Michelle Kommer
Fostering Hope
The passing of the old year and the advent of the new is a traditional time for taking stock – looking back on significant events and accomplishments, and looking forward to meeting challenges and creating opportunities.

Here at the School of Law, 2009 was a year of achievement and change. In March, after five years of serving as Dean and leading the School of Law through an important period of transition, Paul LeBel took on an even larger role at the University of North Dakota by agreeing to serve as the University’s Provost and Vice President for Academic Affairs on an interim basis. As I’ve had the chance to say to many of you, the greater good of the University is one of a very few reasons that we would willingly let Paul go! While Paul is serving as Provost, I’ve been serving as Dean here at the School of Law. It is a true privilege and honor to serve the School of Law in this capacity, and I have greatly enjoyed the opportunity to contribute my best efforts to our School of Law.

We welcomed several new faculty and staff in 2009, all of whom have fast become part of our School of Law team: Assistant Professor Robin Runge, who joined our faculty in Fall 2009 and teaches in our Clinical Legal Education Program; Trish Hodny, our new Director of Career Services, replacing Mark Brickson, who now serves as our Director of Development at the UND Foundation; Jan Stone, who fills a new position in the Law Library as Head of Faculty Services; Laurie McHenry, our new Catalog Librarian, and Kalan Davis, our new Serials Associate, both in the Law Library; and Cheri Tretter, our new administrative assistant in the Dean’s Office. The good work of each of these folks already has made a difference at the School of Law, improving our program of legal education and the services we provide to our students and graduates, as well as enhancing our public service role to the practicing bench and bar, our state, and our region.

2009 also marked a series of milestones and achievements. In March, our Trial Team won the Region 12 Trial Competition and competed in the National Trial Competition in San Antonio, Texas for the second consecutive year. Their continued success helps to establish our growing reputation for teaching effective lawyering skills in our program of legal education. In April, UND School of Law was formally and fully reaccredited by the American Bar Association’s Section of Legal Education and Admissions to the Bar, the culmination of an extensive seventh-year review by the ABA in 2007. In May, 68 School of Law graduates crossed the stage at the Chester Fritz Auditorium to be hooded and receive their diplomas. (Thanks to our summer courses, an additional 13 graduates completed the degree requirements in time for our December 2008 commencement.) Peter Pantaleo, a 1976 School of Law graduate and the managing partner of DLA Piper’s New York office, delivered a memorable commencement address to our newest graduates, who have embarked on a range of professional careers, in private practice across North Dakota and our region, as well as in government and military service, business and finance ventures, and public interest and non-profit organizations. In August, we welcomed our newest students – the Class of 2012 – with a special pinning ceremony where each student took the Oath of Professionalism administered by North Dakota Supreme Court Justice Mary Maring. The Class of 2012, 44 men and 42 women, range in age from 20 to 35 and come to UND from 11 states and two foreign countries, with nearly two-thirds hailing from North Dakota. And in September, Coach “Knute” Lockney led the law school team to victory in the annual Malpractice Bowl. As Fall 2009 was the last semester of Tom’s phased retirement, the win was a fitting end to Tom’s last year as coach. Read more about Tom on page 10.

So much more happened at the School of Law in 2009 – events, speakers, panels, publications, presentations, student and faculty accomplishments – the “everyday excellence” that you help us achieve on a daily basis. Please follow all of our news and events on our web page at www.law.und.edu, where we highlight some of our most notable happenings.

Looking back on 2009, all of us at UND School of Law are proud of our work and accomplishments, and especially proud of our students and graduates who help to make our law school a very special place. But we don’t rest on our laurels around here – our law school must be dynamic, constantly improving upon past achievements and seeking new opportunities for excellence. We want North Dakota’s law school to be one of the premier small public law schools in the country, one that provides an outstanding legal education to our students and leads our legal profession in positively impacting our state, its economy, and the quality of life for all its citizens. And that’s what we’ll be doing in 2010 – working to achieve even more. We rely on your support to help our students and our School of Law realize our full potential. Our alumni and friends are a crucial and indispensable part of our team. We couldn’t have had such a strong 2009 without your help, and we’ll need your support more than ever in 2010.”
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
| 4 | Michelle Kommer  
*Fostering Hope - N.D. Heart Gallery* |
| 10 | Tom Lockney  
*Leaving His Legacy at the Law School* |
| 14 | Jana Connor  
*Change, Challenge & Success* |
| 18 | Gary Delorme  
*To Defend and Protect* |

**Departments**
- From The Dean: 2
- Spotlight: 20
- Symposium: 22
- UND Foundation: 23
- On the Scene: 24
- Alumni Profiles: 26
- News Briefs: 29
- Faculty Notes: 30

**School of Law Administration**
- Kathryn R.L. Rand: Dean
- Jeanne McLean: Assistant Dean
- Editor, Rob Carolin: Director, Alumni & Public Relations
- Cover Photo by Chuck Kimmerle: University of North Dakota Photographer

www.law.und.edu
Michelle Kommer

Fostering Hope
Michelle Kommer has been fostering hope in North Dakota’s children through her involvement in the foster care program since 1999 and most recently in her work to establish the North Dakota Heart Gallery. This accomplished professional’s energy and drive has been the necessary spark needed to create and maintain a photo gallery of North Dakota’s adoption eligible children who are looking for a forever family, unconditional love and a reason to believe.

**Giving Her Heart & Home**

Opening your heart and your home is the ultimate gift you can give to a child in need. Michelle Kommer, a 2007 UND Law School graduate, and her husband Toby have given this gift of heart and home to many children through their involvement in the foster care program, and today she works tirelessly for the 10 percent of children of North Dakota in need of what they call forever families through her efforts to establish and maintain the North Dakota Heart Gallery.

Kommer and her husband Toby have provided foster care for 16 different children, including their middle daughter whom they formally adopted. When asked how she became interested in foster parenting Kommer said, “It is not romantic at all – there was a billboard on Main Avenue in Fargo so Toby and I started talking about it and we knew we wanted to be parents someday. Something just called us to that and when two people are of such a strong idea that it was the right thing, we pursued it.”

They took the necessary steps to finalize the paperwork prior to their wedding. The day after their license was approved, Kommer received a call at 2:00 a.m. informing them two children, a 10-month-old and a two-year-old were on their way in a couple hours. “We were not prepared in the sense that we didn’t have baby things in our house and the house was not ‘baby proof’,” Kommer said. “Toby ran out to WalMart at 3:00 a.m. to get car seats, pack ‘n plays and the things that two people without kids thought kids might need.” Early that morning the kids showed up and it was the beginning of their foster care experience.
An Appreciation For Family

Growing up the daughter of two educators, Kommer moved around as a kid, but spent most of the later years in Mayville, ND. She graduated from both high school and college in Mayville, so she felt the need to get out and experience the world. Her brief excursion out of North Dakota was an internship with the United States Department of State. She lived in Washington D.C. and traveled the world auditing embassies in Europe and Africa. From her experience she gained a new appreciation for family. “It was my first real job, and my first opportunity to really appreciate North Dakota, the community and family, and just how important that is,” she said, “I am so grateful for that experience because I think if I had stayed in North Dakota, I would have not gained the appreciation I did for home,” Kommer explained.

From the State Department she earned her ticket home by accepting a job in Senator Kent Conrad’s office. She worked there briefly before beginning a corporate career with Community First Bankshares, Inc. in Fargo, where her most recent position held was Vice President of Employee Relations. Little did she know this job also provided the opportunity to meet Toby, her future husband – a person that she jokes she didn’t really get along with when they first met. “My husband started there about a month after I did, and we quickly learned we didn’t see eye-to-eye in the workplace. Thankfully, we were able to get to know each other well enough to see the reason we didn’t get along at work is we were too much alike!” Kommer said.

“We called her our Torts baby, because a baby girl came to live with us the night before my first Torts final.”

Knowing what lie ahead with the time commitment of law school and the needs of her own two- and three-year-old daughters, she and Toby made the decision to take a break from being foster parents. “In August before beginning law school we held a garage sale and sold everything ‘baby’ because we were done with kids and weren’t going to do foster care,” said Kommer. “It just didn’t fit into the fiber of what was going to come for the next three years.”

