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11:00 AM: REGISTRATION & BOX LUNCH
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5:00 PM: BEER TASTING, COOKOUT DINNER & PRIZES

Proceeds from this event benefit the Hennepin County Bar Foundation—the charitable giving arm of the Hennepin County Bar Association. Since 1968, HCBF has made a positive impact on the community by funding over $2.5 million in grants to nonprofit legal organizations that support our mission “Promoting Equal Access to Justice for the People of Hennepin County.”

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Early Bird Registration: $225 per golfer (Payment must be received by Friday, August 24)

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Please note: This tournament is scramble format.
Golf registration above $180 is a tax deductible contribution to HCBF.

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Division of Indian Work
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Lawyers Concerned for Lawyers
LegalCORPS
Legal Rights Center

Minnesota Assistance Council for Veterans
Minnesota Justice Foundation
Restorative Justice Community Action
Seward Longfellow Restorative Justice Partnership
Sojourner Project
Standpoint
Volunteer Lawyers Network
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Finding Meaning Within Our Stories

This issue contains stories selected by the Hennepin Lawyer committee as outstanding reader-submitted fiction, nonfiction, and poetry. They represent the appreciation of literature by our community of attorneys and law students in the Twin Cities. To appeal to a wide variety of readers, our selection contains a diverse set of fiction and creative nonfiction pieces concerning everything from the monotony of life to moments of finality. We were lucky enough to receive highly formal pieces such as a villanelle poem, as well as more postmodern styles that cut to the heart of the modern experience.

As a Native American and a combat veteran, storytelling has played an important role throughout the different stages of my life. Growing up, I remember sitting in my grandmother’s kitchen eating beans and rice while she would tell us old traditional stories. Often these stories would be to inform the listener of how things came to be. One story I still remember is the story of how the Salish-Kootenai tribe was given the tradition of the sweat lodge. For those unfamiliar, a sweat lodge is a cleansing ceremony where, in a small space, water is poured over red-hot rocks to make the individuals sweat. It is often very intense and should only be performed by an experienced tribal member, well versed in the ceremony and philosophy.

The Salish-Kootenai tribe, being decimated by disease, sent three brothers to ask the creator for medicine. Yet, when the men made it to the creator’s house the brothers were overcome with selfish desires. The youngest brother asked to be so strong as to be unbreakable. The middle brother wanted to be taller than anyone, so he could look down on all the people around him. The two were turned into a rock and tree, respectively. The story ends with the oldest brother using his brother, the tree, to make a fire where he put his other brother the rock—these becoming the elements of the ubiquitous and important healing ceremony of the sweat lodge.

This story of the sweat lodge has always carried special significance for me. When I returned from my 15-month deployment from Iraq, an elder held a sweat lodge ceremony for me. It was here that I finally began to feel like I had come back home. I would think of the Salish-Kootenai’s sweat lodge story while I was going through the ceremony—often on the verge of passing out because of the intense heat.

It was later in life that I began to find additional meaning within the traditional stories that I heard as a kid. It is often easy to think of stories as being about great places, huge events or major influencers. However, I began to realize that these stories exist for the listeners. I once visited the Tohono O’odham tribe in Sells, Arizona. The Tohono O’odham tribe has a traditional story about how members of their tribe emerged from their sacred mountain, Baboquivari. For a long time, I thought of this story as being about the sacredness of the mountain. It was a revelation when I realized that this story is really about the sacredness of the people. I believe, as writers, we must remember that we write for, and about, other people.

The story of the sweat lodge is still applicable to my situation. Although I have made the transition from the military to civilian life, the transition from law student to attorney is another that I will be making in the future. Remembering these traditional stories that I heard as a child grounds me to my culture. It is a constant reminder of what kind of attorney that I want to be when I graduate from law school. I hope to never forget that like creative writing all of this is done for the people that I will serve in the future.

Learning to tell my story has helped me move through the various stages of my life, and hopefully the stories in this issue help you to think of your own story, fiction or non-fiction.

I believe, as writers, we must remember that we write for, and about, other people.

Pedro Reyes
July/August
Issue Editor

Pedro Reyes is a student at the University of Minnesota School of Law. He joined the Hennepin Lawyer editorial committee in 2017. His hobbies include spoken word poetry and helping to restore Native American traditions.
Peter Drucker, the late well-respected management consultant, found that forecasting future trends was notoriously difficult. Drucker observed that “trying to predict the future is like driving down a country road at night with no lights while looking out the back window.” Drucker was correct. It is virtually impossible to predict the future. But Drucker did not simply give up. His solution: “the best way to predict the future is to create it.”

With all due respect to Peter Drucker, the HCBA recognized this year that it cannot create every aspect of the future. But some things are within its control. We can set goals and take steps to reach them. At last year’s Annual Meeting, I explained that the HCBA’s goal was to make your practice of law more rewarding and more enjoyable. And I said that we would attempt to accomplish this goal by stressing three principles: (1) increased member value; (2) enhanced member engagement; and (3) cooperation with other bar associations.

This year, the HCBA made significant strides in implementing all three principles. As a membership organization, our foremost consideration is to increase the value our association provides to its 8,000 members. To increase member value, we further expanded the number of free continuing legal education programs for our members.

We also rolled out a number of programs unique to the HCBA. For example, our Civil Litigation Section offered an innovative and highly successful pilot program to train lawyers in trial practice and civil advocacy. The HCBA program had the full participation of the Fourth District bench and some of the Twin Cities’ most accomplished litigators.

As for enhanced member engagement, perhaps our most significant initiative was our new HCBA Excellence Awards. The awards were a retooling of our former awards program to involve more members in the selection of award recipients and to recognize the outstanding achievements of newer and younger lawyers. I am very proud of the work of the new Awards Committee, chaired by immediate HCBA past-president Paul Floyd. One of the best moments of my presidency was calling all nine award recipients. I could not be more pleased with the diversity of the recipients and their immeasurable impact on the Twin Cities community.

Also of note is the HCBA’s continuing effort to recruit and retain a board of directors that reflects the diverse characteristics of our membership—in age, gender, race, years of practice, and practice settings. I am extraordinarily proud the HCBA now boasts the youngest and most diverse set of leaders in its 100-year history. More than half of the HCBA’s incoming board of directors is under age 40, as are four of the six members of next year’s executive committee.

