

R A M S E Y C O U N T Y  B A R A S S O C I A T I O N

Memorials

Friday, April 30, 2010

Hamline University Sundin Music Hall
1531 Hewitt Avenue, St. Paul, Minnesota

Two o'clock

"Only a life lived for others is a life worthwhile."

-Albert Einstein

The traditional opening remarks
and introduction of dignitaries
by the Chief Judge of the District Court
were omitted from the booklet of the
Memorial Proceedings of the
Ramsey County Bar Association
for the year 2010.

IN MEMORY OF

John F. Bannigan, Jr.

Jennifer L. DeKarske

Janet C. Fesler

Hon. John T. Finley

Michael L. Flanagan

Hon. Leonard J. Keyes

Hon. Stephen L. Maxwell

Angela McCaffrey

Thomas S. Montgomery

Amy Novak Lenhart

John R. Person

John F. Bannigan, Jr.

October 26, 1936 - December 4, 2009

His family: John's immediate family was small: His parents (both from Ireland), his sister, Kathleen, his wife, Meg, and his children, John, Brendan and Molly, and 8 grand-kids. John dedicated long days and most weekends to his clients. Nonetheless, he loved to be home for his wife's gourmet dinners, coach his children's sports, take family road trips and vacations in California and Ireland. He was proud of his Irish heritage, his talented wife, his great kids and grandkids and the close bond with his sister. He had hoped at least one of his children would have been *blind* enough join him in the practice of law. Jan Wilebski was rooting for daughter Molly. Clearly, they saw the toll that law practice took on their Dad and found other careers.

Terry Garvey: I grew up in St. Paul's "Frog Town" just 3 houses from John. Although he was 10 years older, John always took time for me. He was my role model. John delivered St. Paul newspapers on his way to school in his Cretin uniform. Years later I took over his paper route, I followed him to University of Minnesota Law School, and even landed his former job as St. Paul HRA Assistant General Counsel. My first condemnation jury trial was against John. For a taste of what to expect, I obtained a transcript of a similar case where John represented the landowner against the HRA. In that case John didn't have an ounce of evidence supporting his client's property valuation. But the HRA's appraiser had gone to Harvard. So, John effectively made this "Harvard lad" the centerpiece of his case, cleverly insinuating his client did not have the resources for a high-priced hired gun. John was a good friend and worthy advocate.

Bill Cosgriff: I met John in 1963. He taught me Business Law at St. Thomas College. It was my first exposure to the law. He made it interesting and challenging. He regaled the students about the life of a lawyer. He inspired several students to pursue law school. John suffered with grace his final years and stayed active with St. Thomas despite the debilitating cancer.

Greg Bistram: John was multitasking before the term was invented. A typical day might include a morning court hearing, an afternoon property-viewing, an evening coaching youth baseball, family dinner, and meeting witnesses at night. John shortchanged no one. He had the gift of gab, but more importantly, he had the rare ability to **listen**. This combination of skills made John a wonderful storyteller, a mentor, zealous advocate for his clients and, most importantly, a great spouse, dad, grandfather and friend. After an early stint practicing law for the government, John developed a strong practice representing owners in land use and condemnation disputes. The early stages of condemnation proceedings don't involve discovery. This allowed fertile ground for John's strategic planning and prep of his witnesses with a "perfect answer if the government lawyer asks this question". Many a government lawyer heard one of these per-

fect answers in a hearing. John was passionate about many things: His family, friends, clients, politics, wrong-headed judges and politicians, the church, all his alma maters, baseball, and "a great \$4 bottle of wine"(even if it cost \$5 in gas to get it). John faced everything head-on: from tangled legal issues to his health issues... **with one exception: Email.** After John retired, I asked for his email address. John gave me an address that convinced me he either didn't know his email address or he had invented his own Internet system. I was pretty sure it wasn't the latter. John ran with St. Paul A/C friends during lunch hour and on weekends. John was the perfect running companion. He was on time, ran at a comfortable pace, and was willing to carry the conversation. John was a trial lawyer, not a litigator. That distinction was important to John.

Judge Edward Cleary: My memories of John are many from the 17 years we shared law offices: his sense of humor and his infectious laughter; his pride in his Irish roots; his love of racquetball and running at SPAC; his overwhelming loyalty to Cretin-Derham, particularly it's baseball team; his fierce competitiveness; his intense preparation for and love of trial work; his pride in his family; his stories about his father; and his graciousness to my late father whenever he visited. I also recall the 1981 trip to Washington D.C where John and I and other graduates of the U of M Law School were sworn in before the United States Supreme Court, and his patience ten years later with the disruptive media coverage in the offices prior to my opportunity to argue before that Court. John enjoyed life and he loved being a lawyer. He will be missed.

Janet Wilebski: I observed John in the courtroom often. He loved that arena and the court loved him. (No doubt with a few exceptions). He was straight with the court and played fair with opponents. His always-present sense of humor garnered him favor with the courts, clients, attorneys and staff. John's humor was quick, intelligent and relevant to the moment. To the condemnation lawyers who tried cases with John: I know you've heard his final argument invoking the story of "King John and the Robber Barons of England." We all miss you, John.