After returning to the United States in 1995, Kommer received her undergraduate degree. Kommer had considered attending law school, but had turned down her admission to UND to accept the position with the State Department. Later, in 2004, while in her position at the bank an opportunity arose that allowed her to take a break from working to fulfill her dream of attending law school. “I believe everything just fundamentally works out in the end,” said Kommer.

Fostering In Law School

After returning to the United States in 1995, Kommer received her undergraduate degree. Kommer had considered attending law school, but had turned down her admission to UND to accept the position with the State Department. Later, in 2004, while in her position at the bank an opportunity arose that allowed her to take a break from working to fulfill her dream of attending law school. “I believe everything just fundamentally works out in the end,” said Kommer.

Knowing what lie ahead with the time commitment of law school and the needs of her own two- and three-year-old daughters, she and Toby made the decision to take a break from being foster parents. “In August before beginning law school we held a garage sale and sold everything ‘baby’ because we were done with kids and weren’t going to do foster care,” said Kommer. “It just didn’t fit into the fiber of what was going to come for the next three years.”

“We called her our Torts baby, because a baby girl came to live with us the night before my first Torts final.”

Fostering In Law School

After returning to the United States in 1995, Kommer received her undergraduate degree. Kommer had considered attending law school, but had turned down her admission to UND to accept the position with the State Department. Later, in 2004, while in her position at the bank an opportunity arose that allowed her to take a break from working to fulfill her dream of attending law school. “I believe everything just fundamentally works out in the end,” said Kommer.

Knowing what lie ahead with the time commitment of law school and the needs of her own two- and three-year-old daughters, she and Toby made the decision to take a break from being foster parents. “In August before beginning law school we held a garage sale and sold everything ‘baby’ because we were done with kids and weren’t going to do foster care,” said Kommer. “It just didn’t fit into the fiber of what was going to come for the next three years.”

We called her our Torts baby, because a baby girl came to live with us the night before my first Torts final.”

Fostering In Law School

After returning to the United States in 1995, Kommer received her undergraduate degree. Kommer had considered attending law school, but had turned down her admission to UND to accept the position with the State Department. Later, in 2004, while in her position at the bank an opportunity arose that allowed her to take a break from working to fulfill her dream of attending law school. “I believe everything just fundamentally works out in the end,” said Kommer.

Knowing what lie ahead with the time commitment of law school and the needs of her own two- and three-year-old daughters, she and Toby made the decision to take a break from being foster parents. “In August before beginning law school we held a garage sale and sold everything ‘baby’ because we were done with kids and weren’t going to do foster care,” said Kommer. “It just didn’t fit into the fiber of what was going to come for the next three years.”

“We called her our Torts baby, because a baby girl came to live with us the night before my first Torts final.”

Fostering In Law School

After returning to the United States in 1995, Kommer received her undergraduate degree. Kommer had considered attending law school, but had turned down her admission to UND to accept the position with the State Department. Later, in 2004, while in her position at the bank an opportunity arose that allowed her to take a break from working to fulfill her dream of attending law school. “I believe everything just fundamentally works out in the end,” said Kommer.

Knowing what lie ahead with the time commitment of law school and the needs of her own two- and three-year-old daughters, she and Toby made the decision to take a break from being foster parents. “In August before beginning law school we held a garage sale and sold everything ‘baby’ because we were done with kids and weren’t going to do foster care,” said Kommer. “It just didn’t fit into the fiber of what was going to come for the next three years.”

“We called her our Torts baby, because a baby girl came to live with us the night before my first Torts final.”

Fostering In Law School

After returning to the United States in 1995, Kommer received her undergraduate degree. Kommer had considered attending law school, but had turned down her admission to UND to accept the position with the State Department. Later, in 2004, while in her position at the bank an opportunity arose that allowed her to take a break from working to fulfill her dream of attending law school. “I believe everything just fundamentally works out in the end,” said Kommer.

Knowing what lie ahead with the time commitment of law school and the needs of her own two- and three-year-old daughters, she and Toby made the decision to take a break from being foster parents. “In August before beginning law school we held a garage sale and sold everything ‘baby’ because we were done with kids and weren’t going to do foster care,” said Kommer. “It just didn’t fit into the fiber of what was going to come for the next three years.”

“We called her our Torts baby, because a baby girl came to live with us the night before my first Torts final.”

Fostering In Law School

After returning to the United States in 1995, Kommer received her undergraduate degree. Kommer had considered attending law school, but had turned down her admission to UND to accept the position with the State Department. Later, in 2004, while in her position at the bank an opportunity arose that allowed her to take a break from working to fulfill her dream of attending law school. “I believe everything just fundamentally works out in the end,” said Kommer.

Knowing what lie ahead with the time commitment of law school and the needs of her own two- and three-year-old daughters, she and Toby made the decision to take a break from being foster parents. “In August before beginning law school we held a garage sale and sold everything ‘baby’ because we were done with kids and weren’t going to do foster care,” said Kommer. “It just didn’t fit into the fiber of what was going to come for the next three years.”

“We called her our Torts baby, because a baby girl came to live with us the night before my first Torts final.”

Fostering In Law School

After returning to the United States in 1995, Kommer received her undergraduate degree. Kommer had considered attending law school, but had turned down her admission to UND to accept the position with the State Department. Later, in 2004, while in her position at the bank an opportunity arose that allowed her to take a break from working to fulfill her dream of attending law school. “I believe everything just fundamentally works out in the end,” said Kommer.

Knowing what lie ahead with the time commitment of law school and the needs of her own two- and three-year-old daughters, she and Toby made the decision to take a break from being foster parents. “In August before beginning law school we held a garage sale and sold everything ‘baby’ because we were done with kids and weren’t going to do foster care,” said Kommer. “It just didn’t fit into the fiber of what was going to come for the next three years.”

“We called her our Torts baby, because a baby girl came to live with us the night before my first Torts final.”
It didn’t take long for the Kommers to listen to their heart once again. “Both my husband and I said you can’t be a foster parent and then decide not to be just because it is not convenient for your life. The need is still there,” said Kommer. Midway through her first year of law school the Kommers found themselves back at WalMart repurchasing the items sold in August in preparation for a foster baby. She joked, “We called her our Torts baby, because a baby girl came to live with us the night before my first Torts final.” During her second year of law school they fostered a baby boy who arrived in their care on Valentine’s Day, and in November of her third year, five days before fall semester finals, the Kommers had a baby of their own, adding a third daughter to their family.

**Establishing The North Dakota Heart Gallery**

While in law school, Kommer still thought about ways she could make just a little bit of difference with something that might fit better into their current situation. She was watching television during her second year of law school, and saw a show titled “Calling All Angels” a 20/20 special report. “It was about children in foster care waiting to be adopted,” she said. “The outcome was not a happy ending and I thought to myself ‘look at all of these kids’ – and I felt even worse.”

About a week later, a segment on NBC Nightly News titled “Making a Difference” featured the New Mexico Heart Gallery, a gallery of photos set up to create awareness of adoption eligible kids in the state. The light went on, and Kommer instantly knew this was the next thing she could do to help in North Dakota.

About 90 percent of the adoption eligible children in North Dakota are either adopted by foster parents or family members. “It is the remaining 10 percent that the Heart Gallery serves – we call those the waiting children. Their parental rights are already terminated so they are legal orphans,” said Kommer. The goal of the North Dakota Heart Gallery is to create awareness of these children eligible for adoption through a gallery of professional portraits.

**Photo Above:** Example of photos in the North Dakota Heart Gallery. The photos are taken with the goal of capturing the spirit of the children eligible for adoption.

**Photo Above Left:** The Kommer Family, from left: daughter Morgan, Michelle, daughter Channing, husband Toby and daughter Mya. (photo by Michael Olsen)
They had recently completed the adoption of their daughter Mya, so Kommer picked up the phone and made the call that provided the necessary spark to set the North Dakota Heart Gallery in motion. “I called our adoption worker and said I have this idea. She told me it had been on their work plan and the work plan of the state as well,” said Kommer. That single call led to others among the necessary parties to be involved.