We have made remarkable progress in our cooperation with other bar associations. This year, the walls between the HCBA, our pro bono partner the Volunteer Lawyers Network (VLN), and the Minnesota State Bar Association (MSBA) came down, both literally and figuratively. The walls between the offices of the three organizations literally came down in December 2017, when the HCBA, VLN, MSBA reconfigured its collective space into a single office suite. If you have not seen the new space, I encourage you to visit. It is now not only more beautiful but much more vibrant and very busy with member meetings, VLN client intake, and continuing legal education programs.

Taking the walls down was also symbolic. There is a new spirit of cooperation among the staff of the HCBA and MSBA, and among volunteer leaders of both organizations. In my judgment, this is our most significant achievement. And the HCBA is continuing to explore avenues of additional collaboration with the MSBA, the Ramsey County Bar Association, the affinity bars, and district bar associations in Greater Minnesota.

I have been fortunate enough to practice law for 30 years and have held many volunteer positions in my career. But serving as your president of the HCBA has been my single most rewarding volunteer position. I want to thank all of the volunteers with whom I served over the years on the HCBA executive committee, board of directors, and finance and planning committee. With Adine Momoh as our 100th president, we are in great hands. And with Jeff Baill, Esteban Rivera, and Brandon Vaughn, the HCBA has outstanding future leadership and is poised to move forward into its next century.

Additional Rule 7A Update
Kate Reilly, whose saga Lisa Buck detailed in an excellent article in the Sept.-Oct. 2017 edition of the Hennepin Lawyer, passed the December 2017 Minnesota bar exam. We congratulate Ms. Reilly but recognize it is unfortunate she had to take the exam. Her plight has spurred the Minnesota Supreme Court to consider a more reasonable waive-in rule. In early June 2018, the Minnesota Board of Law Examiners, based in part on the HCBA’s testimony, recommended the Minnesota Supreme Court provide a lawyer may waive-in if he or she establishes that for 36 of the last 60 months, he or she was engaged in the principle occupation of law for at least 1000 hours per year.
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Birthdays & Books

Recently, my birthday gift strategy has been to give a loved one a copy of the Pulitzer Prize-winning novel from their birth year. The idea behind this is simple: reading is great, books make nice gifts, and literature can provide an interesting window into the time it was written.

This literary issue of the *Hennepin Lawyer* coincides nicely with some important bar birthdays. The Hennepin County Bar Association has just entered into its new bar year (July 1, 2018, through June 30, 2019). During this year, we will celebrate the 100th “birthday” of when a group of local lawyers decided they would be better off together by forming a professional association: the HCBA.

The novel *The Magnificent Ambersons*, by Booth Tarkington, was written in 1918, and it won the Pulitzer Prize for fiction in 1919. The book provides a glimpse into the times when the local legal profession was organizing itself. A story about aristocracy and industrialization, this novel reflects the rapid socioeconomic change in the early 20th century and the shifting of power from those who achieved it through being (of a certain family) to those who achieved it through doing. I haven't read the book yet, but it's going on my summer reading list. The Minneapolis Central Library has a copy, in addition to a DVD of the film version adapted by Orson Welles in 1942.

I'll also add *The Confessions of Nat Turner* by William Styron to my list. Winning the Pulitzer Prize in 1968—the year the Hennepin County Bar Foundation was founded—this book is about the slave revolt in Virginia in 1831. It was both widely celebrated as a work of literature, and criticized by many black Americans as perpetuating racial stereotypes. Of course, the late 1960s were a time of serious consideration of race in American society. During this time an effort by local bar leaders to address racial injustice and provide educational and employment opportunities for African American women prompted the founding and the first grant-making of the foundation. (You can learn more about this history of the HCBF in the May/June 2018 issue of the *Hennepin Lawyer*.) And, this is also the year of my birth—so it goes to the top of my list!

The contributions of HCBA members to this edition of the *Hennepin Lawyer* are a real gift. Our community holds many talents beyond the law—among them, the creative voice of those who write. As we enjoy their words, and marvel at their talent, let us also remember David Brink, who died one year ago at age 97. As president of the HCBA in 1968, he was among those who launched the Hennepin County Bar Foundation. As if his contributions to the legal profession weren't enough, he was also a man of letters. His book of poetry, *Beyond the Delta*, was published in 2016.

For the HCBA and HCBF birthdays, let's give ourselves the gift of using literature to contemplate life, and the American struggle, at the times that these important institutions were launched, 100 years ago and 50 years ago. And let us thank those, including HCBA members in this magazine, whose literature brings beauty and meaning to the times we're in today.

**During this year, we will celebrate the 100th “birthday” of when a group of local lawyers decided they would be better off together by forming a professional association: the HCBA.**

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**Susie Brown**
HCBA Executive Director

**susie@hcba.org**

Ms. Brown is the executive director of the Hennepin County Bar Association and Hennepin County Bar Foundation.
**The Phenomenon**
by Rick Ankiel

Do you think being a trial attorney is a difficult occupation? Try pitching in the first game of the National League Playoffs – as a rookie pitcher for the St. Louis Cardinals. And you get the “Yips . . .” A wild pitch out of nowhere and your professional life comes crashing down. And with that one fateful pitch, Ankiel’s life turned, never to be the same. It’s a good read to give you one person’s insight on introspection and perseverance, and what can come from it.

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**“Anything by Vince Flynn”**

My favorite author is Vince Flynn. He created an incredible CIA thriller series around a character, Mitch Rapp, who is a counterterrorism operative that the CIA turns to when they need something done “off the books.” I recently read American Assassin, which is a fascinating story about Rapp’s early years as a young recruit for the CIA. Flynn’s books are fast-paced with lots of action sequences, so they are perfect for lawyers who want to read for pleasure but don’t have a lot of free time.

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**Pilgrim at Tinker Creek**
by Annie Dillard

Dillard’s memoir of a year observing the nature along a small creek in Virginia’s Rappahannock Valley is both a fascinating tale of nature and its seasons, and a more philosophical exploration of how beauty and violence are intertwined. This book won the Pulitzer Prize for a reason.

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**Half of a Yellow Sun**
by Chimamanda Ngozi Adichie

This story follows Olanna, an upper-class Igbo woman; Ugwu, a lower-class Igbo man; and Richard, a colonial Englishman through the Nigerian civil war of the 1960s. Adichie toggles back and forth between the early and late 1960s through the beginning and end of Biafra, the short-lived country that wouldn’t survive the war. I love this book because not only is it a gripping story that takes the reader to another time and place, but the class, race, and gender themes in 1960s Nigeria still apply everywhere in 2018.

