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**Federal Bar
Association**
Minnesota Chapter

Bar Talk

Minnesota Chapter Wins Awards at Annual FBA Convention in Salt Lake City

By Jeff Justman



Members of the Minnesota Chapter accept the Presidential Excellence and Outstanding Newsletter Awards.

From September 10-12, 2015, the Federal Bar Association held its annual convention in Salt Lake City, Utah. The three-day conference featured a wide variety of events, from CLE sessions and awards ceremonies to business meetings and networking events. As usual, members from the Minnesota Chapter attended in large numbers.

One highlight of the event was a keynote address from seven-term Senator and United States Senate President Pro Tempore Orrin Hatch (R-UT). Speaking on September 11, Senator Hatch paid tribute to the memory of the victims of the terrorist attacks 14 years earlier. Senator Hatch also

spoke on a number of topics near and dear to the FBA, including confirmation of judicial nominees and criminal sentencing reform. Audience members gave Senator Hatch a rousing ovation.

Of particular significance for the Minnesota Chapter was its receipt of the Presidential Excellence Award and the Outstanding Newsletter Award. Both are the highest-level awards the FBA gives out, and the Chapter's receipt of both continued a long and storied tradition of local engagement and national excellence. The Minnesota Chapter was one of only a handful of chapters to receive both accolades.

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With over 900 members and an active bench and bar, the Chapter is already setting its sights on a repeat performance in 2016.

Jeff Justman is a member of the Board of Directors of the Minnesota Chapter, and co-chair of the Communications Committee. Jeff is a business litigator at Faegre Baker Daniels LLP.



(L to R) Minnesota Chapter members Adine Momoh, Jeff Justman, and Vildan Teske pose with South Dakota Chapter President Elizabeth Hertz.



United States Senator Orrin Hatch gives the keynote address on September 11, 2015.

United States Court of Appeals for the Eighth Circuit Unveils Portrait of Former Chief Judge James B. Loken

By Shannon Bjorklund and Tyler Young



On October 20, 2015, the official portrait of Judge James B. Loken was unveiled during a special session of the United States Court of Appeals for the Eighth Circuit in the Warren E. Burger federal courthouse in St. Paul. The portrait will be permanent-

ly displayed in the Thomas F. Eagleton federal courthouse in St. Louis, Missouri, alongside portraits of other Chief Judges of the Eighth Circuit.

The portrait was created by Jason Bouldin, a renowned portrait artist from Mississippi, who spoke at the unveiling about his inspiration and intention for the portrait. The placement of the judicial robe over Judge Loken's left arm signifies not only the role being fulfilled, but also the person fulfilling it; the red and blue appellate briefs in Judge Loken's left hand illustrate that he is weighing the arguments of both parties carefully; and Judge Loken's posture and demeanor show that he is giving serious attention to the important work of the court.

During the ceremony, several speakers recounted memories from Judge Loken's distinguished career. Jonathan C. Rose discussed Judge Loken's contributions as a White

House staffer during the administration of President Richard M. Nixon. Brian B. O'Neill shared stories from Judge Loken's time at Faegre & Benson (now Faegre Baker Daniels). Peter W. Carter spoke on behalf of Judge Loken's clerks, many of whom were in attendance from around the country. Judges Roger L. Wollman and Myron H. Bright spoke about Judge Loken's contributions to the Eighth Circuit Court of Appeals.

The portrait is a tribute to Judge Loken's leadership as Chief Judge of the Eighth Circuit from 2003 to 2010 and his nearly 25 years of service as a federal judge. Judge Loken was appointed to the Court by President George H. W. Bush on October 17, 1990, and assumed his judicial duties on January 1, 1991.

Shannon Bjorklund is an attorney at Dorsey & Whitney LLP. Tyler Young is an attorney at Faegre Baker Daniels LLP. Both clerked for Judge Loken from 2009-2010.

Clerk's Corner: United States District Court for the District of Minnesota Adopts "NextGen" of Electronic Filing

By Nate Louwagie

As many of you know by now, electronic filing in the United States District Court for the District of Minnesota has changed. This change is part of gradual movement in the federal courts throughout the country to convert to "NextGen" CM/ECF. The District of Minnesota has been heavily involved in the national change. Chief Judge John R. Tunheim helped cause this national effort as Chair of the Committee on Court Administration and a member of the Project Steering Group for the Next Generation Case Management/Electronic Case Filings system. The District Court's operations manager, Lou Jean Gleason, also spent a year in Washington D.C., helping develop the NextGen project.

When CM/ECF was first created, it was largely considered a way to replace the reams of paper that federal courts were previously required to store. About six years ago, however, Chief Judge Tunheim and others came to believe that the electronic system had the potential to be much more interactive and to improve the efficiency of the federal court system.

As a result, NextGen CM/ECF was created. For now, the increased interactivity can be seen mostly on the judges' side of the bench, where the judges and members of their staff have increased control over the way that they view their dockets. For example, judges can now view a "Judge Review Packet" for a particular motion, which allows them to have only the documents they find most relevant in their workspace. Ms. Gleason explained that these changes are meant to make judges' work easier and more efficient, and noted that eventually the program will make CM/ECF similarly interactive for attorneys. She cautioned, however, that the change in the attorneys' interface may not occur for several more years.

