *Arizona Free Enterprise Club*. Bopp will argue that judicial elections preserve judicial independence and enhance judicial accountability.

The *Law Review* has requested 5.5 hours of Minnesota CLE credit for attendance. The symposium is open to the general public free of charge, but due to space limitations, registration is required. Walk-in registration will be available on a first-come, first-served basis. //