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**The Death of Ivan Ilyich**
by Leo Tolstoy

I recommend The Death of Ivan Ilyich by Tolstoy. It is both short and profound. It is about a high court judge who has lived a respectable, but unexamined life. When he is finally faced with death, he is forced to consider the true value of the life he has lived. Here is an excellent quote from psychologist Mark Freeman about the book, “Tolstoy’s book is about many things: the tyranny of bourgeois niceties, the terrible weak spots of the human heart, the primacy and elision of death. But more than anything, I would offer, it is about the consequences of living without meaning, that is, without a true and abiding connection to one’s life . . .”

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**Originals**
by Adam Grant

If you are a leader who works with smart, creative, and just plain talented people and you want to motivate them, then this the book for you. In this book, Dr. Grant addresses issues such as doing something with new ideas, intentional procrastination, and questioning the default. This book provides impactful insight into practical methods for harnessing the energy that resonates from your inventive team members. It’s no wonder that Dr. Grant has worked with entities like Google, NFL, Disney/Pixar and the U.S. Army and Navy to name just few.
As always, breaking new ground.

With an abundance of energy, curiosity and originality, and a network of admirers like no other, you are perfectly suited to lead the HCBA into its next century. Your colleagues and friends wish you nothing but success in your groundbreaking role as president.

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Heimerl & Lammers announces that family law attorney Elizabeth Drotning Hartwell has joined the firm. She represents clients in a variety of family law matters, which include domestic relations, divorce, parentage, guardianship, and adoption.

Attorney Bryan J. Morben has joined Fredrikson & Byron as an associate in the Employment & Labor, Employment & Labor Litigation, Non-Competes and Class Action/Wage and Hour Litigation Groups.

Moss & Barnett announces that Brian T. Grogan and James J. Vedder were elected to three-year terms as members of our board of directors.

Heimerl and Lammers announces that family attorney Bria S. Walling has joined the firm.

Moss & Barnett announces that Todd J. Anlauf has been inducted into the Lambda Alpha International Land Economics Society.

Henningson & Snxell announces that attorney Elliott Elm has joined the firm. Elm is a member of the firm’s Estate Planning Department practicing in the areas of Estate Planning; Probate and Trust Administration; Elder Law; and Guardianships and Conservatorships.

Michael S. Divine has joined Arnold, Rodman & Kretchmer as of counsel.

Evan J. Skaar has joined Fredrikson & Byron’s Minneapolis office as an associate in the Mergers & Acquisitions and Private Equity Groups.

Sonja Nyberg has joined Arnold, Rodman & Kretchmer as a senior associate. Nyberg will assist on high asset divorce cases with complex financial matters as well as high conflict custody disputes.

Attorney Mark T. Ramzy has joined Fredrikson & Byron as a shareholder in the Private Equity and Mergers & Acquisitions Groups.

Halunen Law announces that Christopher Moreland was made a partner at the firm.
Within the past decade, the landscape of consumer technologies has changed drastically. Thanks to rapid development and innovation, computers as powerful as those that took us to the moon are now kept in our pockets. With such potential, electronic devices are now sources of useful information.

In response, Computer Forensic Services analyzes digital evidence within the contexts of e-discovery, incident response and litigation support. CFS has an unmatched background in the examination of electronic evidence. Our expert forensic examiners have many years of professional experience in both law enforcement and information technology. We assemble narratives and construct timelines of computer activity. We are known for our ability to relay complex technical findings in a manner that can be easily understood, which has proven useful in litigation. We act as a conduit for electronic evidence to speak for itself.

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Prioritize Your Creative Side
By Sandra Feist

How to Write Great Fiction
by Lindsay Arthur

I wrote a book. Now what do I do?
By David Koehser

A Lawyer’s Guide to Writing and Getting Published
I asked my eight-year-old son recently what he wants to do when he grows up. “I want to be an author,” he cheerfully responded. “Me too,” I replied. As I spoke, I had the sudden realization that I was already grown up, and wondered if I was doing enough to advance this side-dream of mine.

Many lawyers also write creatively, drawing on a love of writing that led them to a career in the law to craft less structured prose. However, as we gain additional responsibilities and pressures in our careers, it becomes increasingly difficult to find not just the time, but also the head space for creative writing. Add children and family commitments and, all too often, these creative efforts fall by the wayside. I’ve found a number of strategies to keep the dream alive.

Creative writing is good for mental health

Setting aside time for creative writing is not an act of pure whimsy and self-absorption. Writing of any sort has been found to help with mental health and stress reduction. Your particular work of poetry or prose may not become a New York Times best-seller, or directly benefit you financially, but it will pay dividends personally and professionally by providing an outlet of expression and a break from the daily routine and pressures. Treat creative writing as a supplement to your career ambitions and as a way to enhance your effectiveness and satisfaction in other aspects of your life.

Find your writing community and supporters

It’s important to share your love of writing with a community of friends in the same boat. I’ve found several ways to do this in my adult life. Before I had children, I was a member of a local chapter of the Romance Writers of America. This organization, comprised of professional, published authors and amateurs alike, provided an opportunity to learn about the industry, to share chapters of my own work for group critique, and to network strategically to advance my writing dreams.

After I had children and didn’t have time for regular meetings, I found the Women’s Fiction Writers Association, an online group of writers, both professional and amateur, that is also populated by agents and editors in the genre. Through this group, I’ve participated in online conversations on my own schedule. I also participated in a competition that resulted in several professional agents providing feedback on the introductory chapters of a novel, which provided the road map for subsequent rounds of productive edits.

I also share my dreams of publication with my close friends, including my book club (we call ourselves a “Book Cult”) and have assured/warned them that when I finish editing my current novel, I will be assigning it to the group. The encouragement of my friends keeps me engaged in the project.

Find writing buddies

I’m luckier than most writers. My husband, Ben, is my “writing buddy.” And by writing buddy, I mean poor Ben has been working with me on the edits to my novel for four years and counting. His editorial insights have been essential to transforming 100,000 words written in a fit of inspiration over four months in 2014 into a mature, complete thought. My novel has become a mutual labor of love and our collaboration keeps the material fresh and keeps me motivated. Edits are grueling, and having a partner in the trenches keeps the process from becoming “work.” Practice Pointer: It helps to edit over sushi and a glass of wine.

I’ve also participated in writing groups of lawyers and nonlawyers working on short stories and novels. We exchanged chapters and met to
discuss our progress on a regular basis. Again, having kids and work commitments can make this level of time commitment and mutual obligation more challenging, but these groups are a lot of fun, and editing other people’s writing helps you to hone your own skill.