In addition to being heavily involved in the creation of NextGen, the District of Minnesota was also one of the early adopters of the program. Currently, two circuit courts, three bankruptcy courts, and one other district court have launched NextGen CM/ECF. Despite this early adoption, the launch in Minnesota went very

well. In order to ensure that the launch was successful, the CM/ECF system was shut down from October 1 to October 5, 2015. This allowed the court administration to be sure the system was fully functional when it launched on October 5. Ms. Gleason and Tricia Pepin, the chief deputy clerk for the District of Minnesota, both noted that the system implementation went very smoothly. In particular, they were both very impressed by the bar's successful adoption of the new system. While both Ms. Gleason and Ms. Pepin expected staff to have to answer many questions regarding the program, they were pleasantly surprised by how quickly the members of the bar converted to the new system. By implementing NextGen CM/ECF early, the District of Minnesota has put itself at the forefront of an exciting change in the electronic filing system that will take place throughout the country in the next several years.

Nate Louwagie is an attorney at Carlson Caspers.

University of Minnesota Law Division Reflects on *Grable's* 10th Anniversary

By Nia Chung

On November 5, 2015, the University of Minnesota Law School Division of the Federal Bar Association hosted a CLE presentation on the topic of the "embedded" federal question test in *Grable & Sons Metal Products v. Darue Engineering & Manufacturing*. Held on the 10th anniversary of the decision, the CLE featured a presentation by Eric Tostrud. In *Grable*, the Supreme Court established the embedded federal question test, which governs when a state law claim that involves a federal question may be heard in a federal court. Tostrud spoke to students and attorneys about the historical development of this jurisprudence, from Justice Holmes' "creation test" in *American Well Works Co. v. Layne & Bowler Co.* to modern applications of *Grable's* embedded federal question test. Tostrud's presentation also looked forward to potential future uses of the test.

Eric Tostrud is of counsel at Lockridge Grindal Nauen P.L.L.P., an adjunct professor at the University of Minnesota Law School, and a distinguished practitioner in residence at the William Mitchell College of Law.

Nia Chung is a law student at the University of Minnesota Law School.



(L to R): Officers of the University of Minnesota Law School Division: Rachel Molsberry (Secretary); Mickey Stevens (Vice-President); Nia Chung (President); Phillip Guebert (1L Representative); William Elliot (Treasurer), along with Professor Eric Tostrud (center).

Pro Bono Spotlight: Robins Kaplan LLP

By Pete McElligott

"Pro bono work is part of our firm's DNA," said Patrick Arenz, Chair of Robins Kaplan LLP's Pro Bono Committee. When asked why pro bono services are so important to Robins Kaplan, Stacey Slaughter, a member of the firm's Pro Bono Steering Committee, explained: "The firm was founded during the Depression by two Jewish lawyers who were not welcome at the established law firms in town. Because of that, they were determined to fight for access to justice for everyone, including those who could not afford it." Robins Kaplan's continued commitment to providing equal access to justice for all would make the founders proud.

The publication *American Lawyer* has consistently listed Robins Kaplan in the top ten percent of the Am Law 200 for pro bono work. Since 2009, the firm has contributed more than six percent of the firm's total billable hours to pro bono legal services, with an average of 95.3 volunteer hours per lawyer for 2014. Attorneys from the firm are encouraged to pursue pro bono opportunities that interest them as long as they meet strict eligibility guidelines. Robins Kaplan attorneys perform pro bono services in many different forms, including by pursuing orders for protection for victims of domestic violence through Tubman's Safety Project, seeking asylum for refugees and immigrants with the Advocates for Human Rights, providing criminal defense services with the Neighborhood Justice Center, advocating for children in Hague Convention and custody proceedings, advising single mothers in connection with the Jeremiah Program, or taking on cases for the *Pro Se* Project.

If the sheer volume of volunteer hours and pro bono projects were not impressive enough, the impactful results Robins Kaplan attorneys have achieved in pro bono matters are even more compelling. For example, Katie Barrett Wiik serves as co-counsel for the Plaintiff in a transgender healthcare discrimination case currently pending in the District of Minnesota. On an issue of first impression, the Court recognized that Section 1557 of the Affordable Care Act, as well as parts of the Minnesota Human Rights Act, prohibits discrimination against transgender people in healthcare settings. A trial team made up of partner Cy Morton and associates Daniel Burgess and Angela Muñoz-Kaphing achieved a similarly life-changing result for another of the firm's clients, an abused mother accused of international child abduction. After a multi-day trial, United States District Judge Ann D. Montgomery found that returning the children to their father in Peru would put them at grave risk of physical or psychological harm, or otherwise place them in an intolerable situation. This decision was affirmed on appeal by the Eighth Circuit.

Arenz, Slaughter, and the firm are extremely proud of everyone at the firm who has worked tirelessly to provide low-income clients with much-needed legal services. Robins Kaplan looks forward to building on its history of pro bono work in 2016 and beyond.

Pete McElligott is an attorney at Anthony Ostlund Baer & Louwagie P.A.

The Newer Lawyer Luncheon Series: Fall Term in Review

By Paige Stradley and Lauren D'Cruz

The Newer Lawyer Luncheon series is off to a great start thus far. The luncheon series provides newer lawyers (those with five or fewer years of practice) with the opportunity to attend luncheons hosted by federal district court and magistrate judges. Each luncheon is focused on a different topic and attendees are encouraged to ask questions and engage in discussions with the judge. This year, the series kicked off with a September luncheon hosted by Clerk of Court Richard Sletten, Chief Deputy Clerk Tricia Pepin, Operations Manager Lou Jean Gleason, and Katie McCarthy, on the "Ins and Outs of ECF and the Local Rules." It


was an informative event that also covered updates to the Electronic Case Filing system and the roles and responsibilities of the Clerk of Court.

