

May/June 2020 Volume 32 Issue 3



*Wednesday, May 13*

RCBA is holding our Member Appreciation Day online this year! In appreciation of your RCBA membership, enjoy two FREE CLEs, followed by our “virtual reception” with trivia games and drawings for gift cards to local restaurants and businesses, plus the virtual Passing of the Gavel from this year’s president, Sarah McEllistrem, to our incoming president, Susan Buckley.

**3:00-4:00 p.m. | CLE: Commemorating the Centennial of the 19th Amendment: 100 Years of Voting Rights and Civic Engagement**

*Presenter: Michelle Witte, Executive Director of the Minnesota League of Women Voters*

**4:00-5:00 p.m. | CLE: Mindfulness at Work**

*Presenter: Former Judge Susan Miles, Center for Spirituality and Healing at the University of Minnesota*

**Full CLE program details can be found on page 10.**

**5:00-6:00 p.m. | Annual Meeting and Virtual Reception**

*Brief business meeting followed by the Passing of the Gavel, trivia games and prize drawings. See annual meeting information on page 2.*

**Register online to receive a link to join this “virtual” event at [www.ramseybar.org](http://www.ramseybar.org)**

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**Table of Contents on Page 2**

- 3 • President's Page
- 4 • 2020 Award Recipients
- 6 • RCBF Charity Golf Tournament
- 6 • Member News
- 6 • Classifieds
- 7 • Placement Service
- 8 • Calendar
- 10 • CLE and Section Programming
- 12 • Introducing: Judge David Brown
- 13 • MNLRIIS
- 14 • Law Day 2020

## Nominations for 2020-2021 Officers and Leaders



The RCBA Nominating Committee has compiled the following list of candidates for 2020-2021 officers and other leadership positions.

**President** - Susan Buckley

**President Elect** - Monica Dooner Lindgren

**Vice President** - Kenya Bodden

**Secretary/Treasurer** - Elizabeth Clysdale

**Past President** - Sarah McEllistrem

**Board of Directors** - Kobie Hudson, Mike Mather, Amee Pham, Andrew Rorvig

**Voting Representatives to Minnesota State Bar Association -**

Landon Ascherman, Victoria Brenner, Hon. Thomas Gilligan, Jessie Nicholson, Kelly Rogosheske, Dan Stahley

**Alternate Representatives to Minnesota State Bar Association Assembly -**

Hon. Shawn Bartsh, Mike Bradley, Hon. Juan Hoyos, Sarah McEllistrem, Tom Plunkett

### OTHER NOMINATIONS

*Article VII, Section 2 of the RCBA Bylaws provides that, "Nominations for any official position in the Association, other than President, in addition to the nominees selected by the nominating committee, may be made by a petition signed by any twenty-five (25) Regular members of the Association. Other nominations must be received in the RCBA office by May 6, 2020."*

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## RCBA Annual Meeting - May 13

A brief Annual Meeting will take place on Wednesday, May 13, at 5:00 p.m. via remote-participation during the final session of afternoon programming for RCBA's Member Appreciation Day.

This meeting will include the virtual passing of the leadership gavel from this year's RCBA president, Sarah McEllistrem, to our incoming president, Susan Buckley.

On the agenda will be bylaws amendments recommended by the RCBA Board of Directors. The proposed bylaws amendments would allow for up to seven representatives from affinity bar associations to appoint members to the RCBA Board of Directors. Also included in the proposed amendments is language to clarify the merged staff arrangement and bring other sections of the bylaws up to date with current practice.

The full text of the proposed amendments is available at:

[www.mnbar.org/ramsey-county-bar-association/news/announcements](http://www.mnbar.org/ramsey-county-bar-association/news/announcements)

If you have any questions, please contact Cheryl Dalby at [cdalby@mnbars.org](mailto:cdalby@mnbars.org) or 651-789-3751.

Register for the RCBA Annual Meeting and virtual "Member Appreciation Day" at: [www.ramseybar.org](http://www.ramseybar.org)



## A Time for Innovation

I attended a virtual dance party this past weekend. It was held online via Zoom by a professional DJ with the spinning lights and all. People from various aspects of my life were dancing around in their driveways, in their living rooms, and even a bonfire to all kinds of music. It was awesome and silly and for a brief time I forgot all about our lives in quarantine. I forgot about the lack of toilet paper, talk of viral load, and even the Tiger King hysteria.