Use your law degree skills

I’ve written creatively since I was 10 years old. However, it wasn’t until I had graduated from law school that I actually landed a literary agent, back in 2009, for a political satire zombie romance novel that I had written. The process of finding a professional literary agent is complex and time consuming and requires extensive research and strategic writing. I would not have possessed the level of confidence, organization, and research ability to land an agent if I had not attended law school. (My first experience did not lead to a book deal, but I will come back to that novel one day.) I have confidence in your abilities to navigate the publishing process based on your formal legal training. You have a leg up on many other aspiring authors out there.

Schedule your writing

After a long day at the office, and a long evening of parenting, I don’t always feel like writing. And I pretty much never feel inspired to edit. When I’m in a funk, I force myself to edit 10 minutes a day until I get past the problem area in my manuscript. Often, 10 minutes stretches to 20 and I find myself actually energized by the process I had been dreading. Writing is good for the soul, and you’ll be surprised how forcing yourself to sit down can inspire creativity.

Babysitters are awesome

When you’re having trouble finding the time and energy to balance parenting, your career, and your writing, babysitters can be the answer! We regularly schedule a babysitter for our editing nights, making writing a priority in our hectic schedules.

Research can be fun and provide good networking

My novel takes place at the Mayo Clinic. I’ve visited several times to tour the campus and the specific hospital where much of my novel is set. Through these tours and my research into the medical profession, I’ve built connections with colleagues in my field of immigration law, with clients who practice medicine, and with the friendly and talented Mayo staff. These research trips took me out of the chaos of my daily obligations and gave me an opportunity to gain perspective on the human experience. These types of adventures are few and far between in our serious adult lives, and providing ourselves the opportunity to be explorer and student is invaluable to recharging our mental and emotional batteries.

Stay off Twitter

Avoid the temptation to follow all of the literary agents and editors in your genre on Twitter. The Twitter feeds of these professionals, and their aspiring author followers, will exhaust you. You will feel like you need to smother your creativity and focus on writing the next iteration of the last blockbuster hit, rather than follow your personal inspiration. Stay off of Twitter until you’re ready to shop your manuscript; then do some quick research and escape with your sanity. The hashtag #MSWL stands for “Manuscript Wish List,” and keyword searching this hashtag can be a very fruitful and focused way to identify the right agents to whom you should pitch your project. However, don’t get sucked into the Twitter agent author vortex. As the caption here implies, it’s crazy town.

Believe in your project — It makes you and your creation interesting

I’m not sure if the world really needs my “Upmarket Women’s Fiction Take on the Rockstar Romance,” as I like to describe my current mash-up between women’s fiction and punk history and culture, but when I describe it with unabashed enthusiasm to anyone who will listen, chances are they’ll remember me and my weird idea. Networking with other professionals and prospective clients does not need to exclusively involve extended conversations about developments in the law. Talking about your creative pursuits is a way to demonstrate that you are an individual, and that your inspiration for the law is based on a passion for life outside of the law and a well-rounded vision of yourself. Again, this comes back to the point that pursuing your creative side is not necessarily separate and apart from pursuing your career.

Conclusion

Writing creatively has been, and always will be, a huge driving force in my life. I believe my writing is an essential part of who I am and that, while it doesn’t directly relate to my work as an immigration attorney, my writing has made me a better person, a better writer, and a more balanced human being. As lawyers, we can become myopic, and the hours we put in can become the goal itself. I strive to find balance between the hours I commit to my career, my family, and my creative pursuits. I’m not successful at all times—ask me about “H-1B season” when everything else fades away except H-1B visa petitions—but over the course of my career, I have found the time and energy to write, and I have never regretted it.

Sandra Feist

Sfeist@grellfeist.com

Ms. Feist is a partner at the law firm Grell Feist, where she practices immigration law with an emphasis on employment-based cases. She is the past chair of the MN/Dakotas Chapter of the American Immigration Lawyers Association and a board member of the HCBA.
Readers want to meet extraordinary people. There are three primary tools writers use to satisfy that demand: 1) conflict, 2) emotion, and 3) artistic vision. Each of these tools is discussed separately. For now, let’s look at a brief scene that illustrates how these tools are used to build compelling characters.

"Mr. Horgan. " Sean, a summer intern, barely whispered the name of the bank’s Chief Executive Officer as he slipped, unannounced into the spacious corner office.

"How’d you get in here, " Horgan demanded.

"Mr. Horgan, " Sean repeated, "I need to speak with you about an important matter. "

"No one sees me without an appointment. Get out. "

"Sir, " Sean said, now standing only a few feet from Horgan’s grandiose desk. "This is private, quite private really, " Sean said. "At least for now. "

Conflict plays an essential role in all great works of fiction. Without conflict, stories are bland, characters are flat, and readers are bored. In its simplest form, a literary conflict is nothing more than a character who wants something but who is forced to overcome obstacles to achieve it. In literature, the want must be enormously important to the character, and the obstacle must be of at least equal power and intensity. There are many types of literary conflict, external and internal; here’s one example.

Jane’s Want: I’m going to make the Olympic track team as a long-distance runner.

Jane’s Obstacles: A severe auto accident killed her entire family and left her with a deformed leg, atrophied leg muscles, severe chronic leg pain, and enormous debt that forces her to work extra hours just to keep afloat financially.

Every reader will fall in love with Jane because her want is admirable, and her obstacles are enormous.

Compelling Characters

Conflict and Tension

Since retiring from Arthur, Chapman, Kettering, Smetak and Pikala in 2015, I have spent most of my professional time teaching creative writing and coaching first-time writers of fiction and memoirs. Besides my novel, The Litigators, published by Scarletta Press (Mighty Media) in 2005, I have recently completed a nonfiction book, How to Write a Truly Great Novel, which I expect will be released fall 2018. The following are snippets from chapters that focus on what I call the Seven Principles of Literary Excellence.

Since retiring from Arthur, Chapman, Kettering, Smetak and Pikala in 2015, I have spent most of my professional time teaching creative writing and coaching first-time writers of fiction and memoirs. Besides my novel, The Litigators, published by Scarletta Press (Mighty Media) in 2005, I have recently completed a nonfiction book, How to Write a Truly Great Novel, which I expect will be released fall 2018. The following are snippets from chapters that focus on what I call the Seven Principles of Literary Excellence.