Attendees of the October luncheon enjoyed an interactive discussion with Magistrate Judge Becky R. Thorson on the topic of "How to Be a Great Associate." Judge Thorson offered tips and advice from her time as an associate, partner, and now judge, and attendees spent the last several minutes picking Judge Thorson's brain with questions ranging from how to provide effective feedback to how to best interact with senior partners. On November 16,

2015, Judge Patrick J. Schiltz hosted a luncheon on the topic of summary judgment. Attendees appreciated Judge Schiltz's insights.

The spring season will include luncheons hosted by Bankruptcy Judge Kathleen H. Sanberg, Magistrate Judge Jeffrey J. Keyes, and Eighth Circuit Judge James B. Loken. Any lawyer with five or fewer years of practice is encouraged to attend.

Paige Stradley is an attorney at Merchant & Gould. Lauren D'Cruz is an attorney at Lind Jensen Sullivan & Peterson.



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Why Treaties Matter: Self-Government in the Dakota and Ojibwe Nations

By Amy Connors

On November 3, 2015, the United States District Court for the District of Minnesota, the Minnesota American Indian Bar Association, and the Minnesota Chapter of the Federal Bar Association hosted a public reception to welcome the “Why Treaties Matter: Self-Government in the Dakota and Ojibwe Nations” exhibit, which has been traveling throughout Minnesota since 2012. The nationally-recognized and award-winning exhibit, made possible by a partnership of the Minnesota Indian Affairs Council, Minnesota Humanities Center, and the Smithsonian’s National Museum of the American Indian, explores the relationships between Minnesota’s Dakota and Ojibwe nations and the United States government.

The event began with an honor song and a drum and dance celebration performed by local students who have learned traditional songs, dance, and native languages at the American Indian Magnet School and Harding High School in St. Paul. The program then included remarks from several distinguished speakers, including Judge Diana E. Murphy of the United States Court of Appeals for the Eighth Circuit, Indian Law Professor Sarah Deer of the William Mitchell College of Law, and keynote speaker Judge Diana J. Humetewa of the United States District Court for the District of Arizona. Judge Humetewa was confirmed by the United States Senate on May 14, 2014, as the first tribally enrolled Native American woman to serve as an Article III judge.



(L to R) Judge Michael J. Davis, Judge Diana J. Humetewa, Judge Diana E. Murphy, and Chief Judge John R. Tunheim.

Judge Murphy highlighted major cases in her career that have involved interpretations of treaty rights, including a seminal trial concerning hunting and fishing rights on Lake Mille Lacs. Professor Deer gave a historical overview of treaties, defined by the United States Constitution as the supreme law of the land, and explained that the United States Government ended the formal practice of

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making treaties with tribes in 1871, meaning that many tribes in the Western United States do not have treaties with the United States government. Judge Humetewa recounted her experience as an enrolled member of the Hopi tribe and emphasized the importance of oral agreements between tribes to form alliances.

The exhibit was on display in the atrium of the United States Courthouse in Minneapolis from November 3–17, 2015, and will continue to travel

throughout Minnesota in 2016. An interactive version of the exhibit, and dates and locations of the live exhibit, are available at www.treatiesmatter.org/exhibit.

Amy Conners is an attorney at Best & Flanagan.

An Introduction to the Federal Practice Committee

By Andrew Davis

Even if you have not heard of the Federal Practice Committee, if you practice in federal court, chances are you have benefited from its good work. The District of Minnesota's Federal Practice Committee is an advisory committee that reviews, discusses, and makes recommendations to the District Court regarding civil and criminal local rules and the internal operating procedures of the Court. Formed in the early 1990s to address amendments to the Federal Rules of Civil Procedure, today the Committee's work includes reviewing both the substance and style of the Local Rules, and ensuring that the Local Rules conform to ongoing changes to the Federal Rules of Civil and Criminal Procedure and remain understandable and user-friendly to all federal practitioners.

The Committee's members are appointed by the Court, and reflect the diversity of practitioners and stakeholders that appear before it. The 2015 Committee roster has 28 members including two district judges (Judge Joan N. Ericksen and Judge Patrick J. Schiltz), two magistrate judges (Judge Franklin L. Noel and Judge Hildy Bowbeer), members of the Clerk's Office, and civil and criminal law practitioners in public and private practice, from large firms to small firms and solo practitioners. The Committee typically meets between four and six times per year. Besides looking to the Committee for recommended changes to the Local Rules, the District Court follows a notice and comment process to invite input from the federal bar and the public regarding proposed rule changes.