That respite reminded me of the creativity I have seen in so many aspects of my life since this virus hit the country. I recall my father, born in the late 1920's, talking about scarcity and how our generations do not know of the concept. We've never not had. We've never known about fighting for that last bottle of hand sanitizer, or hair color, or whatever it is. I can say that I consider myself incredibly lucky for never experiencing that. Until now.

In that same vein, however, I have seen scarcity spark creativity; not only in the art of making face masks, but in our profession. We've now seen what it is like to have our entire office work from home, do virtual calls through Zoom, GoTo Meetings, and Microsoft Teams. We even found a long-distance notary service from the MSBA Solo Small firms list. We are practicing law in an entirely new way. This virus forced us to upgrade many of our practices and technology by about 20 years in a matter of weeks. And, for many of us, it is working. Don't get me wrong, this is no sugar coating of this time, but it is amazing when I look back at my own practice, and what we've actually been able to do under incredibly difficult circumstances.

We've had caps pulled from on demand CLE requirements, motions heard on the papers, and co-counsel actually working together on solutions to move cases forward in lieu of arguments that delay. While COVID can easily be used as an excuse to procrastinate it is also a great motivator to keep our practices and the economy going.

In that same way, the Bar Association is moving forward in showing its appreciation for you. Virtually, of course. The RCBA "Virtual" Member Appreciation Day will happen on Wednesday, May 13 from 3-6 p.m.

There will be two free CLE courses, followed by our virtual reception with trivia games and drawings for gift cards to local restaurants and businesses, plus the virtual Passing of the Gavel from yours truly to our incoming president, Susan Buckley.

This event is the RCBA's way to show our appreciation to our members in a big way. The free CLE courses will run back-to-back. The first is a CLE on the 100th anniversary of the 19th Amendment and women's right to vote presented by the League of Women Voters. The second course will be focused on Mindfulness at Work presented by the Center for Spirituality and Healing at the University of Minnesota. This is FREE and all are encouraged to join online.

In addition, the RCBA is planning its annual Ramsey County Bar Foundation Charity Golf tournament on July 27, 2020 at Keller Golf Course. We will all be terrible golfers at that time, so come participate and sponsor anyway knowing that it will just be fun to see one another again.

Lastly, the RCBA has added to the On-Demand library. It's a convenient way to earn CLE credits on your own time and in your own social distanced space.

I hope you are all finding your own ways to be creative and appreciate the little things that take us away, even just for a bit. And, to be grateful for any lessons or learnings we can take away from this situation and the scarcity that accompanies it.

It's been quite the ride at the Bar Association this year and what great hands will carry it forward with Susan Buckley and the wonderfully smart staff. I am most grateful for the opportunity to have been a part of such an involved and dedicated group. I'll be seeing you around, virtually, of course.

# 2020 RCBA Award Recipients

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*Each year the Ramsey County Bar Association presents the Distinguished Humanitarian and Liberty Bell Awards to individuals who show outstanding achievement in serving the citizens of Ramsey County, promote a better sense of understanding and respect for our government and courts, and show leadership in the development of law in our community. This year's awards will be presented at the RCBF Bench & Bar Benefit on November 7.*

## **Liberty Bell Award Recipient: Court Visitor Program in Memory of Dennis Libra**

The 2020 Ramsey County Bar Association Liberty Bell Award is being awarded to the Court Visitor Program, in memory of Dennis Libra. The Court Visitor program allows for neutral parties to assist individuals in guardianship and conservatorship proceedings. Visitors are not lawyers, but they provide a valuable service to ensure that individuals understand the proceedings and are supported throughout the process. Mr. Libra served as a contracted court visitor for years, even after he retired from full-time work as a social worker. He passed away in January of 2020.

The RCBA Liberty Bell award is awarded every year to a non-lawyer who promotes a better understanding of our government, encourages respect for the law and the courts, stimulates a deeper sense of individual responsibility under the law, contributes to the effective functioning of our institutions of government, and inculcates a better understanding and appreciation of the rule of law.

