



Henry J. Fletcher
Law Review Founder

Former Dean Stein to Headline Annual Banquet

Stein, Judge John Tunheim, and James Hale, former general counsel of Target Corp., to be honored as distinguished alumni

Mark your calendars for the 2006 *Law Review* banquet on April 6th. **Robert Stein** (vol. 44-45), current Executive Director and COO of the ABA and former dean of the Law School, will deliver the keynote address. Stein, Judge **John Tunheim** (vol. 63-64), and **James Hale** (vol. 48-49) will be honored as distinguished alumni.

Tunheim currently serves as a judge on the U.S. District Court for the District of Minnesota. Prior to his appointment to the bench in 1995, he was Minnesota's solicitor general and Chief Deputy Attorney General.



April 6, 2006

Grand Hotel Minneapolis

*Send the enclosed form
to reserve your place by
March 27th.*

**Questions? Contact:
mnlawrev@umn.edu
(612) 625-9330.**

Hale is a former executive vice president and general counsel of Target Corporation. He is an active member of the Minneapolis community.



*Former Dean Robert Stein
will be the guest speaker at
this year's banquet.*

This year also marks the fiftieth anniversary of volume 40 (1955-56), the twenty-fifth anniversary of volume 65 (1980-81), and the tenth anniversary of volume 80 (1995-96). Members of these volumes are invited to join the celebration in recognition of their anniversaries.

This year's banquet is scheduled in conjunction with the Law School's first Alumni Weekend on April 6-9. Details for the weekend, open to all Law School alumni, can be obtained from Sara Jones, director of Alumni Relations, at (612) 626-1888 or sjj@umn.edu.

All alumni are invited to join us for an evening of great food and reconnecting with fellow *Law Review* members. Last year's banquet brought together over 200 current and former *Law Review* members, Law School faculty and staff, representatives from local law firms, and other guests.

Contact the *Law Review* at mnlawrev@umn.edu or (612) 625-9330 for more details. Individual tickets, as well as firm-sponsored tables, are available. //

Symposium Debates Supreme Court Future

Over 200 people join the *Law Review* and distinguished scholars such as Ken Starr, Randy Barnett, and Dan Farber

On October 21, 2005, the *Law Review* hosted the Lindquist & Vennum Symposium, "The Future of the Supreme Court: Institutional Reform and Beyond." The symposium examined critical issues surrounding the Supreme Court, including Justices' status and tenure, the importance of precedent, and its proper role in the constitutional structure.

Underlying much of the discussion was the troublesome problem of politics and ideology interacting with fundamental notions of justice and equality. Although leaders and scholars have debated many of these same ideas since the beginnings of our nation, history and scholarly research continue to uncover new perspectives and create new proposals for finding a satisfactory balance. Indeed, history intervened again to coincide with the symposium, offering insight into two new Supreme Court vacancies, and reinvigorating a

SYMPOSIUM, page 3

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Catching Up With...



Timothy Glynn

Volumes 77-78

Timothy Glynn graduated from the Law School in 1994. He began his career clerking for Judge Donald P. Lay on the Eighth Circuit Court of Appeals, followed by two years at Leonard, Street and Deinard. Tim began contemplating a career in academia while serving as the *Law Review's* Editor-in-Chief, drawn by the intellectual environment, an interest in teaching, and a love for scholarship. The thought returned to him in private practice and led to a clerkship with U.S. District Court Judge **John Tunheim** (vol. 63-64).

In 1999, following his second clerkship, Tim joined the faculty of Seton Hall University School of Law. His teaching ability was quickly noted as he was named Professor of the Year in 2002-03. Tim emphasizes not just baseline learning in his teaching, but the ability to think analytically and push assumptions. "Law is a lifetime of learning for all of us, and how you approach the learning process can have a significant impact not only on your success in law, but also on how much you enjoy your work."

Tim was promoted to full Professor in 2004, and he has published four articles in his time at Seton Hall. His book *Employment Law: Private Ordering and Its Limitations* is forthcoming, and he is currently working on a series of articles exploring the corporate internal affairs doctrine and Delaware's dominance in the "market" for incorporations.