Doug Peterson, who currently serves as Committee Chair, said that much of the Committee's work is done through subcommittees and working groups assigned to study and make recommendations to the full Committee regarding specific topic areas. Peterson credits Tricia Pepin of the Clerk's Office for bringing coordination and consistency to the process. Recent Committee work has included revisions to the attorney discipline rule (LR 83.6), the drafting of a new local rule for criminal motion practice (LR 12.1), revisions to the local rule on the submission of motion papers for civil motions (LR 7.1), and the recently-adopted local rule on the sealing of

documents in criminal cases (LR 49.1). Also significant is the Committee's recent work on electronic discovery issues, in which Judge Bowbeer has played a significant role, and its completion of the "Style Council Project," which was a "complete review and revamping of the Local Rules for clarity and ease of use." According to Peterson, thanks are due to past Chairs Jeannine Lee and Magistrate Judge Becky R. Thorson, as well as many other current and former Committee members, who worked tirelessly on that project.

Among other projects, Peterson noted that the Committee is currently undertaking a review of the Local Rules to keep them up to date with recent changes to the Federal Rules. Now that a new Local Rule is in place related to sealing documents in criminal cases, the Committee is turning its attention to the sealing and unsealing of documents in civil cases. "The Committee is studying the current rules on sealing to ensure that they strike an appropriate balance between the need for confidentiality, the public's right of access to public information, and the need for judicial economy," said Peterson. The Committee welcomes input from all federal practitioners regarding the Local Rules. For a list of current members of the Federal Practice Committee, see www.mnd.uscourts.gov/Committees/FPC-Roster.pdf.

Andrew Davis is an attorney at Stinson Leonard Street.



Labor and Employment Section Sponsors CLE at Faegre Baker Daniels

By Joel Schroeder



(L to R) Barb D'Aquila, Magistrate Judge Steven E. Rau, Chief Judge John R. Tunheim, and Corie Tarara.

On August 26, 2015, the Labor and Employment (L&E) Section sponsored the Minnesota Chapter's second annual CLE geared toward labor and employment practitioners. The CLE kicked off with an introduction by L&E Section Chair, Craig Cowart, who educated the 50 or so attendees about the benefits of the L&E Section, including the monthly circuit updates and quarterly newsletter, *The Labouring Oar*.

The first topic, "What's New at the EEOC in the Wake of Recent Supreme Court Decisions," was moderated by Brian Rochel of Teske Micko Katz Kitzer & Rochel. The attendees enjoyed an excellent discussion with panelists Juli Bowman, the District Director of the EEOC, Chicago District Office, EEOC trial attorney Nicholas Pladson; and pulled-from-the-crowd EEOC Minneapolis office acting Director Julie Schmid! The attendees were provided with valuable insight concerning the EEOC's take on conciliation in light of *Mach Mining, LLC v. EEOC*, No. 13-1019 (U.S. April 29, 2015), as well as current and upcoming electronic notice initiatives.

The second topic was "Employment Law Implications Following the 2014 U.S. Supreme Court Term: *Abercrombie*, *Integrity Staffing*, *UPS*, and *Obergefell*." Moderated by Joel Schroeder of Faegre Baker Daniels (and L&E Section Chapter Representative), the panel reviewed the recent decisions and discussed their possi-



(L to R) Nicole Truso, Rachhana Srey, Brett Strand, Amy Taber, Joel Schroeder.

ble implications. Key contributions were made by: Rachhana Srey of Nichols Kaster, for her discussion of *Integrity Staffing*; Brett Strans, 3M Labor & Employment Counsel, for his discussion of *UPS*; Amy Taber, Prime Therapeutics Employment & Litigation Counsel, for her discussion of *Obergefell*; and Nicole Truso, Faegre Baker Daniels, for her discussion of *UPS*.



(L to R) Julie Schmid, Nicholas Pladson, Juli Bowman, Brian Rochel.

The CLE concluded with "Improving Collegiality and Civility in Employment Litigation," moderated by L&E Section Secretary, Editor of *The Labouring Oar*, and Chair of Publications and Public Relations, Corie Tarara.

The Chapter was honored to welcome as panelists Chief Judge John R. Tunheim, Magistrate Judge Steven E. Rau, and Barb D'Aquila of Norton Rose Fulbright. The lively discussion provided the attendees with a reminder that our profession, while adversarial, must strive toward civility and collegiality for the benefit of our clients, ourselves, and the profession.

The Minnesota Chapter appreciates and thanks the L&E Section for its sponsorship and continued support in providing this benefit to its members and to all the speakers for the participation.

Joel Schroeder is an attorney at Faegre Baker Daniels LLP.

History of the Minnesota Chapter, Part IV—Our Broad Community

By Tara Norgard

The history of the Minnesota Chapter of the FBA has been driven and defined by its community. Our Chapter's commitment to equal justice for everyone in federal court has resulted in outreach efforts that not only serve parties who come to federal court, but in some cases, their families as well.

In the spring of 2004, the Minnesota Chapter of the FBA joined the District Court, the U.S. Attorney's Office, the U.S. Probation Office, and other federal agencies to consider a problem. At that time, there were no federal prison facilities for women in Minnesota, making it difficult for Minnesota women serving federal sentences to remain connected to their children. Recognizing the need to maintain that connection—both for incarcerated mothers and their children—the Minnesota Chapter responded with the Federal Transportation Project. Steven E. Rau, who would later become Chapter President (2008–09) and Magistrate Judge in 2011, said the project was “an extraordinary resolution to a difficult problem—a resolution that caused something really good to happen.” Chapter leaders unanimously credit now-retired Judge James M. Rosenbaum (Chapter President 1992–93), Judge Michael J. Davis (Chapter President 2004–05), Judge Donovan W. Frank (Chapter President 2010–11), and Magistrate Judge Rau, who raised his hand to lead the effort, for supporting the program and making it a success.