Dennis Libra embodied the ideals of the Minnesota judicial branch, especially by “*providing an accessible, fair, courteous, efficient and innovative system of justice.*”

Libra aimed to make the court process as smooth as possible for individuals. “He helped provide a voice for individuals as a neutral party and served as the ‘eyes and ears’ of the court. Dennis always met with individuals in their environment to reduce access and barrier issues. He also utilized interpreters as necessary to reduce language barriers during his visits. He went above and beyond to always ensure that individuals were served with their legal documents in a timely manner,” said Mai Khou Yang, a court visitor/substitute decision maker with the Fourth Judicial District.

Libra shared the wisdom and knowledge gained from a career as a social worker. “Dennis was someone I could call on for support and guidance. He gave sound advice and was knowledgeable in his role as Contracted Court Visitor and as a lifelong Social Worker,” said Yang. “Dennis always shared his ideas and volunteered his support and guidance graciously. I am grateful for the opportunity to have worked with Dennis and for his dedication to serving the public.”

## **Distinguished Humanitarian Award Recipient: Evan Tsai**

Evan Tsai is no stranger to service. He’s a public defender, Marine Corps veteran, and a dedicated volunteer to providing legal services to fellow service members. For his commitment to serving others in the community, Tsai has been awarded the Ramsey County Bar Association Distinguished Humanitarian Award for 2020.



Tsai graduated from William Mitchell College of Law in 2007. He has worked with the Office of the Public Defender in the 2nd Judicial District for Ramsey County and recently moved to a job with the League of Minnesota Cities. “Mr. Tsai’s commitment to the citizens of Ramsey County and his commitment to the due process of law are unparalleled,” said Minnesota Asian Pacific Bar Association colleague Sukanya Momsen.

Being of service to others has always been a part of Tsai’s life. “I want to believe that we, as human beings, are generally good people that care about human beings around us. That belief guides me in my advocacy and in how I try to live my life. I’ve been so fortunate to receive mentorship, guidance and an understanding that we never leave a person behind. I am a recipient of the generosity of people. I am appreciative of those gifts. I have been taught the importance of that appreciation and the responsibility we have towards others. That ethos came from my mentors. That same ethos was ingrained in me by the Marines with whom I’ve served,” he said.

Most notably, Tsai helped start the Ramsey County Veterans Treatment Court, which connects veterans with resources to help overcome difficulties that led to criminal activity. The court, which launched in 2013, helps thousands of veterans each year. One of Tsai’s inspirations for starting the court was a fellow Marine he ran in to while volunteering with the Minnesota Assistance Council for Veteran’s Standdown event. It’s an annual event that brings together community partners to assist veterans who are experiencing homelessness.

The fellow Marine served with Tsai in the 1990s while on deployment to East Asia. “We talked about our plans to return to Minnesota. We both intended on finishing college and looked forward to thriving in the Twin Cities,” said Tsai. However, the veteran became homeless after reentering civilian life. A decade later, they ran into each other at the Standdown event. “He was disheveled and visually battling mental illness. He was lonely. He was reluctant to get help. When we saw one another, we smiled the familiar smile that brothers at arms would know. I hugged him. We caught up. His return home was never

fully realized. I offered to help. I gave him my card. I told him that I was here,” said Tsai.

Tsai was moved by that interaction, “The pain I saw in that young Minnesotan Marine Lance Corporal was one of the inspirations I held when working towards establishing a Veterans Treatment Court in Ramsey County. I am lucky to be part of a community of like-minded judges and attorneys that can empathize with the pain and hardships my fellow service members have battled.”

Tsai hopes other lawyers in the community will be inspired to help returning service members, “When Judge Judith Tilsen introduced herself to new participants of Veterans Treatment Court, she would simply say, ‘You served us. Now we must serve you.’ What that simple statement encapsulates is the responsibility of every citizen to make sure that each Marine, Sailor, Soldier and Airman that will deploy or has deployed can come back home. When our sons and daughters come back to a place that is apathetic of their plight, we become irresponsible. That irresponsibility is immoral and damaging to our community.”

By: Nick Hansen

## BE PART OF THE BARRISTER: WRITERS WANTED

Interested in writing for the RCBA's *Barrister* newsletter? We're always looking for members to write profiles of new judges, award recipients, and foundation grantees. Or if you have an idea for practice tip articles of interest to other bar members, let us know.

Please follow up with Barrister Editor Bethany Lenderink, [blenderink@mnbars.org](mailto:blenderink@mnbars.org), with article ideas or if you are interested in writing opportunities.