The first task was to assemble a board of directors. Through their network of calls they decided to meet and create a board that included all of the major decision makers in the state relating to foster care and adoption. This group is not your typical “rubber stamp” board of directors, it is a working group. “We are so grassroots. It is so unlike anything we do in business where you have process and procedure and everything is by the book. When we didn’t know how to do something we just said let’s figure this out,” Kommer explained. In August of 2007, the summer Kommer graduated from law school as a member of Order of the Coif and only a week after taking the bar exam, the group had established themselves as a non-profit organization and worked out all the “legal stuff,” but they were still in need of photographers.

Kommer had hired Dave Arntson from Milestones Photography in Fargo, to take some pictures of her own family. “I didn’t know what to expect, but when I opened them up online I just started crying because my kids have really different personalities and he photographed their spirits. I knew this was the guy I had to ask,” she said. After hearing about the mission of the Heart Gallery, Arntson enthusiastically agreed and extended an invitation to his wife Sarah, a media and communications professional, who also agreed to join the board as the coordinator of media and publicity.

**Picture Perfect**

The photo sessions with the kids are what touch Kommer’s heart the deepest. The organization provides a small stipend to each child to allow the children’s social workers to assist them with shopping for a new outfit for their photo session. In addition, each child receives a photo album of the pictures taken.

“We didn’t anticipate as part of the experience that the actual photo shoot would be as meaningful as it has turned out to be,” said Kommer. “The kids in the new clothes they picked out to suit their style – just the joy that comes out in the photo and they become these different people for a few minutes,

“*We didn’t anticipate as part of the experience that the actual photo shoot would be as meaningful as it has turned out to be... for a moment they are the most important person in the room and for these kids they have never been the most important person in the room – ever.***
and by different I mean not that they deviate so far from themselves that you can’t capture their spirit but for a moment they are the most important person in the room, and for these kids they have never been the most important person in the room – ever.”

Kommer tells a story about one photo shoot that brought her to tears and highlights the importance of Heart Gallery effort. A 16-year-old girl was having a great time with her photo shoot so Arntson asked her if she was a professional model. She nonchalantly replied, “no, nobody has ever taken my picture before.” Kommer said, “If you think of your own kids and how for the first many years of their lives your camera is an extension of your hand, and then you think of a kid who has never known that feeling of being that important to someone, you just can see it.”

**Hard Work and Success**

At the same time this planning was taking place, Kommer graduated from law school and was hired by the legal department of Otter Tail Corporation, a company she interned with during her final year. She has since been promoted to Vice President for Human Resources, but said she still practices employment law for the company as well.

Two years of behind the scenes work and dedication came to fruition in November 2008, when the organization held its inaugural gala at the Plains Art Museum in Fargo. They held their second gala featuring new portraits in November 2009. The Gallery is making a difference. Since the first gala, eight children featured have finalized formal adoptions, with others in the process.

Kommer credits the board of directors, a group who came together as strangers, now working toward a common goal of the Gallery’s continued success. “These people all have day jobs but are sneaking away at lunch to go set the gallery up at the mall or are out there driving mini vans across the state, she said. “That is probably the hardest part of being true to the commitment that we have to get the gallery seen by as many people as possible and to try to have a day job at the same time.”

The Heart Gallery raises awareness, and it meets an important need, but Kommer truly believes it is the people providing for the children that deserve the most credit. She said, “These prospective parents who take that leap of faith and open their hearts and homes to these children are the real heroes. I look at them and say how do you even thank a person or couple that is so generous with their gifts. It has been a great experience for me.”

**Photo:** The North Dakota Heart Gallery creates awareness of children in North Dakota awaiting adoption, and gives prospective parents an opportunity to learn about the children.
In 1971, the 26th amendment to the constitution lowered the right to vote to 18 years of age, Walt Disney World opened in Orlando, Florida and the average cost of gas was $.40 per gallon. It is also the year Tom Lockney joined the faculty at the University of North Dakota School of Law. During his tenure Lockney served first and foremost as a teacher, but in addition was a colleague, mentor, and friend – not to mention one of the greatest flag football coaches of all time.

**Tom’s Final Day Of Class**

Professor Tom Lockney held his final class at the law school on November 24, 2009; a class and career that finished with a standing ovation from his students, faculty colleagues and law school staff. When asked about his years here he said, “I think I should be remembered not so much for what I did, but for enjoying what North Dakota, the University and the law school gave to me with the opportunities to be involved in many things. If you have an interest and want to get involved in something you can make a difference here – that is what I have enjoyed the most.”

**Coming To The Law School**

Originally from Waukesha, Wisconsin, Lockney earned an undergraduate degree from the University of Wisconsin, Madison. In 1970, he earned his J.D. with a specialization in Criminal Justice from the University of Texas. While a student at Texas he met an LL.M. student from North Dakota named Larry Kraft. Kraft was on faculty here and spoke briefly with Lockney about the University. “We had a coffee one day and I asked Larry about North Dakota and what he was doing. I recollect that I made some comment to him about how I wouldn’t mind doing something like that,” Lockney said. “About a year later I was working in Washington D.C. at the Justice Department and received a call from Larry asking me if I was still thinking about teaching.”

In the Fall of 1971, Lockney joined a small and relatively new group of faculty at UND. He started with Jeremy Davis, who ultimately served as Dean, and two other new faculty members that year. He recalls of the eight full-time faculty members, four were brand new teachers. Lockney has seen great change at UND over the years. He said, “We had eight faculty members, there was no clinic, and only three floors of the law school building were being used as the law school and the current library had not been built yet; I was teaching Constitutional Law which at that time was a second year class.”

In 1973, Lockney won a fellowship to attend Harvard University, where he earned an LL.M. in Law and Humanities. He was one of 12 young law teachers from law schools throughout the country. In 1978-79, he returned to Texas for the school year to take developmental leave working in the Criminal Defense Clinic and with the Texas Attorney General. In the summer of 1979, he served as a Visiting Associate Professor at Texas. In 1997, Lockney was awarded
a Fulbright Award to teach an Introduction to the United States Legal System at the University of Iceland Faculty of Law. He was actively involved in the UND/ University of Oslo Norwegian exchange program, serving as director until his phased retirement.

His vast opportunity to travel and teach at other law schools around the county and world helped solidify the love he has for North Dakota and the UND School of Law. It is what he credits for his tenure of nearly forty years at UND. He said, “I liked the places I traveled to, but I realized I really missed North Dakota. Talking with others about their experiences gave me a pretty good perspective on the advantages of being in a place where I liked the students, my colleagues, and the opportunities on our campus. All of these things I appreciated more with the perspective of absence.”

In The Classroom

Examining Lockney’s educational background may lead you to believe he was only interested in teaching legal theory, but he constantly looked for ways to inject “real world” examples into the curriculum. Lockney served as a municipal judge in Larimore, Northwood and Emerado, North Dakota for nearly 30 years. “It gave me innumerable war stories I could use in the classroom, Lockney noted. “I could go in and explain to my students real life situations that I would see in court, so that is part of the reason why I continued to do it.”

He brought cases he was working on to the classroom as well. One semester, his mental health law seminar course focused on North Dakota’s statute for involuntarily commitment of the mentally ill. Involving all the students in the class, Lockney and the Law Clinic filed a federal lawsuit on behalf of a woman who was a patient in a local psych ward. “The students and I divided up the issues and alleged the procedure was unconstitutional. I wasn’t just teaching mental health legal theories, we were involved in motivating reform through litigation,” Lockney explained. Their work ultimately helped lead to a new commitment statute.

Lockney had other experiences he brought into the classroom. He served on the ND legislature’s Criminal Code Revision committee that completely revised the North Dakota Criminal Code. Early on, he developed an active interest and support for clinical education at UND. To get real world experience, he went to the University of Texas in 1978 to work in a then new and path-breaking Criminal Defense Clinic. Although already a licensed attorney in N.D. and Texas, and with his JD and LL.M. in hand, he participated as a clinic student for one semester because he wanted to experience clinical education firsthand and second semester, he served as a clinical student supervisor. Upon returning to UND, he and alumnus Bob Hoy started an evening criminal practice seminar class that provided students an opportunity to work directly with indigent defense counsel on their cases.