Respectfully submitted,
Terry Garvey, William Cosgriff, Judge Edward Cleary, Gregory Bistram and
Janet Wilebski

Jennifer L. DeKarske

March 16, 1978 – December 19, 2009

Anyone who had the pleasure of meeting Jennifer knew the moment that they met her that she was, simply, a force of nature. She was gracious, bright, beautiful and vivacious, and truly *lived* every moment of her short life.

Jennifer was born March 16, 1978 in Saint Paul, the daughter of Scott and Kathleen DeKarske. As soon as she could speak, Jennifer was arguing cases, albeit they were mostly her own. When she realized (in about 1981) that there were people who argued for a living, she knew she would be one of them. To those who knew Jennifer, and witnessed her unyielding dedication to achieving her dreams, her success in the practice of law came as no surprise.

Jennifer grew up in Saint Paul Park and graduated 8th in her class from Park High School in 1996. She was a member of the National Honor Society and Vice President of her senior high school class. In 2000, Jennifer graduated *summa cum laude* with honors from Hamline University with majors in history and political science and was granted admission to The Phi Beta Kappa Society. Jennifer continued her education at the University of Minnesota Law School, from which she graduated cum laude in 2003.

Jennifer believed in helping others, and dedicated her life to doing so. Following her graduation from law school, she served as an Assistant Attorney General in the Minnesota Attorney General's Office, where she worked in the Agriculture / Natural Resources / Commerce and Health / Antitrust divisions. As an Assistant Attorney General, Jennifer briefed and argued *Software Association, et al. v. Swanson*, a First Amendment challenge to a state law in federal district court and the Eighth Circuit Court of Appeals. She also successfully represented the state in three criminal appeals before the Minnesota Court of Appeals.

Jennifer joined Larson King, LLP in 2007, and concentrated her practice on business, professional liability and complex personal injury litigation. Jennifer took great pride in her work, and was a bright and hard-working litigator. She was admired by her colleagues for her intellect, humor and personality. Jennifer treated opposition as opportunity, and approached every case and challenge with tenacity...and a smile.

Outside of work, Jennifer raised money for the American Heart Association, organized community service projects for the Minnesota Defense Lawyers Association and donated her time to various political campaigns.

Jennifer enjoyed spending time with her family and friends, traveling, and dancing. She enjoyed any opportunity to relax by a bonfire in the backyard. Jennifer was an animal lover who had two cats, both of which she nursed back to health

... JENNIFER L. DEKARSKE cont'd

after rescuing them. She also financed the rescue and relocation of a mother horse and her foal to their adoptive homes.

Jennifer died unexpectedly on December 19, 2009. She is survived by her parents Scott and Kathleen DeKarske, her brother Luke DeKarske and sister Susan DeKarske, and her grandmothers, Janet DeKarske and Beverly (Herman) Nelson. She was preceded in death by her grandfathers, Clarence DeKarske and Theodore Anderson.

We will remember Jennifer for her sincere care for others, her eternal optimism, and her unmatched enthusiasm for life. She was a wonderful friend who will be dearly missed.

Respectfully submitted,
Sarah Madsen and Kathy DeKarske

Janet C. Fesler

March 15, 1956 - July 10, 2009

A vivacious friend to everyone she met, Janet Carol Fesler left us far too soon on July 10, 2009, at age 53, parting with mother Elaine and sisters Nancy and Dael. It makes perfect sense that Janet saw her pending death as a step into life, rather than a step from life. Seven months earlier and facing terminal cancer unflinchingly, Janet told her audience at Edgcumbe Presbyterian Church in St. Paul, "The question is *not*, 'Why me?'" She explained her Christian devotion to God: "We are not immune from the sin and the disease of this planet, but we are promised to survive beyond it. . . . I'm ready to go, and I know where I'm going. Why *not* me?"

Janet Fesler was born in St. Paul, attended high school at Minnehaha Academy, graduated with a Bachelor of Arts degree from Wheaton College and a Juris Doctor degree from Hamline. She practiced with an emphasis on family, probate, and criminal law from 1981 to 1994 with the John Daubney Law Office in Saint Paul. Janet enjoyed a hiatus from practice from 1994 to 1998 when she served as administrative law clerk to Judge Paul Magnuson of the United States District Court. She returned to private practice in 1998, serving mostly in family law and estate planning. Janet maintained her law office in St. Paul until winding down after being diagnosed with cancer in 2007.

Janet had a disarming, self-deprecating humor that arose from her humility. For example, frustrated in the late 1990s when she learned that the "Super Lawyers" edition of *Law and Politics* was again not going to include her, Janet designed a promotional ad in the edition, featuring herself under the heading, "Pretty-Darn-Good Lawyer." The magazine came to its senses and recognized Janet as a Super Lawyer in its following editions.

