

Henry J. Fletcher
Law Review Founder

Annual Symposium to Discuss Ballot Initiatives

The *Minnesota Law Review* will host its annual symposium, “**A More Perfect Union? Democracy in the Age of Ballot Initiatives**,” from 8:00am to 4:00pm on Friday, October 26, in Room 25 of the Law School Building at 229 19th Ave. S., Minneapolis. The symposium will be followed by a reception with the

current journal members and several of the panelists in Auerbach Commons.

This November, Minnesotans will have an opportunity to vote on two ballot measures that would amend the Minnesota Constitution. This year’s symposium is not structured to discuss the policy merits of either amendment but instead seeks to advance the public and scholarly discussion of the role ballot initiatives can and do play in a modern democracy.

Panelists from across the nation will gather to address the complex legal, political, and practical issues associated with legislating through the ballot.

The first panel of the day will feature Professors Ethan Leib (Fordham), Michael Gilbert (USC),

and Mathew McCubbins (Virginia). They will discuss the duties that citizens should observe when voting on ballot measures, whether voters are capable of fulfilling those obligations, and how judges should interpret the product of citizens’ decisions regarding ballot measures.

Provost Elizabeth Garrett (USC) and Professors Michael Kang (Emory) and Todd Donovan (Western Washington) will explore the distinctions between ballot campaigns and candidate campaigns in the second panel. They will analyze the unique challenge that direct democracy campaigns pose to campaign finance laws in addition to the impacts that ballot initiative

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MINNESOTA LAW REVIEW
2012 SYMPOSIUM

A More Perfect Union?
DEMOCRACY IN THE AGE OF
BALLOT INITIATIVES

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Catching Up..

Sandra R. Levitsky Volumes 80–81

Sandra R. Levitsky knew half-way through law school that the questions in which she was interested were not the questions in which lawyers are generally interested. While lawyers are concerned with the people who walk into their offices, Levitsky was concerned about those who choose not to visit a lawyer—what social forces prevent people, and women in particular, from mobilizing their hard-won legal rights?



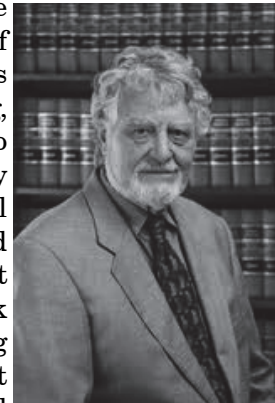
After serving the *Law Review* as Editor-in-Chief, Levitsky obtained her PhD in Sociology from the University of Wisconsin in 2006. Her dissertation, “Private Dilemmas of Public Provisions: The Formation of Political Demand for State Entitlements to Long-Term Care,” won the Law & Society Association Dissertation Award and the National Academy of Social Insurance John A. Heinz Dissertation Award.

Levitsky completed post-doctoral work at the University of Michigan and is currently an Assistant Professor in the Department of Sociology there. Her scholarship focuses on the intersection between law and sociology, and issues such as how new conceptions of rights emerge. Her recent publications include: *SOCIAL MOVEMENTS AND THE TRANSFORMATION OF AMERICAN HEALTH CARE* (with Jane Banaszak-Holl and Mayer Zald, eds.), Oxford University Press, 2010 and “What Rights?: The Construction of Political Claims to American Health Care Entitlements,” *LAW & SOCIETY REVIEW* 42(3): 551-589. Her second book, tentatively titled *DOMESTICATING DISCONTENT: WHY UNMET SOCIAL WELFARE NEEDS DON'T PRODUCE POLITICAL DEMAND FOR NEW SOCIAL POLICY*, is forthcoming from Oxford University Press. She is a frequent presenter at conferences, including the Law & Society Association and the American Sociological Association.