Lockney is especially proud of the connections he has developed and maintained with his former students. A great example of this is his relationship with former students Bruce Quick and Mark Friese. Quick and Lockney worked together to create a Criminal Advocacy class they have taught together for many years. Both Quick and Lockney had Friese, a former Bismarck police officer, as a student. After working in a N.D. Supreme Court clerkship, Friese has worked with Quick at the Vogel Law Firm in Fargo. Lockney and Friese have spent several years working together and have published articles including Atwater in North Dakota: Soccer Moms Beware, Sometimes and Constitutional Roadkill in the Courts. Lockney said, “To me this is the epitome of what I like about being here at UND; one of my students becomes a real good lawyer, and one of the dialogues we had in class about the real world has become a co-authored 90 page-Law Review article.”
The Case of 1069

A unique case that earned Lockney some national attention was the case of 1069 (pronounced one, zero, six, nine.) Lockney’s student Craig Hunter approached him about representing an individual who wanted to legally change his name to the number 1069. With the help of former student Tim Geck, they ultimately appealed to the Minnesota Supreme Court. The court issued an opinion that didn’t give a clear answer. “While they rejected the statutory name change procedure, they said 1069 could use the informal name change rules,” Lockney said. “He carried a copy of the Minnesota Supreme Court decision to prove his name was 1069.”

The case drew national attention first from the Saturday Review and then the Tom Snyder Tomorrow Show. Lockney and 1069 were invited to appear on the show. Lockney remembers wearing a new pinstripe suit purchased for him by his mother, as he made his appearance on national television. He said, “I was trying to look and act like a legal scholar and lawyer – I explained our theory is there is not an unlimited right to change your name, but it is basically free speech and right to privacy guaranteed by the constitution.” He told Snyder about parents’ naming rights and limits, then spontaneously explained, “For example I can’t name my child ‘F*** You Lockney’ – so my claim to fame is that I got bleeped on national television.”

Coach “Knute” Lockney

While Lockney’s biggest influence was through his teaching, one of the activities he enjoyed most was coaching in the annual Malpractice Bowl football game between the Law School and Med School. Lockney, affectionately known as “Knute” to his players, accepted the challenge of leading the law squad into battle against the “Medheads” for nearly four decades. Donning his Bear Bryant look-alike hat, Coach Lockney patrolled the sideline motivating his law men to victory. His win/loss percentage is legendary and rivals coaching greats like Vince Lombardi, Bear Bryant and Joe Paterno.

In the Fall/Winter 1989 issue of the law school newsletter Rhadamanthus, the writer explained Lockney’s strategy, “Who of the players can reflect on the past year and not recall Knute’s annual speech at the first practice on his ‘laissez-faire’ theory of coaching (the less I do the better the team fares).” He always took the job seriously and began recruiting the first-year students usually as early as orientation week. On the rare occasion of losing, prior to the next game Lockney would light the hat on fire as motivation to his team. His pregame speech usually ended with the rallying cry of “The most important thing is having fun – but winning is a hell of a lot more fun than losing.”

He took the field as coach for the final time in September 2009, and his team didn’t disappoint – earning a decisive victory over the Med School. Lockney has influenced the lives of countless law students while serving as coach. Pat Sogard, Class of 1986, summed it up best when he wrote, “Malpractice Bowl prep, practice, and the game all are great memories from law school . . . without a doubt, Coach Lockney made the big game much more enjoyable.”

Now that Lockney has officially entered retirement you will probably find him playing music in a Twin Cities Irish Pub. Lockney’s tenure at the school places him near the top in total years teaching compared to the entire faculty at the school since 1899. Nearly forty years have passed, but the legacy that Lockney leaves at the UND School of Law and with his students will live on forever.

Photo: Lockney held his last class in November 2009. His class, colleagues and law school staff gave him a standing ovation in appreciation for his years of service.

Editor’s Note: We are hoping to honor Tom for his years of service at the 2010 MP bowl and/or at Homecoming. We will let you know as plans are made. Tom is also working on recreating the MP bowl rosters. If you played in a MP bowl please visit www.law.und.edu/Alumni/mpbowl.php to give us your name and years you played. Everyone is welcome to submit any special memories of the games at that same site.
Change and challenge have shaped the life of 2009 law school graduate Jana Connor. Her journey from a small town in Slovakia to the stage at the UND School of Law commencement program was one filled with both.
A Journey Begins

Jana Connor was born in Dolny Kubin, a small town of 19,000 people located in Slovakia. She said, “It was unusual for me to leave because people who are born there typically remain in town for their entire lives. They live and work in the same area. It is a small town where everybody knows everybody.”

Her journey began when she expressed interest to her parents about participating in a 10-month exchange program in the United States to better learn the English language. After they agreed to let her go, she worked with an agency to arrange a high school exchange program in California. She soon found herself away from the comfort of home, landing in the Los Angeles International airport, ready to take on a new challenge. She said, “When I arrived in Los Angeles, I was all by myself, I knew nobody and my English was not very good, so I had trouble communicating right from the start.”

Her first day at her new high school in Oceanside, CA, provided more challenges and need for change. Her new school had a graduating class of around 500 students, which is more than her entire school in Slovakia. “The first day of high school was so confusing. I had no idea where to go and I was late for all of my classes,” said Connor.

In Slovakia, Connor knew everyone in her school and the students were all from the same ethnic background. In Oceanside, she didn’t know any of her classmates, and people were from all different cultures and backgrounds. It was an immediate immersion into classes, most of the time not knowing what the teachers were saying because of her struggle to understand English. “It was easier to have someone write things down rather than having them tell me. I could read English, but could not understand them because of the American rather than British accent,” said Connor.

Not only were classes difficult, but just finding her way around proved to be a challenge. Connor remembers her first time riding the bus to school. She said, “I didn’t know about the bus and having to remember which number it was, so I missed it the first day and didn’t know how to get home.” Her new high school had 20 separate buildings which required her to read a map to navigate the facility. The school she left at home was a single building. After the first day, she felt like she wanted to go home, but rather than running away, she stayed positive accepting the new set of challenges. “I took it as a good experience to learn because it was all thrown at you so quickly and approached the change as an opportunity to learn the language quickly,” she said.

Her outgoing personality helped her adapt, learn, and develop new friendships so she found it hard to leave when her ten month exchange ended. Connor completed high
school in California but those requirements were not enough to satisfy degree requirements back home. She returned to Dolny Kubin to complete her final year and take the required oral exams to finish her high school degree.

**Back to California**

She could have stayed in Slovakia for college, but decided to return to California to pursue her undergraduate degree knowing it was the stepping stone to her ultimate goal of law school. She said, “From the time I was eight I knew I wanted to go to law school, so I returned to California to complete my undergraduate degree.”

The return trip provided her with a brand new set of challenges. As an international student it was difficult to afford college. She was not eligible for the typical types of Federal Financial Aid, so she had to begin her undergraduate education working on a two-year associate degree at the less expensive MiraCosta College. To pay for college, she held four separate jobs on campus to get in the allowed 20 hours of work per week. Connor took a year off of school after completing her AA degree so she could earn extra money to help afford her final two years.

“It was always a struggle for money for me. I didn’t have a car, so I would have to get up at 4:00 a.m. to catch the bus in the morning,” she said. “I was lucky enough to stay with the family I originally stayed with as an exchange student, so I didn’t have to pay rent, just the money for school.” Through the combination of the money she had set aside, some academic scholarships and a friend cosigning a loan that guaranteed her money to complete college, Connor finally was able to enroll at the California State University San Marcos to complete her undergraduate degree.

At San Marcos, she met her future husband Dane, who had the common desire to pursue a degree in law. They were married the April after finishing their undergraduate degrees. They made the decision to try to attend law school together, because the thought of spending three years apart just after getting married was not something either wanted. They found their way from the sun and beaches of California to the snow and cold of UND, in part because of a family connection Dane had to Grand Forks.

**At The Law School**

While in law school at UND, Connor took full advantage of all there was to offer, but it provided her with another set of challenges and changes. “I got really frustrated because I think language was a big issue for me in law school. There were lots of new words, and even with the Black’s Law Dictionary, I still had no idea what they meant.” Connor was somewhat self conscious about getting called on in class, felt it took her twice as long to read the cases and worried about writing because of the emphasis on

“We always said, if we can get through law school together, we can get through anything.”
proper grammar. She said, “It was frustrating to me because I never had a problem with public speaking or writing in my native language, but in English it was a struggle.”