Compelling Characters

Readers want to meet extraordinary people. There are three primary tools writers use to satisfy that demand: 1) conflict, 2) emotion, and 3) artistic vision. Each of these tools is discussed separately. For now, let’s look at a brief scene that illustrates how these tools are used to build compelling characters.

"Mr. Horgan," Sean, a summer intern, barely whispered the name of the bank’s Chief Executive Officer as he slipped, unannounced into the spacious corner office.

"How’d you get in here," Horgan demanded.

"Mr. Horgan," Sean repeated, "I need to speak with you about an important matter."

"No one sees me without an appointment. Get out."

"Sir," Sean said, now standing only a few feet from Horgan’s grandiose desk. "This is a personal matter."

"Like hell," Horgan picked up the phone and punched a key connecting him to his executive assistant.

"Sir, this is private, quite private really," Sean said. "At least for now."

This short scene uses all three tools to develop Sean and Horgan as character. Note the obvious conflict and emotion. Artistic vision, explained later, is achieved by taking the reader into the state of mind of both the characters.
Emotion and Passion

Memorable people have passionate hopes and dreams. Emotion enables the reader to feel what the character feels and draws the reader into the heart of the story. Emotionally flat characters are automatons, and, like flat line EKGs, they’re dead.

Compare the following examples.

**EXAMPLE 1**
Sam walked into the room and noticed a shit-eating grin on his brother’s face. “Don’t be a jerk,” he said, as he sat down at the table and bit off a wad of tobacco.

**EXAMPLE 2**
Sam jumped up from his chair and glared back at his brother’s shit-eating grin, now only inches away. “You’re a goddamn liar,” he yelled at the top of his voice and spit a wad of tobacco directly into his eye.

Which Sam is more emotive?

Captivating Story

While it is impossible to write a captivating story without literary conflict, the converse is not true; just because conflict is present does not guarantee a captivating story. What else is required?

Here’s a partial shopping list: 1) The story must above all be entertaining; 2) it must be imaginative; 3) it must evoke mystery and suspense; 4) it should have periodic surprises; 5) it should be reflective and stimulate the reader to explore some aspect of the human condition.

Mystery and Suspense

Mystery and suspense are the lures that keep readers turning pages because they are dying to find out what happens. The story itself should be mysterious in the sense that the author reveals information slowly and incompletely to keep the reader speculating about the ultimate outcome. In addition, “teasers” should be inserted periodically, usually at the end of chapters, to keep the mystery alive.

In the nonfiction world, every chapter is a self-contained section of a complete book. This approach does not work in fiction. If every chapter has a natural end to it, what reason does the reader have to keep going? Chapters should wind up with a lure that hooks the reader. One way to do this is to view the end of one chapter more as a beginning of the next chapter than as an ending to the present chapter.

Let’s look at an example of how to write mystery.

Megan pried open the dusty old trunk at the back of the attic. The hinges squeaked like the wheels of a freight train, and she paused for a moment to listen for any stirring from her mother’s bedroom directly below. She hadn’t heard; the deaf old hag.

Three sentences, three mysteries. What was in the trunk? Why was it so secret? Why did Megan despise her mother? Good questions, but good writers will not provide quick answers.
Artistic Vision

We writers must think of ourselves as artists who see deep into the souls of our characters and use words to paint vibrant images of what we see. The focus must be on the images, not the words per se. A drill I give my students is to study a picture of the Mona Lisa and write one or two sentences that capture with words the inner spirit of the woman that da Vinci captured with oils. Here are some examples.

**EXAMPLE 1**
She was an ordinary woman dressed simply in black and sitting stiffly on a bench with an unpretentious smile and shallow, focused eyes.

I hope you quickly recognize this as a poor attempt, one that merely describes her exterior appearance, but which wholly fails to take the reader into the soul of the woman.

**EXAMPLE 2**
She glowed warm with a candlelit serenity that betrayed her deep haunting eyes. And her smile, oh that endearing, powerful smile; God help the poor soul who may want to cause her pain.

This description is improved primarily because the last clause takes us into the heart of the woman. It is still more superficial than I like to see.

**EXAMPLE 3**
Her smile radiated the power of a queen and the cunning of a mystic. God help the poor soul who may want to cause her pain.

Example 3 does the best job of depicting the woman's inner self, at least how I choose to interpret it. Notice how elimination of all the adjectives and adverbs actually strengthens the image.

The real job of a writer, like that of an artist, is to paint images that draw the reader into our characters and into our stories.

Showing Versus Telling

Let me offer you a choice.

Your daughter is competing for the state figure skating championship. You, the mother, can either stay home to prepare dinner for the family and listen to a detailed description of the event from your husband, or you can forget about the dinner and go to the ice arena and watch it yourself.

Why would any writer tell you about the skating championship instead of allowing you to see it with your own eyes? The answer: laziness or forgetfulness.

First, laziness. It's far easier to tell than to show. Consider the following examples.

**EXAMPLE 1**
She skated beautifully, poetry in motion, strong and sure, determined to win the championship.

**EXAMPLE 2**
There she stood, alone, in the middle of an ice rink the size of Montana. Silence reigned as thousands of spectators shifted in their seats and waited anxiously for the music to begin. For the last skater to perform. Her face spoke of fear, and her thighs tensed as she rose onto the tips of her skates and gracefully lifted her arms over her head like the halo of an angel. A moment later the blare of the trumpet from Tchaikovsky's 4th filled the arena, and the fear in her eyes seamlessly morphed into the grit of unrelenting determination. She skated effortlessly, like a soaring eagle, as five thousand mesmerized heads rotated in synchronized motion as she circled the arena. A double toe loop was all that remained in her routine. Her legs pumped hard as she built up speed leading into the jump. A split second lasted an hour as she rotated high in the air, once around, twice around, and landed like a butterfly on a rose petal. Perfection. Until it wasn't. The toe of her right skate grabbed the ice and threatened to hurl her towards what, for a lesser talent, would certainly have been a death spiral. Not this night. Not this girl. She reflexively shifted her weight onto her left leg, allowing the right skate to release its death grip and, with barely a detectable wiggle, she glided to mid ice for a final, perfect pirouette. The audience, en masse, leapt to their feet, and their spontaneous applause shook the arena to its foundation. And her face spoke of elation.

How much harder it is to write version 2. It's worth the effort.

Second, forgetfulness. We writers naturally think of ourselves as storytellers. But telling stories is not our job. The real job of a writer, like that of an artist, is to paint images that draw the reader into our characters and into our stories. Let's look at two additional examples.