Tim and his wife, **Crystal Olsen Glynn** (vol. 77-78), live in New Jersey with their two children, Alexander and Maya. //



Sam Kaplan

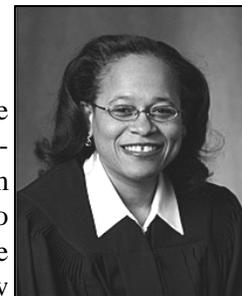
Volumes 43-44

Sam Kaplan graduated *magna cum laude*, Order of the Coif, in 1959. He served on the Editorial Board of Volume 43 of the *Law Review*, and he was the President of Volume 44.

After graduating from the Law School, Sam began working in private practice. His successful career led him to found the law firm Kaplan, Strangis and Kaplan, P.A. in 1978. (One of his partners is **Ralph Strangis** (vol. 42-43).) Sam has served continuously as the firm's president since that time. His accomplishments as a well-known business attorney have given him the opportunity, among others, to work as a director of Piper Jaffray Companies and as a member of the Board of Directors of Vyyo, Inc., a telecommunications company. Sam's recent business successes include shepherding First Florida Bank of Naples to a pending stock sale, which will quadruple the assets of investors.

Natalie Hudson

Volume 65



Public service has long driven Judge **Natalie Hudson**. Originally from Jefferson City, Missouri, she graduated from Arizona State University. Wanting to contribute to her community, Judge Hudson decided that a career in the law would best serve her commitment to social justice.

Following graduation from the Law School, Judge Hudson worked for Southern Minnesota Regional Legal Services, assisting low-income people with housing-law issues. After four years, she joined Robins, Kaplan, Miller & Ciresi and practiced employment law. Her public-service goals, however, then led her to academia, where she spent three years as Assistant Dean of Student Affairs at Hamline University School of Law. Judge Hudson also taught employment law. In 1992, she became St. Paul City Attorney, and she joined the Attorney General's office in 1994, eventually serving in its criminal-appellate division and appearing numerous times before the court she would soon join.

Judge Hudson was appointed to the Minnesota Court of Appeals in 2002 by Governor Jesse Ventura. The governor noted her "ability to relate to people one-on-one in the community, which will help make the court more understandable to the average citizen." As a judge, she remains committed to public service and has assisted with several diversity initiatives. She also serves on the Law School's Alumni Board of Directors. Even her private life retains strong threads of public service – her husband is a retired police officer and current reverend. //

Beyond his notable career as a prominent private attorney, Sam and his wife Sylvia have become instrumental in Minnesota politics. Loyal supporters of the state Democratic-Farm-Labor Party and the national Democratic Party, together they have raised significant amounts of money for political liberals, working closely with the likes of Minneapolis Mayor R.T. Rybak and Senator John Kerry's presidential bid.

The Kaplans' political activities have earned them the reputation of being renowned Democratic fundraisers. Their home on the Mississippi River was built with that reputation in mind, and the Kaplans hosted a 2004 fundraiser there that included a performance by singer Bette Midler. So powerful is an endorsement by Sam and Sylvia Kaplan that their support of Senator Paul Wellstone in 1990 is said to have legitimized his campaign. Sam and Sylvia are currently working with Hennepin County Attorney Amy Klobuchar in her bid to become Minnesota's next United States Senator. //

SYMPOSIUM, *continued*

very public debate on the Supreme Court, its Justices, and politics.

Thirteen of the country's leading scholars participated in the symposium, including Professors Adrian Vermeule, Randy Barnett, Mark Tushnet, Martin Redish, Kenneth Starr, Steven Calabresi, and Daniel Farber.

The symposium consisted of a presentation by Professor Vermeule on "The Obstacles to Supreme Court Reform," followed by four panels. The first panel discussed the role of precedent in the Supreme Court's decision making, building upon the concept of "super precedent" that arose during the confirmation hearings for Chief Justice John Roberts. The second panel examined the role of external influences on the Justices' decision making. The symposium's third panel addressed the tension between some of the intensely political controversies brought before the Supreme Court and

the Constitution's placement of the Supreme Court above politics. Finally, given the increasingly long tenures of Justices, the fourth panel of the symposium assessed the interaction between the Supreme Court's case docket, Justices' workload, and Justices' decisions about how long to remain on the Supreme Court.