Some would suggest attending law school with your newlywed husband would pose a challenge, but Connor took it in stride. “The most difficult thing was we never got to spend any time together because we were always studying,” said Connor. “We would get into a few debates, and we never talked about finals after they were done. We always said if we can get through law school together we can get through anything.”

One of Connor’s fondest experiences while at the law school was participating in the North Dakota Legislative Internship program. Her husband came up with the idea of trying to earn two of the 12 spots available, and she was happy he did. It is unusual to have a married couple each earn slots, but both did and participated in the program during their final semester of law school. Connor was assigned to work with the Senate Finance and Taxation committee as well as the Senate Transportation Committee, where she assisted in areas such as the drafting of bills, research and work on simple amendments. “The first day the Tax Department people came in, gave us a big folder of information and told us it was an overview. It kind of freaked me out,” Connor joked. She again took the challenge of yet another unknown and unique experience and turned it to a positive. Her outstanding work during the session with her supervisors and committee representatives earned her the Tom Smith Memorial Scholarship, which goes to the outstanding legislative internship student.

Graduation Day

Connor crossed the stage at the UND Law Commencement program in May 2009, graduating near the top of her class. Her parents, Maria and Juraj, are very proud of all Connor has accomplished. They made their first trip ever to the United States to see her receive the Juris Doctor degree.

She passed the Arizona Bar exam in the summer of 2009, so her newest challenge will come in trying to help establish and run a small law firm in Scottsdale with Dane and his father. In the firm, Connor is learning Elder Law and Medicaid Planning which she hopes to have as her main area of practice.

As she begins her career as a practicing attorney, Connor will use all of the challenges and changes she has faced since getting off that plane in the Los Angeles airport to help her with whatever she may encounter. She said, “Change does not seem to bother me anymore, I always had worries about moving to a different state where I don’t know anyone, a different environment, culture or challenge, but I am not scared anymore.”

Photo: Connor receives her doctoral hood at the law school commencement program.

Photo: Jana and her husband Dane in the rotunda of the North Dakota State Capitol. Both participated in the Legislative Internship program in Bismarck.
At the age of 18, Gary Delorme, while working for a window washing company, literally found himself on the outside looking in to the William L. Guy Federal Building in Bismarck, ND. Today, he is reminded of that experience every day when he goes to work.

Born in Belcourt, ND and an enrolled member of the Turtle Mountain Band of Chippewa, Delorme was raised in essentially a single parent home by his mother. Growing up he spent time in North Dakota and Minnesota before his family came to West Fargo, ND when Delorme was to start high school. Six months into his sophomore year, Delorme dropped out of school even though he was hesitant to do so. “The next year I went back to community high school, and I actually graduated a year ahead of time because I was supposed to be in the class of 1989 but graduated in 1988,” said Delorme.

“After I graduated, I took a year to work for the window washing company doing some high rise stuff,” said Delorme. “During that period of time I really decided that I need to go to the military, mature a little bit and make the transition to college.” He joined the United States Army for a four year term of service which included combat duty in 1991 in Operation Desert Storm in the first Gulf War.

After active duty, Delorme returned to Fargo, joined the North Dakota National Guard and enrolled in college at North Dakota State University. He earned a bachelor degree in Criminal Justice in 1999. Delorme had always thought about law school, so he
“The best days of their lives over there were the couple days we went out and handed out the shoes.”

took the LSAT, and surprised himself by doing well enough to get into the UND School of Law. While in school Delorme commuted from Fargo, worked as a supervisor during the evenings, was married and had a family and continued his commitment to the National Guard. He graduated from law school in 2002 and passed the bar exam that summer.

Throughout his life Delorme has been protecting or defending others in need. He defended his country while in the Army and National Guard, and in every position as an attorney he has used his law degree to do the same. His first job as an attorney was working in the State’s Attorney Office in Jamestown, ND protecting the rights of individuals who had crimes committed against them. He worked in Jamestown for a couple years before, as he says, the military “tapped me on the shoulder again” to deploy to Iraq with his Guard Unit. In Iraq, his unit served as a rapid reaction force, secured an Iraqi town, monitored route security and provided training to Iraqi soldiers in their National Guard.

Even in the midst of a war, Delorme continued to think of others in need. While out on missions he noticed nearly all of the local children were barefoot. As a parent, he was disturbed by this and worried for their health and safety. He mentioned it to his mother, so the two of them started collecting money and shoes for the Iraqi children. He told the guys in his unit about the shoes, so one day on the way back from a mission they simply stopped, set up a secure area and handed out the shoes. Delorme organized two separate distributions to the kids each time handing out around 50 pairs of shoes.

“Both of the days we stopped I have never seen the guys as happy coming back from a mission,” said Delorme. “The best days of their lives over there were the couple days we went out and handed out the shoes. About three weeks later we were coming back from a mission and a cute little redheadd Kurdish girl who had received shoes was standing by the side of the road yelling to us, ‘I love you’ as we drove by. It was a real good, feel good thing.” Delorme was recognized by the North Dakota National Guard for his efforts. Upon returning to North Dakota, Delorme was promoted to Captain and currently serves in the JAG Corps of the National Guard.

Delorme returned to his position in Jamestown and was immediately thrust back into the world of being an attorney. He argued a case in front of the North Dakota Supreme Court on his seventh day back on the job. He said, “It was

He accepted the position at Cass County to showcase his talents with the goal of getting to the United States Attorney’s Office in Bismarck. As a law student, Delorme worked an internship in the office and realized he someday would like to return. He did make an impression, and in January 2008, Delorme was hired in the position of Assistant United States Attorney back in Bismarck. He said, “I was hired under a Department of Justice priority initiative in response to the Adam Walsh Act, which was signed into law in 2006. The Act itself was a response by Congress to the growing concern for the safety of America’s children. All too often, child sexual offenders with minimal treatment and post-release supervision were committing horrific crimes against children. The Act significantly stiffened some of the penalties for crimes of child exploitation and it brought in legislation for a more law enforcement and public friendly Sexual Offender Registration and Notification Act.”

In his current position as Assistant United States Attorney, Delorme works to protect the children of North Dakota each day from his office in the William L. Guy Federal Building. Through a combination of dedication, service, and hard work, Delorme has truly earned the opportunity to be on the inside of the building looking out of the windows he once cleaned.
“FRESH OIL.” Warnings like this one are a fact of life for travelers during the summertime road-construction season. But seeing these words of caution on a five-foot-wide fluorescent orange sign in the Thormodsgard Law Library at the University of North Dakota School of Law might take you by surprise. But the sign is very much at home as part of Professor Eric E. Johnson’s Museum of Intellectual Property.

The Museum houses artifacts central to leading cases from a long history of intellectual-property law. Professor Johnson, Assistant Professor of Law at UND, first conceived of the idea for the Museum while he was teaching patent law in 2005, and he has been collecting items ever since.

Professor Johnson says that he was interested in intellectual property law even before law school. The legal issues, arguments, policy concerns and philosophical aspects of intellectual property law all intrigue him.

“Intellectual property law is always something I’ve found fascinating,” Professor Johnson said, “and there’s always been an opportunity to flesh it out with images and specimens.”

Professor Johnson has used the Museum as a way for his Intellectual Property students to be able to better understand the cases they read. While some textbooks include pictures from the cases, Professor Johnson believes, “Objects are even better than pictures.”

Items on display in the Museum come from cases dealing with copyright, trademark, patent, and right-of-publicity law. They span four centuries, with the oldest exhibits dating from the 1700s. In all, Professor Johnson has collected over 100 artifacts, though not all are on display. In addition to showing off the items, the Museum project also functions to preserve the objects because, according to Professor Johnson, “they represent an aspect of history that is not in books.”

Trafix Devices, Inc. donated the “FRESH OIL” sign, which was the focal point of their litigation against Marketing Displays, Inc. The flexing dual-spring base of the sign, which prevents it from being blown over in high winds, had been previously protected under a patent owned by Marketing Displays. Once the patent expired, Trafix began manufacturing its own dual-spring design. Marketing Displays, seeking to stop Trafix, sought to protect the design under trademark law. The case was appealed all the way to the U.S. Supreme Court, which ruled that the design, which was functional in nature, could not be protected as a trademark, thus giving Trafix the green light for continuing to manufacture its version of the product. Interestingly, the appellate lawyer for Trafix was John Roberts, now the Chief Justice.
Other artifacts may catch your eye as well. There are several knock-offs in the Museum, including a “Swiss Navy” knife, an oddly named alternative to the popular army knife from landlocked Switzerland. Of course, there is also that icon of counterfeit merchandise, the fake Rolex watch.