# RCBF Golf Tournament

**Monday, July 27, 2020**

11:30 a.m.-8:00 p.m. at the Keller Golf Course

**Keller Golf Course**  
**2166 Maplewood Dr.**  
**St. Paul**

**Schedule of the Day:**

11:30 a.m. | Lunch and Registration  
 1:00 p.m. | Shot Gun Start  
 5:00 p.m. | Dinner and Awards Reception

**Golfer Registration**

\$150 per golfer. Add \$10 after June 29.

**Foursome Discount: \$500 (\$125/golfer)**

To claim the foursome discount, contact Amanda Idinge at [aidinge@mnbars.org](mailto:aidinge@mnbars.org).

*Not a golfer? Join us for dinner and the awards ceremony for \$50.*

***Join these local businesses in sponsoring the event:***

**HKM • Taft • Minnesota CLE •**

**Minnesota Lawyers Mutual Insurance Co. • Thomson Reuters • Tradition Capital Bank**

**Sponsorship Opportunities**

Sponsor levels range from \$300 to \$1,500. To find more information on sponsorship opportunities and benefits, or to sign up, visit [www.ramseybar.org](http://www.ramseybar.org) or contact Sharon Elmore at [selmore@mnbars.org](mailto:selmore@mnbars.org).

*Proceeds from the tournament benefit the Ramsey County Bar Foundation.*

## RCBA MEMBER NEWS

**Nicholas A. Rauch** has joined Larson King and will practice in the areas of transportation and logistics, professional liability, products liability, and complex torts.

*Submit your member news to  
[blenderink@mnbars.org](mailto:blenderink@mnbars.org)*

## CLASSIFIED ADS

**Achieve Your Goals.**

Attorney coach/consultant Roy S. Ginsburg provides marketing, practice management and strategic planning services to individual lawyers and firms.  
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## PLACEMENT SERVICE

Let the Bar Association help you find the right staff for your law firm. We specialize in the placement of full-time and part-time legal office support staff:  
**Paralegals | Legal Assistants | Receptionists | Office Administrators**

### What law firms say...

"The best part about working with the RCBA is how it simplifies the hiring process. The Placement Service has consistently met our expectations by finding good, qualified candidates. The service is also very reasonably priced compared to their competition. It's a win-win experience."



**GET STARTED!** Contact Placement Service Director Sabina Zeenat at [szeenat@mnbars.org](mailto:szeenat@mnbars.org) or 651-222-0846



"Every law firm has unique staffing needs. I'm here to help you find the right person for your office. Let's work together."

**Sabina Zeenat**, Placement Director



"For over 30 years, the RCBA Placement Service has been a go-to-resource for local lawyers and law firms."

**Cheryl Dalby**, Chief Executive Officer

## Kathleen R. Gearin

Ramsey County District Judge, Retired



During 26 years on the bench, Judge Gearin presided over a wide range of civil cases, from family law to complex commercial matters, and gained a reputation for her integrity, decisiveness and sensitivity. As Chief Judge of her district, she frequently dealt with sensitive cases, including the Coleman-Franken Senate recount and the longest government shutdown in U.S. history. She is available as a mediator, arbitrator, special master and discovery referee in cases involving **business/commercial, employment, family law, governmental/public agency, insurance, personal injury/torts, professional liability** and **real property** matters.

The JAMS Minneapolis panel also includes:

Philip L. Bruner, Esq. • Daniel H. Mabley, Hennepin County District Judge, Retired  
Hon. James M. Rosenbaum (Ret.) • Hon. Janice M. Symchych (Former) • Lawrence Zelle, Esq.

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# RCBA CALENDAR

MON.

TUES.

WED.

THURS.

FRI.

SAT./SUN.

## May

				1	2	3
4	5	Administrative Law Basics CLE	7	8	9	10
11	12	Virtual "Member" Appreciation Day and Annual Meeting"	14	15	16	17
18	19 Real Estate Section Virtual Networking Event	20	21 Virtual Happy Hour Hosted by New Lawyers	22 Law Day CLE	23	24
25 Memorial Day OFFICE CLOSED	26 RCBA Diversity Committee RCBF Charity Golf Tournament Committee	27 Family Law Section CLE	28 Solo/Small Firm Section CLE RCBA Diversity Committee CLE	29	30	31

**SAVE  
THE  
DATE**

**Charity Golf Tournament**

Monday, July 27, 2020  
Keller Golf Course  
2166 Maplewood Drive  
St. Paul

**Families First Halloween**

Monday, October 26, 2020  
John A. Johnson Elementary  
740 York Ave, St. Paul

**RCBF Bench & Bar Benefit**

Saturday, November 7, 2020  
Saint Paul Hotel  
350 N Market St, St. Paul

**Memorials**

Friday, November 20., 2020  
Sundin Music Hall  
1531 Hewitt Ave, St. Paul



MON.