Janet was a fine attorney who provided outstanding representation to her clients, often pro bono or at a sacrificially reduced fee. But what separated Janet most was her love for life outside of the law. Janet's childlike and playful love for people and for life was unmatched. Janet convinced her beloved best friend and housemate—her sister Nancy Fesler—to tow her on the St. Croix River waterskiing every morning from May through October; she filled her small basement with vintage pinball machines and sent guests down to play; she fell in love with Disneyworld the year it opened and soon made a life-long tradition of annual visits with friends and their kids; she named her wooded, riverfront lot "Camp Fairview," where she entertained children of all ages; she loved cars, solo road trips, and auto magazines; she can rarely be found photographed without a representative of her long-line of adored Lakeland Terriers; she loved her mother and her sisters dearly; she never forgot to send a card to celebrate her many friends' birthdays, anniversaries, graduations, or other special events; she maintained a daily luncheon schedule with new and old friends; she found joy in all things. If Janet wrote an autobiography, she said she would entitle it,

No Regrets.

The purest way to honor Janet is to share her wisdom, which I was fortunate enough to glean from her during her last year with us. Reflecting on her rich life, Janet Fesler—wonderful lawyer, and an even more wonderful daughter, sister, friend, and person—gathered these thoughts and would gladly offer them to this audience as her life lessons (And for those of us who had the privilege to know her, it is clear that she lived all of these things.):

- *Never bargain away your name.*
- *When in doubt, do the right thing.*
- *The popular world is not your friend.*
- *Find God and trust patiently in Him.*
- *Be honest with yourself.*
- *Nothing replaces time.*
- *Make things better.*
- *Don't be a whiner.*
- *Always put others first; take care of yourself without being selfish.*
- *If you want to know how to live, watch [Janet's] sister, Nancy Fesler.*
- *Pick friends wisely.*
- *Surround yourself with uplifting people.*
- *Read C.S. Lewis's "Mere Christianity" to know how to relate to God; and read Dr. Seuss's "Horton Hears a Who" to know how to relate to people, because every person is a person, no matter how small.*

The bar will miss Janet Fesler; the world will miss Janet Fesler; and I will miss Janet Fesler.

Respectfully submitted,
Judge Kevin G. Ross

The Honorable John T. Finley

May 20, 1940 – June 1, 2009

John T. Finley was born on May 20, 1940, in the City of St. Paul, the fourth of six children born to Ted and Fran Finley. He attended St. Luke's Grade School, Cretin High School, and the College of St. Thomas, and enjoyed an accomplished career in St. Paul athletics that included the 1954 City Grade School Basketball Championship, his 2000 induction into the Mancini's Sports Hall of Fame, and the 2008 University of St. Thomas Distinguished Baseball Alumnus Award. For those of you who might minimize the magnitude of a grade-school championship in Saint Paul, you will find a photo of John and his teammates among those of politicians and businessmen prominently displayed at our notable Lexington Restaurant.

While attending St. Thomas, John planned on teaching History and English. Upon graduation, he decided to take a different path that eventually led to his law degree from William Mitchell Law School. Most importantly, John married Jackie Riley on May 22, 1965. Jackie observed that John did not define himself as a lawyer, but used his profession to undertake a varied and accomplished career. She knew him well.

John was the longest-serving County Commissioner in the history of Ramsey County, during which time he served as Board Chair, and Ramsey County acquired 2400 acres of parkland; expanded St. Paul-Ramsey Medical Center (now Regions Hospital); built a new jail and juvenile center, the first recycling center and waste-to-energy building system, and ten ice arenas; and refurbished Keller, Goodrich and Manitou Ridge Golf Courses.

John had a successful private law practice; was General Counsel and President of the Minnesota Fighting Saints Hockey Team; was a founder of the Minnesota Buckskins of the World Team Tennis Association; and was involved in the development of numerous commercial and residential projects, including Arnold Palmer's Deacon's Lodge Golf Course at Breezy Point.

John served as a Ramsey County District Court Judge from 1996 until his retirement on January 5, 2009, and served with great dedication, fairness, and honor, and with the admiration and affection of his colleagues before you this afternoon and throughout the State.

Those who knew John, and there were many, realize it would disserve John just to list his many accomplishments. John was, simply, a great man with a common touch. He was kind, generous, and good-natured to all – with a ready smile and a twinkle in his eye. He could work a room, and he could hold a quiet and thoughtful conversation. He was a man you wanted to be around. He was a man you could trust and respect.

... HON. JOHN T. FINLEY cont'd

While facing the controversies that occasionally occur within the courts, John was thoughtful and articulate in expressing his views, conciliatory whenever possible, and always able to put his arm around your shoulder whatever the result.

John loved the camaraderie and competition of friendships. Nothing delighted John more than the challenge of a golf-course bet. When the game would come down to the final hole, John would stride purposefully to the tee, unleash a strong and smooth stroke, and follow the flight of the ball deep into the fairway. He'd then turn to his competition, look you straight in the eye, and let out a laugh that only a friend could. For all his accomplishments, the great joy he had in sharing a beverage at a bar he had once owned and renovated, The Commander by Breezy Point, was telling.