Another item of interest is the vintage Super Soaker water gun, which was involved in a 1993 patent infringement case. Amron, the patent holder, was unable to prevail against the Super Soaker’s maker because Amron’s patent specified a water reservoir inside the gun. The Super Soaker’s tank sits on top. The case illustrates the importance of the exact language of patent claims.

Two silver forks in the Museum, sitting side-by-side, appear to be duplicates. Upon closer examination, you may notice very slight differences. One, manufactured by Godinger Silver Art Co., is an affordable alternative to the very expensive Grande Baroque silverware made by Wallace International Silversmiths. Wallace sued for trademark infringement, arguing that the design functioned to identify their brand. Godinger countered that the pattern was only for aesthetic value. The Second Circuit agreed with Godinger.

While these are a few items you can find at the Museum of Intellectual Property, there are many more. The Museum is currently geared towards people who already have an interest in intellectual property law or have general legal knowledge. However, Professor Johnson hopes to expand the collection to include an educational component that would be accessible to the layperson.

"In the future, I am hoping to create some exhibits that have an explanatory side to them, so that people can learn something about intellectual property law by looking at them," he said. Professor Johnson is continually adding to the collection. The goal of the Museum is to preserve case artifacts for posterity.

“It makes sense to collect those things and keep them and preserve them so that they will help to provide an understanding and a context for those cases,” said Johnson. “These cases will continue to have an enormous impact on the law for hundreds of years, so there is a great historical interest in understanding all the facts that surround a case.”

Photo: Sample items in the Museum of Intellectual Property. The Museum is housed in the Thormodsgard Law Library at the UND School of Law.

Professor Eric E. Johnson teaches Torts, Intellectual Property, and Media & Entertainment Law. His primary scholarship interests are intellectual property and entertainment law. Two projects of Professor Johnson’s, Copysquare and Konomark, are designed to encourage the sharing of copyrighted works on the internet.
Mark Your Calendar for April 9, 2010

UND School of Law alumnus and former faculty member Owen Anderson highlights an outstanding symposium covering the four main energy law topics relative to North Dakota and the nation.

The North Dakota Law Review is pleased to host an important and timely symposium centering on energy issues in North Dakota. The Energy Symposium will address four main energy topics that are relevant not only to North Dakota, but are also important to the region’s as well as the nation’s energy development. The topics will include (1) Wind Energy – Regulation and Development Issues; (2) Energy Conservation; (3) Oil & Gas Issues – including an analysis of a recent North Dakota case; and (4) Cap & Trade-Proponents and Opponents of Cap & Trade and its impact on North Dakota and the nation. Anticipated speakers and writers will be from the region and the country and will include law professors, practicing attorneys, elected state officials, and energy experts in the private sector.

We believe that this symposium will have a lasting impact on the future of energy production in North Dakota as well as the region. Apart from discussing pertinent energy issues, the symposium, by bringing energy experts together from throughout the country, will help coordinate and initiate a dialogue that will hopefully produce better ideas and ways to improve our nation’s energy potential. We are excited to be hosting this event and we welcome all who are interested to attend the North Dakota Energy Law Symposium.

This Symposium is free of charge and open to all.

Five hours of CLE for North Dakota have been approved.
Minnesota CLE anticipated.

For More Information
visit the UND Law School website at:
www.law.und.edu/LawReview/symposium.php

With assistance from
The Rocky Mountain
Mineral Law Foundation
Grants Program
Your School of Law is achieving great things—and the students who accomplish these goals need your help.

The Law Women’s Caucus (LWC) is one of the most active and recognized student organizations on campus. In the past several years, they have been recognized with numerous awards and accolades for their programming. The group has received awards for Outstanding Student Organization, and Excellence in Volunteering and Service on the UND Campus. In addition, Prof. Patti Alleva has been named the Outstanding Organization Advisor on campus for her leadership and support of LWC. Each year one of the highlights at the School of Law is Helen Hamilton Day, an LWC sponsored program that honors not only the law school’s first woman graduate, but all people who have made contributions to women in the law. This valuable programming is not without cost, and your support will ensure that this important event and other activities of the Law Women’s Caucus continue and grow.

The Trial Team at UND has helped the School of Law achieve a growing reputation as one of the top trial advocacy programs in the nation. Each of the past two years, the UND School of Law Trial Team has placed in the top two in their regional competitions and gone on to represent UND at the national finals. The students on the team have represented your law school successfully and professionally. The costs of preparing the Trial Team, including travel to regional and national competitions, have become significant. You can make a difference through your support of this important activity. Not only is the UND School of Law put in a prestigious national spotlight, but the student members of the team as well as our region’s legal profession have benefitted as well. The skills of the Trial Team members are greatly enhanced, helping to launch their legal careers and better prepare them to serve their future clients.

The School of Law has been the recipient of the generosity of many of our alumni, and it is deeply and sincerely appreciated. The support of loyal alumni and friends is a vital part of the University of North Dakota tradition. All contributions assist in maintaining the high quality of your School of Law. In order to maximize the gifts donated to the Builders of the Profession Endowments created during the School of Law Centennial in 1999, the School of Law will combine a number of them into a larger pool to increase the impact for our faculty and students. These funds will be dedicated to attracting, retaining, and supporting the faculty of the School of Law. The Builders of the Profession Endowment will now include the endowments for the Grand Forks/East Grand Forks, Fargo/Moorhead, Bismarck/Mandan, Minot, and the Twin Cities areas. This combined endowment will provide a more meaningful allocation to the UND School of Law. Thanks to all who have made this endowment possible.

“The reality in legal education today is that private giving is the difference between mediocrity and excellence.”
1 Federal Magistrate Karen Klein lectures to the first-year lawyering skills class. Each year she shares her expertise in conducting a negotiation.

2 Students participated in a conversation with Steve Sanders, a fourth year associate at the Chicago office of the law firm Mayer Brown. Steve concentrates his practice on appellate litigation.

3 Katie Stearns, from Frazee, Minnesota and Jonathan Leddige, from Reynolds, North Dakota were the champions and best appellee team in the annual Moot Court competition. They made their argument to the North Dakota Supreme Court. Stearns and Leddige also won the Spring Moot Court Festival for first-year students.

4 The UND School of Law Class of 1959 returned to the law school at Homecoming to celebrate their 50-year reunion. They enjoyed a full weekend of reconnecting with their school and former classmates.

5 Winter can be beautiful in North Dakota. During a January day the campus was at its best covered in hoarfrost. The UND Law building’s traditional look is enhanced by the frosty trees.
6 Phil Hogen, former National Indian Gaming Commission Chair, spent two days in the law school as the UND School of Law & College of Business and Public Administration’s Inaugural Distinguished Public Administrator in Residence.

7 The school was honored to welcome Justice Aharon Barak, former Chief Justice, Supreme Court of Israel to deliver the Fode Lecture. The Fode Lecture brings prominent international legal experts to the University of North Dakota School of Law.

8 Pam Crawford (left) and Stephanie Dassinger received the Randy Lee memorial scholarship. Also pictured are Paula Lee and law school Dean Kathryn Rand.
1940s

Gordon Caldis, 1948
received the distinguished Grand Forks Chamber of Commerce Henry Havig Award for community service during the annual dinner and meeting on January 14, 2010. Prior to law school, Caldis played three sports while an undergraduate at UND and was captain of the football team. He then served with distinction as a PT boat captain during World War II, and returned to attend law school. He served as state’s attorney for Grand Forks County from 1950 to 1956 and then as city attorney for 19 years. Caldis has held a private practice for more than 60 years. He served as a member of the UND Athletic Board of Control for more than 50 years, received the Sioux Award in 1970, was elected to the UND Athletic Hall of Fame in 1983 and received the UND Leadership Award in 1987.