**EXAMPLE 1A**
Sarah was enormously saddened by the death of her husband.

**EXAMPLE 1B**
Almost nothing remained of his emaciated body. His 85 years had done what years do best, bring humility to the greatest of warriors and to the meekest of men, all in equal doses. His wife nudged her body delicately onto his bed and wrapped her arms around his cold and clammy shoulders. “What a gift,” she whispered into his lifeless ear, “no woman has ever been happier. I would not trade away a minute of our life together, not even this one.”

Version 1A tells the reader that Sarah is sad; in version 1B, I invite the reader into the scene to experience the emotion.

**EXAMPLE 2A**
He sat remorsefully behind his large, ornate desk, which was entirely bare but for the gold-framed picture of his wife on their wedding day.

**EXAMPLE 2B**
Seated at his desk, where it had all happened, where he had tried so hard to make things right, he eyed the picture of his wife, his favorite picture of her on the happiest day of his life. Maybe, he thought, his only happy day. He pulled open a drawer to retrieve a small yellow pad and pen but instead was confronted by the soothing snigger of his father’s old Beretta.

Example 2A tells the reader the man felt remorse. Example 2B shows immense remorse, to the brink of suicide.

These are only very brief treatments of each of these important principles.
For first-time authors, writing a book will usually prove to be less challenging than getting that book published. Navigating the confusing and sometimes archaic practices of the publishing business can be a daunting task, especially for persons who are more attuned to literary than business pursuits. However, authors who are willing to devote some time and effort to understanding the workings of the publishing industry can enhance their chances for success.

The Economics of the Business

When most people think about books, the first thing that comes to mind is the best-seller list. However, the novels that populate best-seller lists are only a small segment of the total book market. Adult fiction accounts for less than 20 percent of the new books released each year in the U.S. Thus, if you are a fiction writer, the first step on the journey to publication is to find a publisher that publishes fiction.

The next step is to recognize that numbers are important. Even though almost no one pays the retail list price for a book, the retail list price (i.e., the price displayed on the cover of the book) remains the focal point for calculations in the industry. Books are sold into the trade at prices expressed as a discount off the retail list price. The discount for regular trade sales typically ranges from 50 percent to 55 percent off the retail list price, but discounts for bulk sales, special sales, and sales into niche markets may be as high as 65 percent or more.

Discounts can be important to an author for two reasons. First, smaller publishing houses (which usually represent a first-time author’s best hope for landing a traditional publishing deal) typically calculate royalties as a percentage of net sales (that is, list price minus discounts). Second, even though larger publishing houses usually use retail list price as the base for calculating an author’s royalty, this applies only to regular trade sales. For sales into other markets or for sales where the discount is greater than 55 percent, the author’s royalty will be calculated as a percentage of net sales. Thus an author who receives a contract that provides for a regular royalty as a percentage of the retail list price of copies sold still needs to inquire as to whether sales will be primarily at regular industry discounts or at a higher discount, as sales at a higher discount may push the author into a substantially lower net sales royalty calculation.

As an example, if an author’s contract provides for a royalty at 10 percent of the retail list price, the author will receive $2.80 from the sale of a book with a $28 cover price. However, if that book is sold at a discount of 60 percent and the royalty rate for deep discount sales is 8 percent of net, the author will receive only $0.90 from the sale. Understanding the numbers and the situations in which those numbers will apply is key in determining what you can expect to receive from the publication of your book.
How Can I Get My Book Published?

There are three routes to publication, and the route you choose (or the route that is available to you) will depend on your particular situation.

RETAI N AN AGENT

If you want to land a deal with one of the big New York publishing houses (Penguin Random House, Simon & Schuster, HarperCollins, MacMillan, or Hachette Book Group), you will most likely need an agent, as large publishers generally do not consider unagented submissions. Retaining an agent may not be an easy task, especially if you are a first-time author. Agents are compensated by commission—typically 15 percent of the advances and royalties received by the author—and thus most agents are reluctant to take on an author who has no track record and who is unlikely to command a significant advance.

The Internet can be a useful tool for finding information about agents. A quick search can help you locate agents who may be a good fit for your book, and it can also provide you with tips on how to write query letters to approach agents. However, even with this assistance, there is no guarantee that you will be able to find an agent who will be willing to accept you as a client.

APPROACH A PUBLISHER DIRECTLY

Despite several years of consolidation at the top, the publishing industry still has a multitude of diverse players at other levels. There are numerous regional presses, nonprofit presses, university presses, special interest and niche market presses, and other smaller publishing houses that can provide opportunities for first-time authors. Unlike the big publishing houses, many smaller presses will accept and may even prefer submissions from unagented writers. You can identify these smaller presses and obtain information on their areas of focus and their submission guidelines through reference books such as Writer’s Market 2018 and through Internet searches. For many new authors, establishing a relationship with a small publisher will prove to be more beneficial in the long run than securing a one-and-done deal with a large publishing house.

As noted above, smaller publishers usually calculate royalties as a percentage of net sales rather than retail list price, and they often pay little, if anything, in the way of an advance. However, a smaller publisher may offer more in the way of assistance and attention than a large publishing house, and, in any event, a smaller publisher may be a first-time author’s only option for a traditional path to publication.

PUBLISH YOUR BOOK YOURSELF

Until recently, the self-publishing segment of the industry was almost entirely made up of so-called vanity or subsidy presses. These presses typically charge an author to publish the author’s book, and they may also require the author to buy a minimum quantity of copies, usually at a higher than normal price. Some of these operations still exist, but changes in technology—specifically, the advent of print-on-demand publishing, e-books, and online book retailers—have enticed others with more conventional business models to enter the field. As a result, self-publishing has become a more recognized and respected part of the industry, as evidenced by the fact that Publishers’ Weekly, the industry trade magazine, now reviews self-published titles on a regular basis and also maintains a website with a wealth of information on self-publishing at www.booklife.com.

Today’s self-publishing houses employ a variety of different business models. Some provide authors with a menu of services, including editing, cover design, and distribution. Authors can select the services they want or need, at the prices listed. Others require no payment from an author upfront, but pay royalties from sales only after recovering production costs. Still others offer what may appear to be a favorable royalty rate, but provide little or nothing in the way of editorial, design, or distribution services, and produce and sell single copies only in response to orders received, if any.