Most importantly, John was a tremendous husband and father. His greatest fortune was the good sense to marry Jackie, with whom he had three children, John, Bridget and Michele. To his children he was a loving father, and a wise counselor. His family misses him greatly.

John passed away in his sleep on June 1, 2009, while he and Jackie were caring for their grandchildren.

At the end of the year, John would often send an e-mail to his colleagues on the bench, expressing his gratitude for the friendships he had among us. In that spirit, I'll end with this Irish sentiment:

John, here's to good friends
Never above you
Never below you
Always beside you.

Always beside you.

Respectfully submitted,
Salvador Rosas, Michael Monahan, Roseanne Nathanson, William Leary,
Michael Fetsch, Michael DeCourcy, John Van de North, on behalf of the
Ramsey County Bench

Michael L. Flanagan

April 1, 1935 – January 25, 2010

For over 30 years, Michael Flanagan was the advocates' advocate as chief lobbyist for Minnesota's lawyers at the State Capitol.

During Mike's tenure he helped shepherd countless Minnesota State Bar Association initiatives into law. Just as importantly, Mike quarterbacked an equal number of discrete efforts to head off misguided, albeit well intentioned, legislative "ideas" that could have wreaked havoc on the routine practice of law in Minnesota. As a practicing lawyer in Minnesota, (whether you knew it or not) Mike "had your back" at the Capitol.

For decades, Mike's very timely, short but informative post session summary of "legislation of interest to lawyers" was one of the most read supplements published in Finance and Commerce. If the summary was delayed in publication beyond a week or two after legislative adjournment, the calls would start coming in from lawyers all over the State. "Where is your legislative summary? What happened to this issue, etc. "

Among the many Bar-related issues Mike played a major role in managing were the overhaul of the Probate Code, the consolidation of municipal courts and county courts into the District Court system, as well as virtually every "Uniform law" currently on the books—with appropriate Minnesota modifications suggested by the appropriate MSBA section or committee.

Perhaps the Bar effort Mike was most proud of was his multi-year campaign (with former Chief Justice Douglas Amdahl) to create the Minnesota Court of Appeals. This effort ran the gauntlet from passing a controversial bill to permit a vote on a constitutional amendment, to running a statewide political campaign to assure passage of the amendment.

While Mike's best known client was the Minnesota State Bar Association, he had very long and successful relationships with many other clients. Mike once wrote a twenty-five year history of the Industry/Labor coalition's successful efforts to defeat container deposit legislation. Another epic legislative/legal campaign Mike quarterbacked was the ban on non-returnable plastic bottles. While Mike's lobbying was unsuccessful in defeating the bill initially in the 1977 legislature (by one vote!), he teamed with St. Paul's Len Keyes to contest the constitutionality of the legislation. After wins in Minnesota's District and Supreme Court, the US Supreme Court ruled the statute constitutional in the spring of 1981. Before the US Supreme Court could lift the 1977 injunction (which would have made misdemeanants of thousands of household who were now using plastic milk jugs), in the course of one day Mike orchestrated the legislature passing and Governor Quie signing a repeal of the ban.

... MICHAEL L. FLANAGAN cont'd

Mike was also a leader in his chosen profession. He was among the founding members, and the third President, of the Minnesota Government Relations Council. He received many Bar Association awards over his career, culminating with the MSBA's President's Award in 1995.

A native of Austin, Minnesota, a graduate of St. Thomas College and the University of South Dakota law school, Mike began his practice as a part time lawyer for the Judiciary Committee of the Minnesota House of Representatives, after which his remaining career was at Moss & Barnett, A Professional Association and one of its constituent predecessor firms.

Mike is survived by his wife Marguerite; three children: Brian, Kathleen and Patrick; and their families. Mike was always grateful for the support (and understanding) provided by his family accommodating the long and difficult hours of a lobbyist.

Respectfully submitted,
Michael J. Ahern, Tim Grohens and Charles Parsons

The Honorable Leonard J. Keyes

June 4, 1922 – January 26, 2010

Leonard J. Keyes was born in Minneapolis on June 4, 1922 and passed away at his home in Mendota Heights on January 26, 2010. His father, Leonard A. Keyes, was a judge in Minnesota's 10th judicial district from 1923 until his retirement in 1971. His mother, Cecilia A. (Regan) Keyes, was a homemaker but also very active in DFL politics, as well as the community of Columbia Heights, MN where Len grew up as the oldest of five children.

As a youngster, Len was an overachiever, a trait he carried on far beyond his youth. As a grade schooler, little Lenny would hop on the street car from his home in the Heights and go to a radio studio in downtown Minneapolis. He was a member of the cast for a live radio series which was broadcast with regularity. Len attended public school at Columbia Heights High School where he again over-achieved. He was quarterback for the high school football team and but for the fact that he broke his finger playing football and then flunked his typing class, he would have been class Valedictorian.