Her impending journey into academia made her *Law Review* experience “extra rewarding” because she was immersed in intellectual scholarship. On *Law Review*, Levitsky learned how to recognize and construct coherent, well-justified arguments. She not only applies these skills daily in her own scholarship, but also imparts them to her students and mentees. Levitsky advises current *Law Review* members that tasks that may feel like drudgery are actually honing a set of skills that will be invaluable in law practice—or academia. //

William J. Lockhart Volumes 44–45

William J. Lockhart is Professor Emeritus of Law at the University of Utah S. J. Quinney College of Law. Civil liberties and protection of environmental values and public lands have been a central focus of his teaching, writing and extensive pro bono representation, more recently concentrating on the environmental impact assessment (EIA) process and related litigation in India. Current projects in progress include a book extensively analyzing and critiquing India's EIA process, and frequent collaboration with environmental counsel in India on cases in India's Supreme Court, High Courts or a recently established “Green Court.”



Lockhart traces his passion for nature to summers in Minnesota's Boundary Waters Canoe Area Wilderness with his family, including his father, former Law School Dean William B. Lockhart. After Law School, where he served as Editor-in-Chief and President of the *Law Review*, Lockhart worked at Gray, Plant, Mooty and Anderson before joining the Utah faculty. He worked extensively with Professor Kenneth Culp Davis as a consultant on projects for the U.S. Administrative Conference of the United States, an agency mandated to improve the fairness and effectiveness of federal administrative agencies (defunded in 1981 but recently reauthorized). In 1974, as Acting United States Attorney for Utah, Lockhart administered President Ford's clemency program in Utah for Vietnam draft evaders.

Lockhart has litigated numerous cases seeking protection of national parks and other public lands, representing both national and local conservation groups, particularly the National Parks Conservation Association, as well as Sierra Club, Friends of the Earth and the Environmental Defense Fund. His representation has involved issues affecting many of the best-known western parks, as well as public land wilderness protection.

In 2000 and 2004 Lockhart received Fulbright research grants to study protection of national parks and wildlife refuges in India, leading to his present concentration on India's EIA process. That background also provided impetus an “International Environmental Practicum,” in which law students prepared litigation handled by cooperating attorneys in India. His current assistance in Indian environmental litigation has focused particularly on the impact on tribal peoples and wildlife from proliferating bauxite mining by multinational corporations.

In addition to inculcating habits of discipline and hard work, Lockhart credits the *Law Review* with teaching him to recognize and address the larger policy and long-term implications of legal issues, interpretation and decisions. Fifty-one years later, that experience continues to drive his scholarship and advocacy. //

You might be surprised how interesting *you* are.

Send us your updates and profile suggestions today!

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Annual Banquet Recognizes Heilman and Price

This year's *Law Review* banquet was held on April 5, 2012 at Windows on Minnesota at the top of the IDS Center in downtown Minneapolis.

The evening began with the traditional cocktail hour reuniting alumni and introducing current journal members and then proceeded into dinner service and a brief ceremony. Law School Dean David Wippman opened the evening's program with a humorous note and pride in noting that the *Minnesota Law Review* is the tenth most-cited law journal in the United States according to Washington & Lee's most recent law journal rankings publication.

Members of volumes 86, 71, and 46 celebrated their ten, twenty-five and fifty-year anniversaries of the publications of their volumes.

Cheryl Heilman (vol. 64–65) and **Joseph Price** (vol. 55–56) were each presented with Distinguished Alumni Awards honoring their substantial achievements in serving the community, improving the legal field and developing successful practices.

Board members **Brad Emmons** (vol. 95–96), **Ben Hanna** (vol. 95–96),

and **Elise Larson** (vol. 95–96), received the Leonard Street and Deinard Awards for excellent student notes, which awards traditionally recognize student-authored pieces published in the most recent volume.