TUES.

WED.

THURS.

FRI.

SAT./SUN.

CLE Oversight  
Committee Meeting

1

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RCBA/HCBA Joint  
Family Law  
Section CLE

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Multi-Bar Happy  
Hour Hosted by  
New Lawyers  
(Tentative)

19

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RCBA Diversity  
Committee

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30

RCBF  
Charity Golf  
Tournament  
Committee

June

*For CLE course presenters, descriptions, and registration information, please see page 10.*

RCBA programming is currently being offered via remote participation unless noted.

For the most updated event information, please visit our website: [www.ramseybar.org](http://www.ramseybar.org)



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# MAY/JUNE CLE AND SECTION PROGRAMMING

(Unless Otherwise Noted)

**Location:**  
*All RCBA programming is currently via remote participation only.*

**Time:** Noon – 1:00 p.m.

**Cost, includes lunch:**  
\$15 RCBA members  
\$30 non-members

**Credit:** 1 standard credit applied for

**Register at** [ramseybar.org](http://ramseybar.org)  
or call (651) 222-0846.

## DISCOUNT Packages!

RCBA is offering flexible CLE packages again for the 2019-2020 CLE season. Great savings over buying individual CLEs. High Quality, Relevant CLEs presented by local experts

**5 CLEs \$60**

**10 CLEs \$110**

**15 CLEs \$150**

Any length: 1 credit hour, 1.5 hours, 2 hours, 3 hours  
Any format – live remote access or on-demand

**To purchase a package,**  
email [info@ramseybar.org](mailto:info@ramseybar.org) or call  
(651) 222-0846.

### May 6 | Administrative Law Basics

**Presenter:** Hon. Jessica A. Palmer-Denig, Administrative Law Judge

*An overview for any practitioner interested in expanding their practice into representing parties before the OAH.*

**CLE Presentation:** 3:00-5:00 p.m.

**Credit:** 2.0 standard credits applied for

**Cost:** \$30 RCBA and MSBA Administrative Law Section members; \$40 non-members

**Sponsored by:** RCBA and MSBA Administrative Law Section

### May 13 | Member Appreciation Day: Commemorating the Centennial of the 19th Amendment

**Presenter:** Michelle Witte, Executive Director, Minnesota League of Women Voters

*Unique history related to the "Votes for Women" movement here in our state, how that movement affected women of color, and how the League of Women Voters continues to live out the mission of empowering voters and defending democracy.*

**CLE Presentation:** 3:00-4:00 p.m.

**Cost:** FREE for RCBA members; \$20 non-members

### May 13 | Member Appreciation Day: Mindfulness at Work

**Presenter:** Susan Miles, Center for Spirituality and Healing at the University of Minnesota

*This session will include an introduction to mindfulness, and will explore the ways in which key mindfulness traits relate to essential workplace skills such as resilience, task execution, critical analysis, intra/interpersonal growth and leadership.*

**CLE Presentation:** 4:00-5:00 p.m.

**Cost:** FREE for RCBA members; \$20 non-members

**Member Appreciation Day CLEs Sponsored by:**  
HKM, Larson King, and Thomson Reuters

### May 14 | Trusts and Estates Section: To Modify or Not to Modify an Irrevocable Trust is Not the Question, But How to Do It Right Is...