He was a junior at the University of MN when Pearl Harbor was attacked. Like so many of his generation, he wanted to participate in the war effort. He finished his undergraduate degree, a Bachelor of Arts, Magna Cum Laude in 1942, and then immediately enlisted in officer's training in the United States Navy at Notre Dame University. He served in World War II from 1943 - 1946. He was a Lieutenant and served as navigator on fuel tankers in the South Pacific Theatre. He fought in 7 major battles and was awarded 5 commendation medals. Again, like so many members of the "Greatest Generation," he was humble about his contribution to his beloved country. While still serving in World War II, he enrolled at Harvard Law School so that as soon as the War ended he could attend. He was always proud to note that the GI bill paid for his entire tuition and room and board during his continuous 27-month law school experience. He graduated with honors in 1948.

After law school he returned home to accomplish his greatest act of over-achievement of all. A fraternity brother from the U introduced Len to his bride-to-be, Donna Fritz, at a homecoming cookout. It was love at first sight and they married April 15, 1950. Of all the judgments and decisions Len made throughout his 87 years, he always considered that one to be his wisest.

In 1948 Len was interviewing for his first attorney position. Many years later, he loved to tell the story about the day he was interviewed at a St. Paul law firm by an attorney named Warren Burger. After that interview concluded, he rushed to his next interview at a law office in Minneapolis. At that meeting he was interviewed by an attorney named Harry Blackmun. Len was offered both jobs – he took the one in St. Paul. The two interviewers, of course eventually served on the U. S. Supreme Court where Justice Burger would serve as Chief. Many years later when Len was president of the Minnesota State Bar Association, he and Chief Justice Burger were at the head table of a function together. The Chief leaned over to Len and said, "Leonard, did you ever imagine when you started at our law firm so many years ago, that the two of us would have reached the level of success we have attained?" Len whispered back, "Well, I had my doubts about you."

In 1957 Len was appointed to the St. Paul municipal bench by then-governor Orville Freeman. In 1961 he was elevated to the Ramsey County District bench. For that post, he was sworn in by his father, Judge Leonard A. Keyes, who at that same time served on the Anoka county district court.

In 1962, Elmer Andersen was elected governor of Minnesota in a tightly contested race, much like the Senate race we recently experienced. Andersen's opponent, Karl Rolvaag,

... HON. LEONARD J. KEYES cont'd

requested a recount and so a 3-judge panel was commissioned to conduct the statewide recount. Judge Leonard Keyes was the last surviving member of that 3-judge panel. The original election results were reversed by the recount panel and Karl Rolvaag became governor. Several months after the recount, there was a reception to honor Governor Rolvaag. A colleague asked Len if he was going to the party. Len responded, "No, after what we just went through, I don't believe it would be appropriate for me to celebrate the election results." His colleague said "well, didn't Rolvaag appoint you to the bench?" to which Len replied, "No, I appointed him governor!"

After 13 years on the bench, Judge Keyes resigned and went back into private practice with Briggs & Morgan in St. Paul. His lists of achievements and honors as a litigator are extensive. He took one case and argued it before the United States Supreme Court. Leonard assisted 3M and its general counsel in the fallout from the Watergate incident and subsequent investigation. He also represented 3M in a variety of other matters, and was a trusted counselor to 3M and its management.

During his tenure with Briggs and Morgan, there was no major litigation undertaken by the Firm that went forward without Len's involvement in some manner.

Len was a brilliant man with an uncanny ability to recite entire poems or famous speeches with seemingly little effort. As smart as he was, he never talked down to folks or made them feel inferior. He was well-read and very topical – he could discuss any subject. Anyone who knew Len had a story about his gracious intelligence and kindness.

Like his mother before him, Len was very active in service to the community.

He served as Chair of the St. Paul Urban Coalition and the Supreme Court's Commission to Formulate Rules of Evidence.

He served as Director to the Ordway Theatre, Somerset Country Club and William Mitchell College of Law.

He was President of the St. Paul Club, the 15 Grand American Legion, our own Ramsey County Bar Association and of course the Minnesota State Bar Association.

He earned the Phi Beta Kappa key.

Last but not least, Len was a wonderful family man. He and Donna provided their children with a perfectly wholesome, vibrant family environment. As their first teacher Len taught his children to be spiritual, to work hard and to play and laugh and sing without constraint. Len and Donna through example taught their children all about devotion, loyalty and respect. They had a model marriage and were so kind to one another always.

Len was a great lawyer and an even better husband and father. He liked to golf, downhill ski, fish and travel. After his retirement he and Donna traveled worldwide to points on six continents and countless countries. He leaves behind Donna his wife of nearly 60 years. He and Donna raised 5 children. He is also survived by his sister, Martha Kittridge. He was loved and admired by his five grandchildren, many nieces and nephews as well as many friends and colleagues.