Brad Emmons (vol. 95–96), as the lead note and comment editor of the outgoing volume, presented the Volumes 35 and 36 Memorial Awards to staff members **Rachel Benedict** (vol. 96–97), **Nathan Ebnet** (vol. 96–97), and **Will Stancil** (vol. 96–97) for their soon to be published student notes. **Nadia Aboussir** (vol. 95–96), outgoing lead managing editor, awarded staff members **Heather Baird** (vol. 96–97) and **Anne Bautch** (vol. 96–97) awards for outstanding citechecking.

The board of Volume 96 presented outgoing editor-in-chief, **Matt J.M. Pelikan** (vol. 95–96), with a gift to recognize his hard work and dedication to the journal during his tenure. Lastly, Pelikan introduced the new editor-in-chief, **Chris Schmitter** (vol. 96–97), who spoke about the exciting future of the *Minnesota Law Review* in the year to come. //

Remembering... John Alfred Murray Volumes 40–41

John Alfred Murray passed away on June 14, 2012. After serving as a editor of the *Law Review* for two years, he served as clerk for the Honorable William Murphy, then an Associate Justice of the Minnesota Supreme Court.

In 1981, Murray founded John Murray & Associates, Ltd. in Minneapolis to accommodate his growing expertise in commercial law, including complex property tax assessments and business and asset valuation disputes.

In addition to his more than 50 years in private practice, Murray was actively involved in numerous

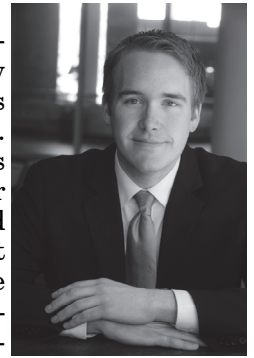
professional and civic activities, including service as president of the Better Business Bureau of St. Paul; president and a director of the Corporate Counsel Association of Minnesota; and chairman and a director of the St. Paul Tourism and Convention Commission. Murray also served as an adjunct professor of Antitrust and Regulatory Law at William Mitchell College of Law. //



Editor's Desk

Volume 97 is underway and off to a great start!

A uniquely talented group of new staff members has joined us this year. These 39 students come from all over the country and share a commitment to producing the very best legal scholarship. They recently completed their first citechecks and have selected their Note topics for the year. I'm excited to see the great work they will do in the year to come. We are managed by an incredibly hard-working board of editors that is passionate about producing the very best volume possible.



Like last year, the journal selection process was especially competitive. More than 150 students petitioned for *Law Review* in 2012. We held a series of workshops throughout the spring, to help encourage students to take the time to petition. Managing/Research Editors **Matt Rotenberg** (vol. 96-97) and **Alexis Reller** (vol. 96-97) led the process, and Lead Managing Editor **Lisa Beane** (vol. 96-97) played a critical role as well. Continuing to increase the competition for *Law Review* positions will remain an important goal.

We are taking new steps to connect students with our alumni community. The new *Law Review* Mentorship Program has introduced new staff members to *Law Review* alumni mentors in the community. In a still-challenging job market, this program gives staff members a chance to ask alumni about how to interview and the practice of law generally. Each staff member has gained another person to talk to about how to be an effective journal member. **Jay Creagh** (vol. 96–97) and **Paul Shneider** (vol. 96–97) lead the program. Contact us at mnlawrev@umn.edu for more information about the Mentorship Program to get involved.

I am continually impressed by the phenomenal work my colleagues on the journal do, and by the tradition of excellence we have inherited from past volumes. Because of your efforts, Minnesota Law Review is now ranked the 10th most cited law journal in the country. Thank you so much for your continued support and please do stay in touch this year. //

Chris Schmitter is editor-in-chief of Volume 97.

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Volume 97 Editor-in-Chief

Chris Schmitter (vol. 96–97)

The *Fletcher Files* is published twice annually.

Send news, articles for submission, updated contact information, or feedback before February 15, 2013 for inclusion in the spring issue.

Editors

Joshua Colburn (vol. 90–91)

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Issue Contributors

Chris Schmitter (vol. 96–97)

Tom Pryor (vol. 96–97)

Staci Lieffring (vol. 96–97)

Alumni News

Stacy Lynn Bettison (vol. 82–83) was re-elected to the Minnesota Women Lawyers board of directors.