On October 20, 2005, Minnesota Public Radio's Midmorning program featured Tushnet and Starr in a spirited discussion on the Supreme Court's future.

The May 2006 issue of the *Law Review* will feature the articles written for the symposium by each of the thirteen participants. Further information on the symposium, including the archived webcast of all panels and presentations, is available through the *Law Review* website, at www.law.umn.edu/lawreview/symposium.html.

Who was Fletcher?

Born December 17, 1860, **Henry J. Fletcher** became a Professor at the Law School in 1902. A graduate of the University of Michigan Law School, Fletcher was in private practice in Minneapolis and Kansas before joining the Law School faculty. Professor Fletcher, along with Dean William Reynolds Vance, established the *Law Review* in 1917 to, as Fletcher wrote in the first volume, "develop the spirit of statesmanship as distinguished from dry professionalism. It ought at the same time to contribute a little to the systematic growth of the whole law." In his twelve years as the first Editor-in-Chief of the *Law Review*, Professor Fletcher did more than just a little, laying the foundation for the *Law Review*'s now ninety volumes of scholarly excellence.



As the Law Review's 100th volume approaches, the Alumni Advisory Board is taking steps to develop an authoritative history of the Law Review. If you have any suggestions or would like to make a contribution to this effort, please contact Wes Graham at wgraham@hensonefron.com.

The Law Review has a long history of excellent student scholarship. Congratulations to the following student authors whose articles were published in volume 90:

Jason Adkins
Megan Backer
Lisa Benrud-Larson
Amy Bergquist

Megan Healy
Annie Johnson
Todd Olin
Dan Robinson

Alyson Tomme
Lindsey Tonsager
Lindsey Saunders

The Editor's Desk

Springtime brings a flood of law review articles to the *Law Review*'s office. Between February and May, authors from around the country send us about 1,000 articles, of which we can publish no more than 15-20. Our challenge is to identify the best of these and secure the right to publish them even as other journals compete for the same manuscripts. The *Law Review* meets this challenge admirably: it ranks as the 16th-most cited law journal in the country. Since 1998 courts and commentators have cited the *Law Review* nearly 3,000 times.



Just how does the *Law Review* handle this challenge of picking the jewels in the rough? First, we clear the underbrush: one of eight Article Submission Editors skims each article and makes an initial determination whether it merits further review. Only about one in ten articles survive this phase. Those that survive are read in full by a committee of four Article Editors and the Editor-in-Chief; this committee selects for publication only about one in four of the articles it reads. We then make a publication offer to the author. Through this highly selective process, the *Law Review* limits its pages to top legal analysis.

The *Law Review* is adapting to two significant trends in the nature of law journals. The first is that authors increasingly submit articles electronically, which is easier and cheaper than mailing a hard copy. Accordingly, authors tend to submit their works to more journals, and we are seeing a rise in the numbers of articles we receive. Second, scholars and journals are pushing for shorter articles, which I am convinced will make law journals more useful. From a publishing standpoint, publishing shorter articles means publishing more articles overall, increasing the editors' workload. The *Law Review* is well prepared to handle these exciting changes and will continue to be a leader among law journals.

Matthew Krueger is editor-in-chief of volume 90. This fall, he will clerk for Judge Paul Niemeyer, Fourth Circuit Court of Appeals.

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Editor-in-Chief, vol. 90

Fletcher Files is published twice annually. Send news, articles for submission, updated contact information, or general feedback to Ryan Stai, 2414 Buchanan Ave NE, Minneapolis, MN 55418 or stai0015@umn.edu. The submission deadline for the fall 2006 issue is August 10, 2006.