Respectfully submitted,

Charlton Dietz, Michael J. Galvin, Jr., Elizabeth Keyes, and Patrick Kittridge

Stephen L. Maxwell

January 12, 1921 - August 31, 2009

On January 12, 1921, Stephen L. Maxwell was born in St. Paul, Minnesota, to Stephen L. and Ethel Howard Maxwell. In 1939 he graduated from St. Paul Central High School, and then attended the University of Minnesota. However, he obtained his B.A. degree at Morehouse College in Atlanta, Georgia, in 1942 after working assorted odd jobs to pay his way.

In 1942 he enlisted the United States Coast Guard serving as a Hospital Corpsman which engaged his very real interest in studying medicine. During his military service on May 8, 1943, in Brooklyn, New York, he married Betty V. Rodney of Duluth Minnesota, and they began their sixty-six-year marriage together. They had two children, Stephen L. Maxwell, III, who died in 1986, and Rodney D. Maxwell who died in 1977.

In 1947 Stephen Maxwell joined the United States Naval Reserve. In 1981 he retired from the Reserve having obtained the rank of Captain.

From 1945 to 1948 Judge Maxwell was employed as a United States IRS tax auditor. From 1948 to 1951 he was the accountant for the St. Paul Auditorium and from 1951 to 1953 a Special Agent Investigator for the Office of Price Stabilization. During this time he attended the St. Paul College of Law at night earning his LL.B. in 1953. Judge Maxwell began his legal career in private practice, and also volunteered as legal counsel for the St. Paul NAACP. In the 1950s he won the first substantial verdict -\$800.00- for two African-American men who were refused service in a Dakota County bar. Through his active work with the Republican Party he became acquainted with William B. Randall, the Ramsey County Attorney, who invited him to join the county attorney's office in 1959. It was during his career as an Assistant Ramsey County Attorney that he earned recognition in the highly publicized and successful prosecution of the attorney T. Eugene Thompson and his accomplices for the murder of Thompson's wife. In 1964 he was appointed to the Office of Corporation Counsel for the City of St. Paul, and in 1966 he ran in a very close race for the 4th District congressional seat of long-time Democrat incumbent, Joseph Karth.

Judge Maxwell began his judicial career in 1967 when he was appointed to the St. Paul municipal court bench. In 1968 he was appointed to the Ramsey County District Court, becoming the first African-American District Court judge in Minnesota history.

As a Judge he demanded professionalism and civility from lawyers who appeared before him. They were to be dedicated advocates in the court room, and civil, if not friendly, to each other outside of court. His courtroom demeanor while strict, was always fair. He had a quick wit and juries loved him. He was

... HON. STEPHEN L. MAXWELL cont'd

decidedly firm with defendants, yet elicited their respect. One Native-American defendant after his release from prison honored the Judge with a special pipe ceremony in his chambers. He liked to lure lawyers into thinking that he was not listening, then with rapier wit sliced through their argument to the salient issue.

Off the bench the Judge's humor was legendary. He always enjoyed intellectual dueling. He loved words- new words, old words, obscure words- and interspersed them in his conversation to tease and baffle. He was a mentor to his clerks and young lawyers who could become confounded by his teaching method, but never forgot the lesson, and remained forever loyal. His chambers was a friendly space where prosecutors and defense attorneys could laugh and joke with each other and with the Judge before entering the fray of the courtroom.

Judge Maxwell retired in 1987 after 19 years on the bench. He died in his home on August 31, 2009.

Respectfully submitted,
Judge James M. Lynch – Ret., Referee Mary E. McGinnis – Ret. and Referee
Charles H. Williams, Jr. – Ret.

Angela McCaffrey

November 17, 1949 – January 27, 2010

Angela McCaffrey Is A Warrior for Justice

The word warrior might strike some of you as odd, knowing what a gentle person Angie was. Hamline's Clinics are dedicated to using law as an instrument of public policy and social change. One needs the heart of a warrior to persevere in that quest, and to continue working on behalf of clients, as Angie did for almost twenty-five years as a clinician at Hamline University School of Law.

Justice is a powerful thread throughout Angie's scholarship and her client work. Angie had a special understanding of the losses and hopes of the displaced. Angie's mother was a refugee from the Soviet Army in 1945, who lost a sister and her home in the war.

The Hmong Veteran's Naturalization Act grew out of Angie's work for a client. Rather than tell the client that it was impossible to become a U.S. Citizen unless he could learn English at an advanced age, she and her students proposed a change in U.S. law to waive the English requirement for elderly Hmong veterans. After five years of organizing and lobbying, the bill became law, and the clients, United States citizens.

Angie wrote an article on working with court interpreters that is still used by clinicians all over the country to teach students that skill.

Before most of us had heard the words "Haiti" and "humanitarian parole" in the same sentence, Angie and clinic students spent seven years winning such a parole. That young man is graduating from Macalester College this year, and will be going to graduate school.

Prior to joining the Hamline faculty, Angie served as an adjunct faculty member with the Civil Litigation Clinic at William Mitchell College of Law and as staff attorney at Southern Minnesota Regional Services. While in practice, her areas of emphasis were juvenile, social security, public benefits, and unemployment law. She also supervised the administration of the 300-member Ramsey County Volunteer Attorney Panel at Southern Minnesota Regional Legal Services. She later served on their Board and other boards, and many of you may have had the pleasure of serving with her. If so, you probably learned that being a wife and mother to two sons, Mike and Charlie, were top priorities and delights for her.