1950s

Gerald VandeWalle, 1958
received the American Bar Association’s Robert J. Kutak Award on July 31, 2009 at the American Bar Association (ABA) Annual Meeting in Chicago. The Kutak Award is presented annually to an individual who has contributed significantly to increasing cooperation between legal education, the practicing bar and the judiciary. He was recently appointed to serve on the newly formed ABA Commission on Ethics 20/20 and reelected unanimously as Chief Justice of the North Dakota Supreme Court.

1970s

Georgia Dawson, 1974
recently announced her plans to retire as judge of the East Central Judicial District effective September 1, 2010. She has been a judge since 1988 and has served the citizens of Cass County for the past 22 years. She was Cass County Judge from 1988 to 1994. She was elected East Central Judicial District Judge in 1994, 1996, 2002 and 2008 and is currently serving as presiding judge for the district.

Karen R. Klein, 1977
has been reappointed to the position of United States Magistrate Judge for a term of eight years effective December 1, 2009.

The Class of 1977
A sincere thank you goes out to the entire class of 1977 from the family of Ralph A. Vinje. In a thank you note sent to the law school, they said, “Thank you for your kind expression of friendship and sympathy on the recent loss of our husband, father & father in-law.” Signed Bernie, Tyler, Justin & Tiffany.

Gail Hagerty, 1978
has been re-elected as the South Central District’s presiding judge. She has been a judge since 1987, and has been the district’s presiding judge since 2004. Her new term as presiding judge begins February 1, 2010. The South Central Judicial District encompasses 12 counties, including Burleigh and Morton counties. There are eight judges in the district. Hagerty was also recently recognized for her efforts to start the South Central Judicial District’s Drug Court, the first of its kind in the state. The court program is to help non-violent criminals with drug and alcohol addictions. It began operation on January 5, 2001.

1980s

Tom Merrick, 1983
was appointed by North Dakota Governor John Hoeven to a state district judge position in the North Dakota Southeast Judicial District. He is a native of Indiana, and he served as an Air Force captain in his final posting at the Grand Forks Air Force Base. Prior to being appointed he was a practicing attorney in Jamestown, ND.
Ralph R. Erickson, 1984

on November 1, 2009, United States District Judge Ralph R. Erickson assumed the role of Chief Judge for the District of North Dakota, a seven-year statutory appointment. As Chief Judge for the District, he is responsible for court governance, strategic leadership, court management oversight, and case management oversight. He also will represent the District of North Dakota at the U.S. Judicial Conference and the Eighth Circuit Judicial Council. Erickson was appointed to the federal bench in 2003.

Erik Askegaard, 1986

has been appointed by Minnesota Governor Tim Pawlenty to fill the vacant Crow Wing County District Court judge's post. Prior to his appointment he was president of the Askegaard and Robinson law firm in Brainerd, MN a position he has held since 1991. He was an associate attorney with the Jeffries, Olson and Flom law firm in Moorhead from 1987 to 1991 and a law clerk to North Dakota Supreme Court Justice Herbert L. Meschke in Bismarck, ND, from 1986 to 1987.

Todd Cresap, 1986

has been appointed by North Dakota Governor John Hoeven to a new District Judgeship in the Northwest Judicial District chambered in Minot, North Dakota. He is a Valley City native who has practiced law in Minot for 23 years mainly in the area of family law and representation of defendants in the state juvenile court system. Cresap is past president of the Ward County Bar Association and is an adjunct business law instructor for Minot State University. He is active in the community and serves as legal counsel for the International Music Camp and the Minot Junior Golf Association.

1990s

Ronald F. Fischer, 1990

was recently selected by his peers for inclusion in The Best Lawyers in America® 2010. He is recognized in the areas of Personal Injury Litigation and Commercial Litigation. Fischer currently works as a partner in the Pearson Christensen & Clapp, PLLP Law Firm, with offices in Grand Forks and Grafton, ND. Since its inception in 1983, Best Lawyers has become universally regarded as the definitive guide to legal excellence in the United States. It is based on an exhaustive peer-review survey comprising more than 2 million confidential evaluations by the top attorneys in the country.

Rosanna M. Peterson

Class of 1991

The United States Senate has confirmed President Barak Obama’s nomination of Rosanna M. Peterson to serve as a district judge on the United States District Court for the Eastern District of Washington.

Peterson was nominated by President Obama on October 13, 2009. He said, “I am honored to nominate Rosanna Peterson to the United States District Court bench. Throughout her career, she has displayed exceptional integrity and an unwavering commitment to justice. She will be a distinguished addition to the federal bench for the Eastern District of Washington and I am grateful for her willingness to serve.”

She was confirmed January 25, 2010, by a unanimous vote of the U.S. Senate. Peterson is the first woman to sit as a district judge on the Spokane-based federal court.

A native of Salt Lake City, Utah, Peterson is an assistant professor at Gonzaga University School of Law in Spokane, Washington. Peterson has served as president of the Federal Bar Association for Eastern Washington and the Woman Lawyers State Bar Association.

Following graduation from law school with distinction, Peterson clerked for the Honorable Fred Van Sickle in the U. S. District Court for the Eastern District of Washington, the judge she will now replace. After her clerkship, Peterson practiced general litigation, employment and education law, as well as criminal defense at several private law firms in Spokane.

North Dakota Senator Kent Conrad said, “With a bachelors, a masters and a law degree from the University of North Dakota, you cannot receive a better education than Judge Peterson did. I am proud to vote to confirm her for the federal bench for the Eastern District of Washington State and wish her luck.”
Doug Holloway, 1993
joined CoreLink Administrative Solutions, Fargo, as Vice President of Compliance and Audit. As the CoreLink compliance officer, Holloway is responsible for creating and managing CoreLink’s programs and processes to prevent and detect unethical and illegal activities. Prior to joining CoreLink, he had been the Medicare compliance officer and counsel at Prime Therapeutics in Eagan, Minnesota.

Wayne R. Johnson, 1994
was appointed chairperson of the International Tax Committee of the California State Bar Taxation Section for 2010. With over 3,000 members, the Taxation Section of the California State Bar is one of the largest tax sections in the country. Johnson’s term began September 14, 2009 and coincides with his term as immediate past chair of the California State Bar Taxation Section.

Brian J. Weig, 1995
is currently a senior associate with the litigation firm of Patton & Ryan, LLC. located in downtown Chicago. The firm defends insureds in catastrophic loss litigation and has defended numerous high profile cases and clients in its five year history. Weig has practiced law in Illinois since 2000.

2000s

Mark Friese, 2000
has been appointed to the position of Criminal Justice Act (CJA) Panel Attorney District Representative effective January 7, 2010. CJA panel attorneys represent indigent clients in criminal defense matters in the federal court. Friese will lead the district CJA Panel, attend the annual National Conference of CJA Panel Attorney District Representatives, provide comment on proposed legislation relating to the CJA, and coordinate continuing legal education opportunities for the CJA Panel. He is an attorney with the Vogel Law Firm in Fargo, where his primary practice area is criminal law.

Lora Lewicki Whitehouse, 2001
recently announced the opening of Whitehouse Law Office, PLLC. The firm will be focused on handling business matters for small and local businesses, and will also be maintaining a general practice. She started her career in the Finance and Restructuring Group at Faegre & Benson, LLP, then moved to U.S. Bank, NA, where she served an in-house legal counsel supporting the retail side of the bank. She most recently provided in-house legal counsel at Cargill, Inc., supporting a private equity investment fund. The law office is located in Minnetonka, Minnesota.

Matthew W. Hoffman, 2004
was recently selected by his peers as one of the top 100 attorneys in Nevada through a survey conducted by Nevada Business Magazine. He has been practicing in Nevada for five years with an emphasis in plaintiff’s personal injury with Arin & Associates in Las Vegas.

Matthew E. Headley, 2007
is the chief of legal assistance and claims at Camp Bondsteel, Kosovo and heads an important three-person team that deals with a wide range of issues important to Soldiers away from home. The team does everything from filling out tax forms to addressing child support, landlord/tenant, mortgage and consumer matters. He recently deployed with the North Dakota National Guard.

Craig Krogstad, 2007
is an associate with Woods Fuller Shultz & Smith, P.C. in Sioux Falls, South Dakota. He joined the firm in the summer of 2009 and will practice taxation, estate planning and probate, trusts and business law. Krogstad earned his LL.M. in taxation from the University of Florida in 2009.