The Federal Correctional Institution in Pekin, Illinois was selected for the program because it contained the largest number of Minnesota women sentenced for federal crimes. Judge Frank traveled to Pekin to ensure the details of the program were in place. The Chapter partnered with the Minnesota Chapter of Volunteers of America to administer operations and logistics. With planning complete and the District Court's approval, the project

got rolling on May 20, 2005, with children, their caregivers, and Magistrate Judge Rau boarding a bus to Pekin.

From that point forward, routine bus trips were made, usually filled with almost 50 people, including numerous Chapter members who accompanied them over the years. After they arrived at the prison, the kids and their moms did what many families of school age children do on weekends: played cards and games, braided hair, discussed report cards, and talked about life's ups and downs. While the children and their mothers were visiting, Chapter members worked to establish positive relations with prison personnel. Patrick Martin (Chapter President 2011–12), ran the program for several years. He rode the bus to Pekin twice, and said it was an eye-opening experience. “Some of these kids hadn't seen their moms for so long,” he said. “I suppose they wondered if their moms even remembered what they looked like.” With the help of the Federal Transportation Project, those kids did not have to wonder any more. The success of the program is perhaps best articulated by the impact it has had on the people it was designed to serve. After one of Magistrate Judge Rau's visits to the prison, an inmate came up to him and said, “I want to volunteer for something like this when I get out.”

The Federal Transportation Project served hundreds of inmates and their families over the years it was in operation. Although the program ended when the Federal Correctional Institution in Waseca, Minnesota began accepting women, reducing the need for families' long-distance travel, the benefits of the program continue to this day for everyone who participated.

Judge Davis's support of the Federal Transportation Project was not his first act of leadership in the Minnesota Chapter, nor was it his

last. When he took the helm as President of the organization in the fall of 2004, Judge Davis had long been a leading voice in our Chapter and, of course, the Court. His encouragement and embrace of new Chapter initiatives in partnership with the Court are too numerous to count, but notably include the *Pro Se* Project and a series of trailblazing events such as the Dred Scott Project, the Lawyers Without Rights and the Freedom Riders Exhibits in 2013; a series of programs honoring and supporting women in the law in 2014 and 2015; and most recently, programs and exhibits focused on the Asian Pacific Law Experience in America and Native American Treaty Rights. During his tenure as President, Judge Davis also oversaw the launch of the IP Litigation Section in the spring of 2005. Lora Friedemann (Chapter President 2009–10), now-Magistrate Judge Becky R. Thorson (Chapter President 2005–06), and long-time Chapter leader Kristine Boylan, all of whom were IP litigators, noted the large numbers of IP cases in the District and its vibrant IP community, but no group dedicated to IP litigation in the federal court. With the support of Judge Davis, Judge Joan N. Ericksen (Chapter President 2013–14), and its founding members, the initiative quickly grew to incorporate substantive programming, social networking, and a service element: committee members set aside intellectual property for a day to focus on real property by volunteering their time with Habitat for Humanity. With Judge Ericksen's leadership, the Committee also created the *Markman* Study Group, which worked to address the needs of the Court and practitioners in handling the claim construction process in patent cases in the District.

When Magistrate Judge Thorson became Chapter President the following year, the Minnesota Chapter was increasingly on the

national stage. Not only was the Chapter the first to formally incorporate a commitment to diversity and inclusion in its mission statement, in the fall of 2005, the national FBA asked Minnesota to lead the effort on a national scale, beginning with the training of other FBA Chapter leaders. During Magistrate Judge Thorson's term as President, the Chapter was also awarded the Ilene and Michael Shaw Public Service Award for the Federal Transportation Project, which had quickly become a widely-known and respected program on a national level. That same year, the Chapter also worked with the District's Article III and Magistrate Judges to develop practice pointers and preferences to help facilitate proceedings in individual judge's courtrooms. The practice pointers, which were (and still are) published on our Chapter's website, have long been the top visited pages.

The Minnesota Chapter continued its inclusive approach to community, both at home and abroad, during the presidency of Doug Elsass (Chapter President 2006–07). That year, all four Minnesota law schools contacted the Diversity Committee regarding the pipeline crisis—the declining number of diverse students pursuing a legal education. The Chapter responded by launching a collaborative effort with the Page Education Foundation to provide mentors and scholarships to Minnesota's youth of color in post-secondary education. With the guidance of Judge Paul A. Magnuson, the District also looked beyond its borders, welcoming a delegation of Russian judges and legal professionals as part of the Open World Program. Since that time, our Chapter has joined the District in welcoming delegations of judges and lawyers from countries around the world, including Ukraine, the Republic of Georgia, Kosovo, Uzbekistan, Kyrgyzstan, and most recently, Pakistan.

Magistrate Judge Arthur J. Boylan came to his term as President

of the Chapter (2007–08) with a piece of paper. It was a newsletter published by another Chapter, reporting on new cases and other news of that District. With Judge Boylan's vision and support, the Minnesota Chapter's newsletter, *Bar Talk*, was born. *Bar Talk* quickly became a nationally recognized FBA publication, covering Chapter programs, substantive legal issues, and news of the District. "The newsletter was the vehicle we needed to show members what the organization was accomplishing and how everyone could get involved," said Elsass. *Bar Talk* has certainly accomplished this goal, winning a national FBA award for excellence the first year it was published and several other awards since. The Chapter continued to thrive in other ways under Magistrate Judge Boylan's leadership as well. Membership grew substantially, strong fiscal management allowed the Chapter to continue providing grants to numerous organizations involved in the federal court system, newer lawyers became increasingly integrated and involved in the organization, and the Chapter earned the FBA Presidential Excellence Award for the "150th Anniversary of the *Dred Scott v. Sandford*" program co-sponsored by the Chapter and the District Court.