Angie fought ideological and pedagogical battles within the legal academy to establish Clinics and create opportunities for more students to take a variety of clinics. Hamline's current offering of eleven clinics demonstrates how successful she was.

... ANGELA MCCAFFREY cont'd

Things changed when ovarian cancer meant Angie also had to be a warrior on her own behalf. Her laser focus shifted to being a warrior against cancer. She learned that to her shock and amazement, she needed to educate her own doctors and other caretakers about her illness and treatment options, and how important it was for them to have and express hope for her recovery. Many of you shared healing words, thoughts and prayers with Angie over the years that followed, and that helped enrich and extend her life.

Angie was a wonderful friend to the faculty, staff and students of Hamline, and the Minnesota legal community. To honor Angie and continue her legacy, Hamline University has established the Angela McCaffrey Public Law Scholarship. It will be awarded to students willing to undertake the quest for justice, inspired by Angie's example. And so I say in the present tense, Angie is a warrior for justice. For that, and for so many other gifts, we thank her.

Respectfully submitted,
Marilynne K. Roberts

Thomas Scott Montgomery

May 17, 1954 – June 25, 2009

Tom Montgomery was a man of diverse public and social interests who gave much of his time and efforts to the community. Known to many since childhood as "Monk," he died unexpectedly June 25, 2009 of heart complications while visiting Chicago. Tom came to the practice of law after years of employment in the fields of community action, journalism, and public affairs.

A 1977 graduate of Hamline University, Tom graduated from Hamline University School of Law in 1996. As an undergraduate, he served as Arts Editor on the school newspaper, *The Oracle*. Tom also had attended Augsburg College in Minneapolis. A 1972 graduate of Stillwater (MN) High School, Tom was catcher on the high school baseball team, and was involved in many other school activities. After college in the late 1970s, Tom went to work for the Ramsey Action Program where he was involved with the Fair Share Program. He later entered the ranks of journalism and served as editor of the Elmore (MN) Eye and St. Croix Falls (WI) Standard Press newspapers.

Throughout his years of practicing law as a sole practitioner, Tom sought to assist those most challenged in the seeking of fair representation in the courtroom. He also enjoyed tackling legal disputes that presented interesting and unique circumstances. Such was the case in the litigation pitting controversial philanthropist Elroy Stock against Augsburg College in the naming of a new school building wing. More often, though, Tom worked for those of limited means and lesser stature. He rarely spoke of his numerous pro bono cases.

Passionate about social justice and bettering his community, Tom was active in many civic projects and DFL politics. He was chair of the District 10 Como Park Community Council in 1993-94, and served as a representative for several more years. Tom served on the Saint Paul Neighborhood Energy Consortium from 1994 to 2000. He was a longtime mentor in the Big Brothers Big Sisters of the Greater Twin Cities. More recently, Tom was involved in St. Croix Boom Site National Historic Landmark preservation efforts on the St. Croix River. He was a regular reveler at the Saint Patrick's Day Parade in Saint Paul, but shunned imbibing for many of his last years.

A progressive force and robust campaigner in the DFL Party, Tom was a regular midnight election-eve lit-dropper in the most-unsafe neighborhoods for candidates such as Paul Wellstone. You could always find him serving mini-donuts at the Fourth District DFL's State Fair stand. In a short-but-close 1990 campaign for State Senate in a primary challenge against an entrenched incumbent, Tom's unsuccessful candidacy nonetheless helped prompt a changing of the guard in the following election.

Tom's public causes were sometimes quixotic, often controversial, but always

... THOMAS S. MONTGOMERY cont'd

alluring. He gained international attention for initiating the (Jim) Morrison Commemorative (U.S.) Stamp Committee in 1993; the effort sent thousands of devotees of the late rock singer to petition the U.S. Postal Service to issue a stamp in his honor, but the quest remains unfulfilled. Tom also was a longtime organizer against public funding for baseball stadiums. Years after founding a group favoring razing the Metrodome roof, Tom initiated Fiscal Accountability for New Stadiums (F.A.N.S) opposing subsidies to a proposed minor league stadium in Saint Paul, and later the Major League Baseball stadium in Minneapolis. In 2004, the group became known as No Stadium Tax. Unlike so many opponents of public subsidies, Tom was an avid baseball fan and often traveled to see Minnesota Twins games. At the time of his death, he was on a baseball trip to watch the Twins play the Chicago Cubs at Wrigley Field.

Although Tom faced a variety of health challenges over several years, his death came unexpectedly and was grieved by an extremely wide circle of family, friends and associates. Ann Sorknes, his longtime friend, was able to spend time with Tom in the hospital in Chicago before his death. Hundreds of good friends and family gathered to remember him at his July 1, 2009 funeral service at the Church of Saint Michael in Stillwater.