**Presenters:** Joshua C. Hillger, Messerli | Kramer;  
Barbara M. Kristiansson, Messerli | Kramer

*The Minnesota Uniform Trust Code provided new tools for modifying irrevocable trusts. This CLE will walk through the different methods, the requirements for each, and provide examples for the best uses of each modification method.*

**Sponsored by:** Olsen Thielen & Co., Ltd.

### May 19 | Real Estate Section: Virtual Brown Bag Lunch Networking Event

*A networking hour for real estate practitioners and anyone who is interested in discussing the current situation we are facing.*

**Cost:** FREE for all attendees

**Register online at** [www.ramseybar.org](http://www.ramseybar.org)

### May 21 | Virtual Happy Hour Hosted by New Lawyers Section

*Join your RCBA colleagues for a moderated discussion about new challenges associated with remote work, navigating a legal practice or legal job in this new environment. Enjoy the opportunity for community and socialization. New and experienced lawyers are encouraged to attend.*

**Happy Hour:** 5:00-6:00 p.m.

**Cost:** FREE for all attendees

**Register online at** [www.ramseybar.org](http://www.ramseybar.org)

**Sponsored by:** Olsen Thielen & Co., Ltd., and Tuft, Lach Jerabek & O'Connell, PLLC

### May 22 | Law Day: Persistence and Change in Felon Voting Restrictions

**Presenter:** Professor Christopher Uggen, Regents Professor and Distinguished McKnight Professor of Sociology and Law, University of Minnesota

*This talk will review research and policy developments in felon disenfranchisement law and policy, with a focus on developments in Minnesota.*

**CLE Presentation:** 12:00-1:00 p.m.

**Credit:** 1.0 standard credit applied for

**Cost:** FREE for all attendees

### May 27 | Family Law Section: Helping Family Law Clients Understand Differences Between Common Types of Retirement Programs

**Presenter:** Thomas Hughes, Thomas M. Hughes, Ltd.

*Tom Hughes will describe the differences in defined benefit and defined contribution retirement plans in marriage dissolution cases.*

### May 28 | Solo Small Firm Section: How to Successfully Run a Post-COVID-19 Law Practice

**Presenters:** Margaret Barrett, Safe Harbor Estate Law;  
Matt Ludt, Atticus Family Law

*Do you want to look past the obvious challenges of the pandemic to the many opportunities? Let us help you identify and take advantage of opportunities to benefit you, your firm and your clients now and in the long run.*

**CLE Presentation:** 8:30-10:00 a.m.

**Credit:** 1.5 standard credits applied for

**Cost:** \$20 RCBA members; \$30 non-members

### May 28 | RCBA Diversity Committee: The Courthouse is Not My Employer, But it is My Place of Work

**Presenter:** Jacquelyn S. Lutz, Family Law Attorney, Appelhof, Pfeifer & Hart, P.A.,

*Learn the benefits of breastfeeding that go beyond baby, how Minnesota law compares to the nation in promoting and protecting breastfeeding and lactation, and the legal importance of the distinction between employers and location of work for lactating mothers.*

**CLE Presentation:** 12:00-1:00 p.m.

**Credit:** 1.0 elimination of bias credit applied for

**Cost:** FREE for RCBA Members; \$10 non-members



## Around the Clock. Around the House.

### On Demand Programs from the RCBA Are Available Now

Take advantage of this convenient way to earn CLE credits on your schedule.

[www.mnbar.org/members/cle-events/rcba-on-demand-cle](http://www.mnbar.org/members/cle-events/rcba-on-demand-cle)

**RCBA**  
RAMSEY COUNTY BAR ASSOCIATION

# INTRODUCING: *JUDGE DAVID BROWN*

Judge David Brown brings to his new role on the bench a long-standing commitment to public service and to the values of equity and inclusion. As a career prosecutor with the Hennepin County Attorney's Office and Chief Criminal Deputy since 2012, Judge Brown has "spent his entire legal career serving the people of Minnesota," remarked Governor Tim Walz, announcing the appointment and commending Judge Brown's "commitment to the values of diversity, inclusion, and fairness in the legal field."

A native of Roseville, Judge Brown received his B.A. *magna cum laude* from Gustavus Adolphus College and his J.D. *cum laude* from the University of Minnesota Law School. He built a career as a prosecutor with the Hennepin County Attorney's Office, handling juvenile protection matters and criminal prosecution and appeals, with a focus on justice for victims/survivors of domestic assault and child abuse. As a legislative liaison for the County for several years, Judge Brown advocated for legislation to protect vulnerable Minnesotans and was instrumental in the passage of a Minnesota law making it a felony to deprive vulnerable adults of food and care.