Although he has been a key figure in Chapter leadership for many years, trying to persuade Magistrate Judge Rau to talk about his term as Chapter President (2008–09) is not easy. He would rather discuss other Chapter leaders who he said "gave real life to the organization." Judge Rau remembers the Chapter greatly expanding its reach under the leadership of Judge Ann D. Montgomery (Chapter President 1985–86) and her successors, especially Linda Holstein (Chapter President 1991–92), "who sparked a fire" in Chapter activity; Judge James M. Rosenbaum (Chapter President 1992–93), who saw the need for the Chapter to get more involved in the broader community; Christine Meuers (Chapter President 1994–95), "who

made it [the FBA] a big deal"; and Patricia Bloodgood (Chapter President 1999–2000), who recruited FBA members to volunteer as pro bono counsel for employment cases, a project that was a precursor to the *Pro Se* Project. Judge Rau said he was fortunate to serve as president during the year that the new Minneapolis federal courthouse opened, which was also the year the Chapter helped to support the Eighth Circuit Judicial Conference in Minneapolis. Magistrate Judge Rau is especially proud of his role in the Federal Transportation Project and the *Pro Se* Project, both of which he helped to launch on behalf of the Chapter.

Lora Friedemann also had already been instrumental in guiding our Chapter for years when she took on the role of President in 2009. Friedemann not only co-founded the IP Group, she was a member of the core team that launched the *Pro Se* Project. Rather than take credit for the numerous initiatives she led on behalf of our Chapter, Friedemann instead echoed her appreciation for the mutual respect and collegiality that the Minnesota Chapter of the FBA fosters among its members, adding that "I soon learned that this was the only chapter with judges and magistrates as officers. We all worked together and learned from each other." Under Friedemann's leadership, the Chapter continued its strong commitment to collegiality in the federal bar and service to the federal legal community through the *Pro Se* Project, the Federal Transportation Project, numerous initiatives to promote diversity and inclusion, and the longstanding traditions of lunches and other gatherings that foster the profession and the practice of law in our federal court.

In our next and last installment, the history project will cover events in our recent history, from 2010 through today.

Tara Norgard is an attorney at Carlson Caspers.

Upcoming Events:**January 27, 2016**

Monthly Luncheon
12:00 PM
Minneapolis Club

February 23, 2016

Newer Lawyer Luncheon
12:00 PM
Minneapolis Federal Courthouse

February 24, 2016

Monthly Luncheon
12:00 PM
Minneapolis Club

March 16, 2016

Monthly Luncheon
12:00 PM
Minneapolis Club

March 23, 2016

Newer Lawyer Luncheon
12:00 PM
St. Paul Federal Courthouse

Communications Committee:

Tara Craft Adams
Seaton, Peters & Revnew, P.A.

Brittany Bachmann
Nichols Kaster, PLLP

Shannon Bjorklund
Dorsey & Whitney LLP

Lance Bonner
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Ryan Schultz
Robins Kaplan L.L.P.

Paige Stradley
Merchant & Gould P.C.

Vildan Teske
Teske, Micko, Katz, Kitzer & Rochel, PLLP

Kathryn Uline
United States District Court for the District of Minnesota

Chelsea Walcker
Robins Kaplan L.L.P.

Tyler Young
Faegre Baker Daniels LLP

Jason Zucchi
Fish & Richardson, P.C.

Bar Talk is the official newsletter of the Minnesota Chapter of the Federal Bar Association. It is published quarterly by the Communications Committee. For any inquiries or article suggestions, please contact: **Jeff Justman** at jeff.justman@faegreBD.com or **Adam Hansen** at ahansen@nka.com.

A special thank you to **Rebecca Baertsch**, Judicial Assistant to the Honorable Donovan W. Frank, for her proofreading expertise.

Online Registration:

The Minnesota Chapter of the FBA utilizes an online registration system for the monthly Minneapolis Club luncheons. A registration link will be sent to you via e-mail for each luncheon. One feature of the system is the automatic calendar entry; just click "Add to Calendar" from the registration system or your confirmation e-mail. Registration coordinators have the option to register multiple attendees in a single registration. Also, Season Pass Holders must register for each luncheon online to select their meal choice and confirm their attendance.

If you have any questions about the registration system, please e-mail **Joe Dixon** at jdixon@fredlaw.com.

Federal Bar Association Application for Membership

The Federal Bar Association offers an unmatched array of opportunities and services to enhance your connections to the judiciary, the legal profession, and your peers within the legal community. Our mission is to strengthen the federal legal system and administration of justice by serving the interests and the needs of the federal practitioner, both public and private, the federal judiciary, and the public they serve.

Advocacy

The opportunity to make a change and improve the federal legal system through grassroots work in over 90 FBA chapters and a strong national advocacy.

Networking

Connect with a network of federal practitioners extending across all 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands.