Tom is survived by a brother, Bruce (Lou); significant other, Ann Sorknes; one nephew, four nieces and their families; cousin, Linda Hanson (Bob Christensen); sister-in-law, Caroline Montgomery; uncle, Fran Maddox; and an extremely wide cast of good friends. He was preceded in death by his wife, Diane Kelly, in 1994.

Respectfully submitted,
James Robins, Karl Bremer and Ken Peterson

Amy Novak Lenhart

October 27, 1972 - August 10, 2009

Amy Novak Lenhart, Age 36, went to her eternal rest on August 10, 2009 after a long battle with a brain tumor. Amy spent five years at the City of Saint Paul Attorney's Office, ending her time there as an Assistant City Attorney. Prior to joining that office, she clerked for Judge George McGunnigle at the Hennepin County District Court and interned at the Hennepin County Attorney's Office. She was a graduate of the Blake Schools, Pepperdine University and Cornell Law School.

Amy had a passion to become a prosecutor. In pursuit of that goal, she volunteered in the St. Paul City Attorney's Office where she quickly proved herself by working in all the divisions and handling a variety of matters. It did not take long to see what an asset she was to the office and she was very excited to be appointed an Assistant Saint Paul City Attorney. Amy's first assignment was as the housing attorney. She brought the same compassion and zeal she did to everything in her life by transforming the way the City handled these cases. Amy was one of the pioneers in helping to create the current community prosecution model. Amy cared deeply about the people of St. Paul by cleaning up problem properties, fighting sex shops, organizing a paint-a-thon, and even rescuing abandoned kittens. One of these kittens was lucky enough to find a home with Amy and her husband.

Amy had a unique ability to make friends and was always upbeat. Her presence in the City Attorney's Office is sorely missed. Amy's faith and courage facing her battle with cancer was an inspiration to all of us.

Amy was a parishioner at Sacred Heart Catholic Church, Robbinsdale and Saint Olaf Catholic Church, Minneapolis. Amy enjoyed traveling the world, whether for fun or on a Catholic Pilgrimage, and visited China, Poland, Italy, Israel, Switzerland, Russia and many other places during those travels. She also volunteered for the University LifeCare Center, Pro Life Across America, St. Stephen's Shelter and Sharing and Caring Hands. She raised more than \$50,000 in recent years to benefit the Brain Tumor Society of America and related charities.

Amy is survived by her husband, Chris Lenhart; son, James; and mother, Elizabeth.

Respectfully submitted,
Chris Lenhart, David Palm, Lynel Nelson, employees of the Saint Paul City Attorney's Office, family, and friends.

John R. Person

March 8, 1924 – January 13, 2009

John R. Person was born in St. Paul on Laurel Avenue near Snelling and Summit. He used the money he earned from a paper route to put himself through Minnehaha Academy in Minneapolis. John studied pre-law at Macalester College and went on to the University of Minnesota Law School where he graduated and joined the Minnesota Bar Association in 1950.

John began his legal career doing general practice work and then specialized in the areas of estate and probate law and personal injury law. John joined a law firm which eventually became Smith, Sehm, and Person which was located at University and Snelling in St. Paul. John also had offices in the Midland Bank Building in Minneapolis and in the Dain Tower.

Throughout John's life, his Christian faith was a motivating factor in his professional and his personal life. John was deeply involved in his church, First Covenant Church in downtown Minneapolis. John served as Chairman of the Church, as a member of the Board of Trustees, as Sunday School Superintendent, and as a Sunday School teacher. John also served on the Board of Education of Minnehaha Academy in the late 60's and early 70's. He was a board member of Colonial Acres Nursing Home and the Northwest Covenant Conference for the Evangelical Covenant Church of America. John served as a Gideon and was a member of the Christian Legal Society. Throughout his practice of law, John did pro bono work for many missionaries and pastors throughout the area.

Person was a man who loved to read, particularly history, biography, and Christian literature. He would often time send Christian books to people who were in need of encouragement and inspiration in their lives, some who were incarcerated. He wanted them to know it was not the end of the road and that he would be praying for them.

John enjoyed several hobbies as a younger man that included golf, handball at the Midway YMCA, and travel to Florida where he had a home in St. Petersburg Beach. He and his wife, Harriet moved to Madison, WI in 2007 where he died in the Oak Park Place nursing home at the age of 84 after a long battle with dementia and Alzheimer's disease.

John is survived by his wife, Harriet J. Person of Madison, WI; his daughter and son-in-law, Mary E. and Scott Arneson, and their two daughters, Katie and Jennifer Arneson, of Madison, WI; son and daughter-in-law, The Rev. Dr. John M. Person and Nancy Person of Greenville, OH, and their two children, Andrea and Robert Person of Bloomington, IN and Chicago, IL respectively; many nieces and nephews, family and longtime friends.

... JOHN R. PERSON cont'd

John Person was a man driven by a dedication to the practice of law and helping others, as well as a deep devotion to his family and his faith. He will be greatly missed, but his example of faith and love will live on.

Respectfully submitted,
Scott P. Borchert