**Judge Brown has devoted himself to studying, and confronting, racial disparities in the criminal justice system.**

In 2012, Judge Brown took on the role of Chief Deputy Hennepin County Attorney, managing the work of 100 assistant county attorneys and 150 support staff as they handled more than 11,000 felony cases each year. Judge Brown's trial experience prepared him to be a vigorous defender of victims' rights and safety, and he led the effort to train both attorneys and support staff on ethical prosecution and disclosure practices. As chief deputy, he also began to study and systematically address aspects

of disproportionality and disparity that negatively impact Minnesotans' experience and trust when interacting with the criminal justice system.

As part of the County's leadership team, Judge Brown planned and implemented several key reforms: modified forfeiture policies to eliminate automobile seizures for private citizens found with small amounts of a control offenders to permit prompt return to their jobs and families; and a revised Veteran's Court policy allowing greater judicial discretion in sentencing for many veterans struggling with addiction and mental illness. Judge Brown said, "One of the most challenging aspects of extended wars with multiple deployments is the cumulative impact of those deployments on our soldiers and their families."





Judge Brown has devoted himself to studying, and confronting, racial disparities in the criminal justice system. Having taken a leadership position in several multi-year studies to identify racial and gender disparities in adult and juvenile charging, Judge Brown sought to address these disparities through increased diversion opportunities, strategic policy reform around charging for low-level misdemeanors, and expanded opportunities for expungement after diversionary programming. In what may be a national first, Judge Brown initiated and oversaw the creation of a real-time data dashboard showing critical statistics for each criminal division in Hennepin County, including race and gender data (efforts are underway to provide in-depth data regarding victim demographics and diversion outcomes), allowing free access to the County's data on charging decisions and allowing for questions and input from the public. The dashboard remains active and is available at [www.hennepinattorney.org/about#dashboard](http://www.hennepinattorney.org/about#dashboard)

Judge Brown was a frequent volunteer faculty member for state and national trainings on ethics, evidence, and

trial skills, and the 2020 president of the Minnesota County Attorneys Association. He has served on the Minnesota Supreme Court Advisory Committee on the Rules of Criminal Procedure since 2015. Locally, Judge Brown has served as an adjunct professor of criminal appeals with the University of Minnesota Law School, and trained police officers on effective investigation and interviewing in domestic violence cases.

Judge Brown will begin his rotation on the misdemeanor criminal calendar. "I am excited to be a part of the second judicial district and look forward to working with the outstanding professionals here," Judge Brown said.

Off the bench, you'll find Judge Brown spending time at the family cabin in Canada or chasing after his 3-year-old granddaughter.

By: Amy Edwall, Attorney at Law

Southern Minnesota Regional Legal Services

## MINNESOTA Lawyer Referral

### What you can expect:

Expanded Marketing to  
Attract Clients

Pre-screened Referrals  
Delivered by Trained Staff

An Expanded Reduced Fee  
Program with an Updated  
Fee Schedule

New Opportunities for  
Unbundled Services

More Narrowly Tailored  
Client Referrals

Online Opportunities for  
Self-Referrals

## The New Referral Service You Oughta Know

The Ramsey and Hennepin County Bar Associations recently merged their existing referral services into a new and enhanced program, the **Minnesota Lawyer Referral and Information Service (MNLIRIS)**. The creation of this program allows us to consider new, innovative ways to meet the needs of today's legal consumers. Now is the time for you to get involved.

Trained members of the MNLIRIS staff communicate with over 1000 legal consumers a month connecting them with vetted member attorneys or other appropriate resources. In previous years, our referral services have delivered over 1.5 million dollars in business. Our enhanced new program will only continue to expand. Your business cannot afford to miss out.



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[mnlawyerreferral.org](http://mnlawyerreferral.org)

# Law Day 2020

## Your Vote—Your Voice—Our Democracy: The 19<sup>th</sup> Amendment at 100

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The Ramsey County Bar Association (RCBA) and the Ramsey County Law Library (RCLL) will commemorate Law Day 2020 and its theme “Your Vote—Your Voice—Our Democracy: The 19th Amendment at 100.” The RCBA/RCLL will offer a free CLE featuring Professor Christopher Uggen that will take place on Friday, May 22, from noon to 1 p.m. Professor Uggen is Regents Professor and Martindale Chair in Sociology and Law at the University of Minnesota. He will discuss felon disenfranchisement.