Even with its newfound respectability, self-publishing remains somewhat of an open frontier, and an author who is contemplating self-publishing should tread carefully. There continue to be reports of self-publishing operations going bankrupt or disappearing overnight, leaving authors in limbo and with no clear path to get their rights back. Before committing to a self-publisher, it is advisable to do an Internet search with the publisher’s name and the word “complaints,” and to read the publisher’s offer sheet and contract very carefully.

What Happens after Publication?

Authors tend to be introverted and are often not given to self-promotion. However, a big part of success in publishing is making the world aware of your book. If you were able to land a deal with a publisher, that publisher may send review copies to a few large newspapers and may even arrange for a few radio interviews and personal appearances, but it will still largely be up to you to promote your book. Of course, this will be even more the case if you choose to self-publish.

Be an Optimist!

The good news for first-time authors is that the publishing industry is alive and well, and there are more options for getting published today than ever before. Your first novel is unlikely to garner a big advance or to have producers lining up with film-rights options, but if you are willing to invest some time and effort in exploring the market, you should be able to find an acceptable path to publication.

The publishing industry is alive and well, and there are more options for getting published today than ever before.

Mr. Koehser has been working with clients in the publishing industry for more than twenty-five years. He is a past chair of the MSBA Art & Entertainment Law Section and the HCBA Business and Securities Law Section.
Our Literary Lawyers

We applaud these HCBA members who ventured outside of the typical legal writing exercises to share their creative work. A big thank you to Pedro Reyes for editing this issue. We hope you enjoy something a little bit different from the Hennepin Lawyer.

— Nick Hansen
Managing Editor, the Hennepin Lawyer

Phyl Bean
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Phyl barely graduated law school in 1991, and then she overslept on the morning of her mandatory humor removal surgery. She never got around to rescheduling, and to this day, lives in fear that an audit of her graduating class records will reveal that she still has her sense of humor. Phyl lives in Waconia with two cats and three children whom she’s managed to keep alive for 19, 17, and 12 years. No one is more surprised than she is. Her current favorite hobby is collecting ex-husbands. She has two in her collection currently, and is looking to add a third.

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Mr. Druck is an attorney in Maslon Litigation Group. He focuses his practice in the areas of complex commercial disputes, tort and product liability, and employment litigation. He is also an attorney, making this piece only semi-fictional.

Alma Fryxell
Alma Fryxell is the pen name of a law student in the Twin Cities. She’s eager to start her 3L year, and hopes to practice in estate planning or compliance.

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Ms. Helmy is an Assistant Ramsey County Attorney. Previously, she was law clerk to the Honorable Michael K. Browne and worked in Washington, D.C., where she maintained her own practice while working with the Innocence Project and at the D.C. Department of Forensic Sciences.

Craig Kepler
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Craig Kepler was raised in Michigan’s Upper Peninsula, where he became skilled at shoveling snow. He is left handed. Craig practiced law for 15 years in San Francisco, where he met and married his beautiful wife and was blessed with his two children. He likes spicy food. His practice focuses on real estate transactions and finance. In his free time, he builds and rides bicycles, practices guitar, and occasionally dashes off a short story.

Brian Kidwell
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I have practiced law now for over 35 years. I have practiced writing for longer. In the case of both my vocation and my avocation I have much practice left to do. I am one of eight children of parents who instilled in all of us a deep appreciation for the written word. The result is that I can claim to be (not without contradiction) the fourth or fifth best writer in my family. The old adage goes, “Everyone has a book in them, but in most cases that’s where it should stay.” Nevertheless I persist.

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Mr. Medeiros is partner with Myers Thompson, a Minneapolis-based law firm that represents corporate clients in U.S. immigration matters. In addition to his J.D., he also holds an MFA in creative writing, and his legal and creative writing have been widely published.

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Mike Unger is a civil trial specialist in solo practice in Minneapolis representing plaintiffs in personal injury cases. He is a past president of HCBA and MSBA.
One hundred and twenty-two pairs of socks. Not all matching. How did this happen? I sat on the hallway floor next to my cat litter box which should have been changed three days ago and I looked at the socks. Some had true pairs. Some I bought. Some were bought and left by the various men that had come in and out of my life. Mostly out now.

I grabbed my phone and looked at Facebook. Because when you are sitting on the floor with one hundred and twenty-two pairs of socks next to a dirty cat litter box, you need a distraction. Glaring back at me was a couple sitting in a perfectly clutter-free living room in their Los Angeles home. I didn't know these people. They were real estate “gurus.” He was good looking in the way that one finds men who are uber successful attractive. He sat on the white couch with his legs crossed in a navy blue suit, shiny black shoes and black socks. She was just beautiful: long, tanned legs crossed with a nude colored stiletto dangling from one foot; a toned body—notwithstanding a new baby; blown-out, blond hair draped over her shoulder; a casual dress and a smile that a woman who has everything can have. These people did not have sock problems.

I had sock problems.

I picked up a seemingly very white Nike sock, considering it had been living in the back of one of my two sock drawers unmoved for years. It was an athletic sock that felt softer than how I imagined any athletic sock would normally feel. Next to it, was a teal and navy blue, argyle sock made out of cashmere. Two completely different socks from one owner.

The socks both belonged to Casey, a guy that I had dated on and off for two years. The first time I had met him was at a coffee shop through a friend. He was professionally dressed with a long black wool jacket, dress pants, brown leather shoes, and a button down shirt. Everything about his outfit was demure except for a pair of brightly colored socks that peaked through his tweed pants as he crossed his legs.

His eyes were impossibly blue and when he laughed, they seemed to become even brighter. When he would get excited in the conversation, dimples appeared on his cheeks. Even though he only knew one person in my group of six friends at the coffee shop, he easily maintained, without overt or obvious dominance, his place in the center of the conversation. I subsequently learned he could do that in almost any social situation he found himself in. He was one of those people and also an absolute hustler.

Four days later, he was at my door having weaseled his way into an invite to a dinner party I was throwing. He stood in the doorway holding an Easter lily and wearing a matching red tracksuit and shower shoes. “I love these things” he said as he handed me the Easter lily and simultaneously walked in.
I watched him during the party. He ate everything, and he ate it as if he had never eaten. The man who had been so polished days before, sat at my table holding his fork like a spear while looking solemnly down at his food. Occasionally, he glanced up at me with a smile and the dimples would come out, but mainly he sat there eating as if he had no idea what else to do. With his quiet demeanor and blond hair, he seemed almost child-like. When we had finished eating, he quietly gathered the dishes, over my protests, and washed them.