Christopher Cooper, 2008
is a Claims Representative with Global Aerospace, Inc. in their Dallas, Texas office. His company insures all types of aviation related entities, from airlines to manufacturers to general aviation. He also is working as an Aircraft Owners and Pilots Association panel attorney through their Legal Services Plan, representing pilots against FAA enforcement actions.

The Class of 2009
students from the law Class of 2009 generously donated money to provide for the addition of a sink to the student lounge. Thank you to our most recent graduates for your generous support of the law school and its students.
**North Dakota Law Review Now Available Online and Seeking Article Ideas**

The North Dakota Law Review is now online! With the release of a new issue, each subscriber will receive an e-mail notification that the issue is available electronically; issues are available at www.law.und.edu/LawReview/. If you prefer to receive a hard copy, please e-mail your complete mailing address to welp@law.und.edu or call 701-777-2282. Should you change your mind, please contact us and we will change your delivery status as quickly as possible. If you have any questions, concerns, or suggestions, please contact the North Dakota Law Review at the number above.

In addition, the Law Review is seeking writers and topic ideas. If you are interested in writing a law review article or have a legal issue that would make a good topic for an article please contact the Law Review office by e-mailing welp@law.und.edu or calling 701-777-2282.

**Stay Connected with Your School of Law Through Social Media**

You can now stay connected to your UND School of Law through several new electronic vehicles. We invite you to become a fan of the UND School of Law Facebook Fan page at www.facebook.com/UNDLawSchool or join us on our new Twitter account twitter.com/undlawschool. You can also click on the Facebook and Twitter icons on the law school home page to access each site. In October 2009, we sent our first electronic newsletter to report the news and events at the School of Law. If you would like to receive future issues of the e-newsletter please send your e-mail address to alumni@law.und.edu with a note to add you to the newsletter list. Of course you can always visit our website at www.law.und.edu which is continuously updated with the happenings of the school and spotlight stories of our students, faculty and staff.

**PILSA Holding Tax Program**

The Public Interest Law Student Association is again conducting a free tax preparation service through the Volunteer Income Tax Assistance Program. They will prepare taxes free of charge through April for qualified individuals.

**Twelve Are December Graduates**

Twelve students completed degree requirements for the Juris Doctor at the end of the Fall semester in December. Several participated in the graduation ceremony at the Chester Fritz Auditorium to be hooded and receive the Juris Doctor degree. Thanks to the increased participation in our summer program, the law school has seen a marked increase in December graduates. Dave St. Peter, President of the Minnesota Twins and UND alumnus, delivered the commencement address at the December 18 ceremony.

**Four to Clerk with ND Supreme Court**

Four law students were recently hired as clerks for the North Dakota Supreme Court. Levi Andrist, Crosby, ND, will work with Chief Justice Gerald VandeWalle; Denitsa Mavrova Heinrich, originally from Bulgaria, will clerk for Justice Mary Maring; Charlotte Skar, from Berthold, ND will work with Justice Carol Kapsner; and Stephanie Dassinger, from Bismarck, ND, has been hired by Justice Daniel Crothers. All four will complete their degree requirements in May and will begin working in Bismarck on August 1, 2010.

**Ryan Geltel Receives Upper Missouri Bar Association Scholarship**

Law student Ryan Geltel recently received the Upper Missouri Bar Association Scholarship. Geltel, from Williston, ND, is in his second year of law school and is an active member of the Student Trial Lawyers Association. He has aspirations of practicing law back in Williston after graduation. The scholarship is awarded to a law student from Divide, McKenzie, Mountrail or Williams County and is determined by the student’s need, attitude, and service to the law school.

**Two Student Organizations Added**

The Environmental Law Society and the Black Law Student Association have been established as formal organizations at the UND School of Law. The Black Law Student Association will be affiliated with the national organization as well.
Gordon Writes Brief for US Supreme Court

Gregory Gordon, an international expert in human rights law, was asked by the Center for Justice and Accountability (CJA) to write an amicus brief for the Yousuf v. Samantar case being argued to the United States Supreme Court. The key issue under review is whether the defendant in the case is immune from civil suit in the United States for human rights abuses committed in Somalia. The argument presented by General Samantar would extend blanket immunity to all government officials for their “official acts,” under the Foreign Sovereign Immunities Act. In 2004, the CJA and pro bono counsel from Cooley Godward filed a Torture Victim Protection Act and Alien Tort Statute case against General Mohamed Ali Samantar on behalf of five survivors of torture, extrajudicial killing and other mass atrocities committed in Somalia. The defendant, General Mohamed Ali Samantar, a member of the brutal regime of Siad Barre, resides in Fairfax, Virginia. Mr. Bashe Abdi Yousuf, a young businessman, was detained, tortured, and kept in solitary confinement for over six years.

Gordon, partnering with the law firm of Covington & Burling, wrote the brief on behalf of survivors of the Holocaust and the genocide in Darfur. The brief focuses on the historic judgments at the Nuremberg and Eichmann trials, as well as developing jurisprudence from Darfur, Rwanda and the former Yugoslavia. “Those decisions make clear that perpetrators who use the state to commit gross human rights violations may not hide behind that very entity to evade justice,” Gordon said. “At the time the Foreign Sovereign Immunities Act became law, Congress was well aware that the Nuremberg precedent, which the United States was instrumental in shaping, rejected the sovereign immunity defense for gross human rights violations.” The brief was filed on January 27th and the case will be argued on March 3rd before the U.S. Supreme Court. Professor Gordon plans to be at the Supreme Court with the CJA team for the oral argument.

Myers Reappointed to Commission

North Dakota Governor John Hoeven has reappointed Bradley Myers as a member of the Uniform Law Commission (ULC) until August 31, 2013. The ULC has named him a member of the Drafting Committee on Visitation and Custody Issues Affecting Military Personnel and Their Families.

Johnson Article Garners National Attention

Eric E. Johnson’s latest article, The Black Hole Case: The Injunction Against the End of the World, 76 TENNESSEE LAW REVIEW 819 (2009) has received national attention. It was subject of a discussion on the MIT Technology Review, and he was interviewed for a story on PsyOrg.com. A Bloomberg News article was also picked up by Jakarta Globe and BusinessWeek.com. To read Johnson’s article go to his website at www.eejlaw.com.

Runge Presents at AALS

Robin Runge recently presented at the American Association of Law Schools Annual Meeting in New Orleans, LA on January 9, 2010 as a part of a panel entitled, Reviving Employee Rights? Recent and Upcoming Employment Discrimination Legislation, discussing recent federal anti-discrimination in employment and job-guaranteed leave from work legislation and its implications. Two other recent presentations by Professor Runge were a 3.5 hour continuing legal education training entitled, A Roadmap to Survival for Attorneys Representing Victims of Domestic Violence, at Legal Services of North Dakota’s Christmas CLE in Bismarck, North Dakota on December 11, 2009, and a continuing legal education training session entitled, The Employment Rights of Victims of Domestic Violence, Sexual Assault, and Stalking, for judges, court personnel, domestic violence advocates, legal services attorneys and public defenders for the Illinois Family Violence Coordinating Council 7th Judicial Circuit of Illinois in Jacksonville, Illinois, December 3, 2009. Runge joined the law school faculty in July as Assistant Professor of Law. She comes to UND from Washington DC and will teach in the law school’s Clinic.

Fershee Presents At Fordham Summit

Kendra Fershee spoke to a group of experts brought together at a Summit to discuss education access for pregnant students, which was hosted by Fordham School of Law in New York City in October 2009. She spoke about the subject of her recent article, which discusses the regulations governing Title IX and how they are designed to protect pregnant students from pregnancy discrimination, but are too weak to do so.
Tell Us Your Story. . .

Please send us any story ideas, memories of law school or photos from the past to possibly be used in future publications.

Send your information via e-mail to: alumni@law.und.edu

or mail to:
UND School of Law c/o Rob Carolin,
215 Centennial Drive, Stop 9003
Grand Forks, ND 58202-9003
The Law School Kazoo Marching Band provided the halftime entertainment during the annual Malpractice Bowl game between the Law School and Medical School. Pictured above is the 1978 version of the band.