Felon disenfranchisement, in many ways, mirrors early Twentieth Century inequalities that prohibited women from voting. While not the movement that women’s suffrage was, restoration of voting rights for former felons is garnering widespread attention. In the book *Locked Out: Felon Disenfranchisement and American Democracy*, which Professor Uggen co-authors with Jeff Manza, the authors note that about five million people either voluntarily choose not to vote or don’t vote due to their ineligibility as current and former criminal offenders. Only one quarter of these individuals are confined in prison or jails. While there is now greater momentum toward giving formerly incarcerated citizens the right to vote, the diversity among states varies from lifetime ineligibility to vote to complete reinstatement once a person is released from prison. Much as a women’s inability to vote discriminated against a particular group, felon disenfranchisement also impacts people based upon race.

In Minnesota, a 2019 bill (H.F. No. 40) was introduced in the Minnesota legislature that would have restored an individual’s right to vote after the completion of incarceration or upon sentencing if no incarceration was imposed. The bill failed to progress. However, on the judicial side, a case currently moving through Ramsey County District Court

regards reinstatement of voting rights for individuals who are no longer incarcerated but who are under the continued supervision of the Department of Corrections.

In *Schroeder, et.al. v. Minnesota Secretary of State Steve Simon*, the plaintiffs (who are former felons) claim that denial of their voting rights is a violation of the equal protection guarantee of the Minnesota Constitution as well as its due process clause. The plaintiffs argue that they are safe to live in their communities, and they state in their complaint that they “contribute to Minnesota’s economic, cultural, religious, civic and political life, pay taxes, and bear the consequences of the decisions made by their governments.” Integration into society, and the right to vote, are central to their continued success in the community. Successful reintegration is not only an individual goal but is also a goal of our criminal justice system and society in general. The parties argue that ongoing denial of their right to vote after release from prison is without justification.

As of this writing, the parties are waiting for the court’s response in the Ramsey County case (which is presumably delayed due to the COVID-19 shutdown). The parties have filed cross motions for judgment and have completed briefing for the case. The plaintiffs are hoping that their claims for relief will be timely granted so that they can vote in this fall’s election.

By: Sara Galligan, Ramsey County Law Library Director

On May 1, we observe “Law Day”—our country’s tribute to the rule of law. While Law Day is officially designated for May 1, activities around the country typically take place all during the month of May. In 1958, President Dwight D. Eisenhower established Law Day for national dedication to the principles of government under law. Law Day was also endorsed by the American Bar Association, which has embraced the celebration and promoted its observance.



## YOUR VOTE • YOUR VOICE OUR DEMOCRACY THE 19TH AMENDMENT AT 100

The Ramsey County Law Library honors the importance of Law Day by recognizing pro bono services for self-represented litigants who use the Ramsey County Housing and Conciliation Court Self-Help Center. With the help of pro bono attorneys, 448 individuals were served in 2019. We would like to acknowledge the services of the following pro bono attorneys who assisted clinic clients over the past:

Kristen Bullock

Marie Martin

Jason Carney

Barbara McDonald

Mary Cullen

Sarah McEllistrem

John Del Vecchio

Jon Paulson

Michael Fondungallah

Ryan Peterson

Rebecca Heltzer

Joe Vaccaro

John Lillie

Mike Zwickey

Dave Madgett

Minnesota Justice Foundation Student Volunteers:

Jiawel Pan

Hannah Schacherl

Neng Wan

Friday, May 22, 2020

### CLE: Persistence and Change in Felon Voting Restrictions

**Presenter:** Professor Christopher Uggen

**Time:** 12:00-1:00 p.m.

**Credit:** 1.0 standard credit applied for

**Cost:** FREE for all attendees

*A half-dozen defendants sat in the courtroom, all described as “model probationers” living and working in Minneapolis. But they were facing new felony charges and the atmosphere was tense. Their crime? Illegal voting. They did not sell their votes or stuff the ballot box, they simply arrived at their polling place and cast ballots like so many of us did. Their new felony charges arose because in 27 US states it is illegal to vote while serving a probation sentence in the community. This talk will review research and policy developments in felon disenfranchisement law and policy, with a focus on developments in Minnesota. After addressing the origins, scope, political and racial impact, and public opinion on the practice, it considers the meaning of these legal restrictions in the context of contemporary debates in the United States and other nations.*

Co-sponsored by the RCBA and the Ramsey County Law Library.



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