Thomas L. Bray (vol. 71–72) was elected to the board of directors of Briggs and Morgan.

Karen L. Clauson (vol. 71–72) was promoted to general counsel and senior vice president at Integra Telecom Inc.

Joseph T. Dixon Jr. (vol. 52–53) received the 2012 Professionalism Award from the Hennepin County Bar Association.

Patrick C. Diamond (vol. 69–70) was appointed by Governor Mark Dayton to serve as a district court judge in Minnesota's 2nd Judicial District.

Katherine J. Douglas (vol. 88–89), **Sten-Erik Hoidal** (vol. 87–88) and **Ryan G. Miest** (vol. 82–83) were elected shareholders at Fredrikson & Byron.

Timothy E. Grimsrud (vol. 87–88) and **Dawn Holicky Pruitt** (vol. 87–88) were named as partners at Faegre Baker Daniels.

Neil W. Hamilton (vol. 53–54) was named interim Dean of the University of St. Thomas School of Law and received an Outstanding Service to the Profession award from *Minnesota Lawyer*.

Michael T. Hawkins (vol. 87–88) was named a principal at Fish & Richardson.

Carl H. Johnson (vol. 82–83) was appointed chair of the Council Coordination Division, Office of Subsistence Management of the U.S. Fish & Wildlife Service regional office in Anchorage, AK.

Richard H. Kyle (vol. 45–46) was elected treasurer of the Minnesota State Bar Association.

Brian F. Laue (vol. 89–90) has become a shareholder and partner at Bye, Goff & Rohde, Ltd..

James A. Morrison (vol. 57) was named a Marinette County, WI Circuit Court judge by Gov. Scott Walker.

Jonathan J. Oviatt (vol. 65) is chair of the Washington, D.C. Association of Corporate Counsel.

Steven J. Ryan (vol. 77–78) has been appointed to serve on Briggs and Morgan's new Management Committee.

Allen I. Saeks (vol. 38–39) received the Richard S. Arnold Award for Distinguished Service and Lifetime Achievement from the Eighth Circuit Bar Association.

Arne M. Sorenson (vol. 66–67) was named Chief Executive Officer of Marriott International Inc.

Karla Vehrs (vol. 89–90) was elected partner at Leonard Street and Deinard.

In Memoriam

Richard I. Diamond (vol. 56)

DATE — LOCATION

Judith Ann Harrigan (vol. 57)

DATE — LOCATION

James L. Hetland Jr. (vol. 32–33)

May 23, 2012 — LOCATION

Royce N. Sanner (vol. 43–44)

DATE — LOCATION

John Alfred Murray (vol. 40–41)

June 14, 2012 — LOCATION

Estella J. Schoen (vol. 82–83)

November 20, 2011 — Brooklyn, NY

John A. Spellacy (vol. 32)

Feb. 4, 2012 — St. Cloud, MN

Fred Woodruff Fisher (vol. 25–26)

Dec. 5, 2011 — Oak Park Heights, MN

(Continued from page 1)

campaigns have on minority groups.

In the final panel, Professor Shaun Bowler (UC Riverside) will join Tenth Circuit Judge Timothy Tymkovich and Ninth Circuit Chief Judge Alex Kozinski in the final panel. They will draw larger conclusions about direct democracy and whether it is consistent with the limitations and purposes of our country's constitutional system of government.

The symposium is free to the public and has been approved for 5.5 CLE credits. Panelists' articles will be published in Issue 5 of Volume 97. //



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Of More Perfect Union?

DEMOCRACY IN THE AGE OF
BALLOT INITIATIVES

> FRIDAY, OCTOBER 26, 2012

8:00 A.M. TO 4:00 P.M.

RECEPTION TO FOLLOW IN AUERBACH COMMONS

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