Leadership

Governance positions within the association help shape the FBA's future and make an impact on the growth of the federal legal community.

Learning

Explore best practices and new ideas at the many Continuing Legal Education programs offered throughout the year—at both the national and chapter levels.

Expand your connections, advance your career

THREE WAYS TO APPLY TODAY: Join online at www.fedbar.org; Fax application to (571) 481-9090; or Mail application to FBA, PO Box 79395, Baltimore, MD 21279-0395. For more information, contact the FBA membership department at (571) 481-9100 or membership@fedbar.org.

Applicant Information

First Name _____ M.I. _____ Last Name _____ Suffix (e.g. Jr.) _____ Title (e.g. Attorney At Law, Partner, Assistant U.S. Attorney) _____
☐ Male ☐ Female Have you been an FBA member in the past? ☐ yes ☐ no Which do you prefer as your primary address? ☐ business ☐ home

Firm/Company/Agency _____		Number of Attorneys _____		Address _____		Apt. # _____	
Address _____		Suite/Floor _____		City _____	State _____	Zip _____	Country _____
City _____	State _____	Zip _____	Country _____	() _____		/ / _____	
() _____				Phone _____		Date of Birth _____	
Phone _____		Email Address _____		Email Address _____			

Bar Admission and Law School Information (required)

U.S. Court of Record: _____
State/District: _____ Original Admission: / /

Foreign Court/Tribunal of Record: _____
Country: _____ Original Admission: / /

Tribal Court of Record: _____
State: _____ Original Admission: / /

Students Law School: _____
State/District: _____ Expected Graduation: / /

Authorization Statement

By signing this application, I hereby apply for membership in the Federal Bar Association and agree to conform to its Constitution and Bylaws and to the rules and regulations prescribed by its Board of Directors. I declare that the information contained herein is true and complete. I understand that any false statements made on this application will lead to rejection of my application or the immediate termination of my membership. I also understand that by providing my fax number and e-mail address, I hereby consent to receive faxes and e-mail messages sent by or on behalf of the Federal Bar Association, the Foundation of the Federal Bar Association, and the Federal Bar Building Corporation.

Signature of Applicant _____ **Date** _____

(Signature must be included for membership to be activated)

*Contributions and dues to the FBA may be deductible by members under provisions of the IRS Code, such as an ordinary and necessary business expense, except 4.5 percent which is used for congressional lobbying and is not deductible. Your FBA dues include \$14 for a yearly subscription to the FBA's professional magazine.

Application continued on the back



**Federal Bar
Association**

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Membership Categories and Optional Section, Division, and Chapter Affiliations

Membership Levels

Sustaining Membership

Members of the association distinguish themselves when becoming sustaining members of the FBA. Sixty dollars of the sustaining dues are used to support educational programs and publications of the FBA. Sustaining members receive a 5 percent discount on the registration fees for all national meetings and national CLE events. They are also eligible to receive one free CLE webinar per year.

	Private Sector	Public Sector
Member Admitted to Practice 0-5 Years.....	<input type="radio"/> \$165	<input type="radio"/> \$145
Member Admitted to Practice 6-10 Years.....	<input type="radio"/> \$230	<input type="radio"/> \$205
Member Admitted to Practice 11+ Years.....	<input type="radio"/> \$275	<input type="radio"/> \$235
Retired (Fully Retired from the Practice of Law).....	<input type="radio"/> \$165	<input type="radio"/> \$165

Active Membership

Open to any person admitted to the practice of law before a federal court or a court of record in any of the several states, commonwealths, territories, or possessions of the United States or in the District of Columbia.

	Private Sector	Public Sector
Member Admitted to Practice 0-5 Years.....	<input type="radio"/> \$105	<input type="radio"/> \$80
Member Admitted to Practice 6-10 Years.....	<input type="radio"/> \$165	<input type="radio"/> \$140
Member Admitted to Practice 11+ Years.....	<input type="radio"/> \$210	<input type="radio"/> \$170
Retired (Fully Retired from the Practice of Law).....	<input type="radio"/> \$105	<input type="radio"/> \$105

Associate Membership

Foreign Associate

Admitted to practice law outside the U.S. ☐ \$210

Law Student Associate

First year student (includes four years of membership)	<input type="radio"/> \$50
Second year student (includes three years of membership)	<input type="radio"/> \$30
Third year student (includes two years of membership)	<input type="radio"/> \$20
One year only option	<input type="radio"/> \$20

All first, second and third year student memberships include an additional free year of membership starting from your date of graduation.