*Editors Ryan Miske
Ryan Stai*

Contributors

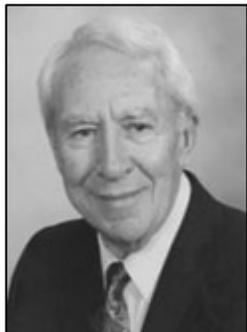
Wes Graham (vol. 88-89)

Nico Kieves (vol. 89-90)

Matthew Krueger (vol. 89-90)

Ivory Ruud (vol. 89-90)

Karla Vehrs (vol. 89-90)

In Memoriam**Calvin J. Anderson**, vol. 32
Nov. 28, 2005, Minneapolis**LeRoy C. "Lee" Corcoran**, vol. 39
Nov. 30, 2005, Washington, D.C.**Jerry G. Dygert**, vol. 47-48
June 30, 2005, Minneapolis**Roger L. Ellison**, vol. 43-45
Nov. 17, 2005, San Rafael, Calif.**Ernest A.E. Gellhorn**, vol. 45-46
May 7, 2005, Washington D.C.**Alumni News****Ruby Hou Alexander** (vol. 85) joined Perkins Coie in Seattle. She was previously an associate at Sullivan & Cromwell in New York.**Stacy Lynn Bettison** (vol. 82-83) is the Communications and Development Director at the Landscape Plant Development Center.**Diane Bratvold** (vol. 70-71) of Rider Bennett and **Charles Lundberg** (vol. 61-62) of Bassford Remele have been named Fellows of the American Academy of Appellate Lawyers.**Steven DeRuyter** (vol. 54-55) of Leonard, Street and Deinard and **Wil Fluegel** (vol. 62-63) of the Fluegel Law Office have been named Attorneys of the Year by *Minnesota Lawyer*.**Gregory Dose** (vol. 61-62) joined Goldstine, Skrodzki, Russian, Nemece and Hoff in Burr Ridge, Ill., as a partner.**Richard Erstad** (vol. 79-80) was named General Counsel and Secretary of BUCA, Inc., in Minneapolis.**RKMC Gives
\$1M in Honor
of Founder, L.
Rev. Alumnus
Solly Robins****Solly Robins**

Robins, Kaplin, Miller & Ciresi has contributed \$1 million to the Law School in honor of its founder, **Solly Robins** (vol. 20). The donation creates two research fellowships for tenured professors. "These fellowships are a tribute to . . . one of the finest trial lawyers in the nation's history," said chairman Michael Ciresi. Solly earned his J.D. from the Law School in 1936. He died in 1999. //

Timothy Goodman (vol. 82), **Michael Iwan** (vol. 81-82), and **Michael Voves** (vol. 81) were named partners at Dorsey & Whitney.**John Goetz** (vol. 59-60) and **Peter Riley** (vol. 60), partners at Schwebel, Goetz & Sieben, were named two of Minnesota's Top 40 personal-injury lawyers.**Deanne Greco** (vol. 61-62), a shareholder at Moss & Barnett, is the president of Ordway Circle of Stars, a nonprofit that supports the Ordway Center in Minneapolis.**Ann Huntrods** (vol. 64-65) received the David Graven Public Service Award for her contributions to the legal profession and her public-service work.**Adam Morris** (vol. 85-86) is clerking for Hon. H. Emory Widener, Jr., of the United States Court of Appeals for the Fourth Circuit.**Ben Mulcahy** (vol. 78) was named a leading lawyer under the age of 40 by *The National Law Journal*. Ben is a partner at Sheppard, Mullin, Richter & Hampton in New York and California.**James Poradek** (vol. 81-82) was named partner at Faegre & Benson.**Chris Rauschl** (vol. 81-82) joined the General Mills Law Department.**Seema Shah** (vol. 80-81) is the first executive director of Twin Cities Diversity in Practice, a collaboration dedicated to advancing diversity in the Twin Cities legal community.**Laura Walvoord** (vol. 80-81) was named partner at Maslon Edelman Borman & Brand.**Erica Weston** (vol. 86-87) has joined the University of Colorado's Office of University Counsel.**Doris Yock** (vol. 64-65) was elected a shareholder at Leonard, Street and Deinard.**Read by the NYT**

Writing about the recent execution of Stanley "Tookie" Williams, the *New York Times* cited an article titled "Against Mercy" by Professor Dan Markel that appeared in volume 88 of the *Law Review*. Even the mainstream media follows our work. //