Dues Total: _____

Practice Area Sections

<input type="radio"/> Admiralty Law	<input type="radio"/> \$25	<input type="radio"/> Indian Law	<input type="radio"/> \$15
<input type="radio"/> Alternative Dispute Resolution	<input type="radio"/> \$15	<input type="radio"/> Intellectual Property Law	<input type="radio"/> \$10
<input type="radio"/> Antitrust and Trade Regulation	<input type="radio"/> \$15	<input type="radio"/> International Law	<input type="radio"/> \$10
<input type="radio"/> Banking Law	<input type="radio"/> \$20	<input type="radio"/> Labor and Employment Law	<input type="radio"/> \$15
<input type="radio"/> Bankruptcy Law	<input type="radio"/> \$25	<input type="radio"/> Qui Tam Section	<input type="radio"/> \$15
<input type="radio"/> Civil Rights Law	<input type="radio"/> \$10	<input type="radio"/> Securities Law Section	<input type="radio"/> \$0
<input type="radio"/> Criminal Law	<input type="radio"/> \$10	<input type="radio"/> Social Security	<input type="radio"/> \$10
<input type="radio"/> Environment, Energy, and Natural Resources	<input type="radio"/> \$15	<input type="radio"/> State and Local Government Relations	<input type="radio"/> \$15
<input type="radio"/> Federal Litigation	<input type="radio"/> \$20	<input type="radio"/> Taxation	<input type="radio"/> \$15
<input type="radio"/> Government Contracts	<input type="radio"/> \$20	<input type="radio"/> Transportation and Transportation Security Law	<input type="radio"/> \$20
<input type="radio"/> Health Law	<input type="radio"/> \$15	<input type="radio"/> Veterans and Military Law	<input type="radio"/> \$20
<input type="radio"/> Immigration Law	<input type="radio"/> \$10		

Career Divisions

<input type="radio"/> Corporate & Association Counsel (in-house counsel and/or corporate law practice)	<input type="radio"/> \$20
<input type="radio"/> Federal Career Service (past/present employee of federal government)	<input type="radio"/> N/C
<input type="radio"/> Judiciary (past/present member or staff of a judiciary)	<input type="radio"/> N/C
<input type="radio"/> Senior Lawyers* (age 55 or over)	<input type="radio"/> \$10
<input type="radio"/> Younger Lawyers* (age 36 or younger or admitted less than 3 years)	<input type="radio"/> N/C
<input type="radio"/> Law Student Division	<input type="radio"/> N/C

*For eligibility, date of birth must be provided.

Sections and Divisions Total: _____

Chapter Affiliation

Your FBA membership entitles you to a chapter membership. Local chapter dues are indicated next to the chapter name (if applicable). If no chapter is selected, you will be assigned a chapter based on geographic location. *No chapter currently located in this state or location.

<u>Alabama</u> <input type="radio"/> Birmingham <input type="radio"/> Montgomery <input type="radio"/> North Alabama	<u>Idaho</u> <input type="radio"/> Idaho <u>Illinois</u> <input type="radio"/> Central District of Illinois <input type="radio"/> Chicago <input type="radio"/> P. Michael Mahoney (Rockford, Illinois) Chapter <u>Indiana</u> <input type="radio"/> Indianapolis <input type="radio"/> Northern District of Indiana	<u>New Hampshire</u> <input type="radio"/> New Hampshire <u>New Jersey</u> <input type="radio"/> New Jersey <u>New Mexico</u> <input type="radio"/> New Mexico <u>New York</u> <input type="radio"/> Eastern District of New York <input type="radio"/> Southern District of New York <input type="radio"/> Western District of New York <u>North Carolina</u> <input type="radio"/> Eastern District of North Carolina <input type="radio"/> Middle District of North Carolina <input type="radio"/> Western District of North Carolina <u>North Dakota</u> <input type="radio"/> North Dakota <u>Ohio</u> <input type="radio"/> Cincinnati/ Northern Kentucky-John W. Peck <input type="radio"/> Columbus <input type="radio"/> Dayton <input type="radio"/> Northern District of Ohio-\$10 <u>Oklahoma</u> <input type="radio"/> Oklahoma City <input type="radio"/> Northern/ Eastern Oklahoma <u>Oregon</u> <input type="radio"/> Oregon <u>Pennsylvania</u> <input type="radio"/> Eastern District of Pennsylvania <input type="radio"/> Middle District of Pennsylvania <input type="radio"/> Western District of Pennsylvania	<u>Puerto Rico</u> <input type="radio"/> Hon. Raymond L. Acosta/ Puerto Rico-\$10 <u>Rhode Island</u> <input type="radio"/> Rhode Island <u>South Carolina</u> <input type="radio"/> South Carolina <u>South Dakota</u> <input type="radio"/> South Dakota <u>Tennessee</u> <input type="radio"/> Chattanooga <input type="radio"/> Memphis Mid-South <input type="radio"/> Nashville <input type="radio"/> Northeast Tennessee <u>Texas</u> <input type="radio"/> Austin <input type="radio"/> Dallas-\$10 <input type="radio"/> El Paso <input type="radio"/> Fort Worth <input type="radio"/> San Antonio <input type="radio"/> Southern District of Texas-\$25 <input type="radio"/> Waco <u>Utah</u> <input type="radio"/> Utah <u>Vermont*</u> <input type="radio"/> At Large <u>Virgin Islands</u> <input type="radio"/> Virgin Islands <u>Virginia</u> <input type="radio"/> Northern Virginia <input type="radio"/> Richmond <input type="radio"/> Roanoke <input type="radio"/> Hampton Roads Chapter <u>Washington*</u> <input type="radio"/> At Large <u>West Virginia</u> <input type="radio"/> Northern District of West Virginia-\$20 <u>Wisconsin*</u> <input type="radio"/> At Large <u>Wyoming</u> <input type="radio"/> Wyoming
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Chapter Total: _____

Payment Information

TOTAL DUES TO BE CHARGED

(membership, section/division, and chapter dues): \$ _____

☐ Check enclosed, payable to Federal Bar Association

Credit: ☐ American Express ☐ MasterCard ☐ Visa

Name on card (please print) _____

Card No. _____

Exp. Date _____

Signature _____

Date _____