After finishing the dishes, he took a place on the couch. By this point, the red tracksuit jacket was off and he had just a white undershirt on. He alternated between talking and looking at his phone. At some point, someone asked him why, considering he lived in such a nice condo, he never had dinner parties. “I love being a guest, but there is nothing I dislike more than hosting a dinner party. I just don’t know what to do.”

At the end of the night, he walked up to me. He was entirely focused on me and confident. As if he was on a hunt, that he knew he would win. Most guys ask you out; Casey didn’t, he just told. The Casey I had met at the coffee shop was back. “We are going on a date soon.”

“I will go on a date with you under one condition.”

I watched his eyes narrow as if this was something that, not only had never happened, but that he had never actually contemplated happening to him—someone not immediately giving him what he wanted. But as quickly as his eyes narrowed, they gleamed under the challenge. “What is this condition?” He jokingly asked.

With steady eyes and only the slightest smile, I said, “You have to throw your own dinner party. And not a fake dinner party where you make dinner but just invite me. You need to make dinner, invite me, and invite other people. People that you know will actually show up.”

“Done.”

“I will wait and see.”

The next morning, I woke up to a text:

You are cordially invited to dinner party to be held at the home of Casey Parker Garbert’s at 733 Summit Avenue #1A at 7PM on Friday, March 21st. This text has been sent to multiple other people who I know will show up—not just you—because this is a real dinner party.

I smiled.

Seven days later, at 7:30 PM, I walked up to his condo building with my friend Sara. The entire hallway around his door was already littered with wet boots. Opening the door, I could see the crowded living room was hot. The windows were wide open, but didn’t seem to make much of a difference in the temperature of the room. People were enjoying themselves and laughing over the perfect level of music in the background.

I looked around the room and saw his dining room table. The table, crude with plastic utensils and paper plates and napkins, was packed with a large buffet of chicken, beef, sides, and desserts. Nothing more could have possibly fit on the table. It was obvious that the table was a statement that “this was a real dinner party.”

He walked out of the kitchen and our eyes immediately met. He pushed his way through the crowd, his eyes never leaving mine. He had on dress pants, a button-down shirt, an apron, and bright socks. Always bright socks. His eyes proudly said, “I won.” He smiled at me and said, “this is your dinner party.”

“And what a dinner party it is.”

I looked down at the white and the argyle socks, picked them up and threw them in the “donate” pile. One hundred and twenty pairs of socks.
Anne,

I am in receipt of your correspondence dated this morning, in which you demand that I (1) take out the garbage, (2) replace the garbage bag, and (3) immediately cease from waiting until the bag overflows before taking out the garbage. As an initial matter, your complaints are premature and not ripe, as the garbage is picked up on Tuesdays and it is currently Monday. But even considering the substance of your misguided assertions, the garbage need not be removed at the present time because I was planning on doing it on my way out to work tomorrow morning. The situation, simply put, is under control.

Unfortunately, this action is simply the latest in a long line of disputes in which I ultimately prevailed on the merits. See, e.g., Anderson v. Anderson, Case No. 371 (correctly noting that you make a right on Excelsior Avenue to get to the good Chipotle, not a left), Anderson v. Anderson, Case No. 2210 (correctly predicting that your uncle Dave would be a disaster at Thanksgiving); Anderson v. Anderson, Case No. 4879 (correctly guessing the winner of this season’s Bachelorette). The current dispute is no different, and I hereby demand that you rescind your request before I am forced to remind you of the time you left the organics bin uncovered over July 4th Weekend. See Anderson Family Vacation ’98.

Please respond by no later than my 2 p.m. coffee break.

Respectfully,
Dan Anderson,
Your Loving Husband, Esq.
Anne,

I am in receipt of your most recent deficiency letter dated earlier when you were in line for carpool, in which you repeat your demand that I take care of my household chores. Please be advised that, pursuant to Am. R. Mar. C. 18(f), I am entitled to remove the dispute to arbitration in the form of asking friends to intervene. As you know, such a process is costly, time-consuming, and can have unwanted adverse effects. See, e.g., Anderson Arbitration No. 29 (fight about why the grill wasn’t lighting settled by neighbors, who curiously do not invite us over anymore). However, for the sake of expediency, and because the iPad battery is running low, I will agree to take out the trash this evening.

I am also in receipt of your demand that I produce groceries pursuant to your shopping requests. These requests are overly broad, unduly burdensome, not reasonably limited in time or scope, vague, seeks groceries irrelevant to the current meal plan schedule, and are not proportional to the needs of our fridge. Subject to, and without waiving these objections, I will stop by Target on the way home tomorrow.

Please confirm your agreement with the aforementioned terms while simultaneously passing the popcorn over.

Sincerely,
Daniel Anderson,
Your Loving Husband, Esq.

Daniel,

I write in response to your correspondence dated a few minutes ago in which you purport to resolve the parties’ dispute regarding the timing of trash bag replacement. I need not remind you that pursuant to the Anderson Rules of Marital Conduct, you are required to keep the house in a condition that doesn’t make me embarrassed to invite company. And. R. Mar. C. 13(b). Your decision to delay your trash obligations is a plain violation of these rules, and provides grounds for sanctioning you in the form of throwing out that green argyle sweater you erroneously believe to be “a hit at work.”

The cases cited in your letter, which do not concern garbage or recycling disputes, are plainly inapplicable, and simply obfuscate the undisputed fact that my concerns about the trash are well-founded. See, e.g., Anderson v. Anderson, Case No. 49 (requesting that you take out the trash after some mold became sentient); Anderson v. Anderson, Case No. 909 (requesting that you take out the trash after that raccoon started appearing at the window); see also Note on the Refrigerator Door (reminding you to take out the trash). Given these concerns, I insist that you take immediate action to remedy the present situation.

Furthermore, I have recently become aware that you have not yet produced the requested groceries listed as Exhibit A to my correspondence dated last Sunday. Please inform me immediately when I can expect your responses, as our remaining produce is starting to look a little sad.

Lastly, I note that my associate, our 3-year-old son Michael, has drawn you a picture of animals, which will be sent under separate cover.

I look forward to your response, which I expect before we watch tonight’s episode of The Crown.

Thank you.
Anne Anderson,
Your Loving Wife, Esq.
I don’t get nervous easily. Between my theatre degree and a weekend job performing for thousands of people, I usually keep my cool. But on that rainy day in November, I was a nervous wreck. It was the day of my name change hearing, and for transgender people like me, this was a truly life-altering experience.

It was miserable outside, with a slow, relentless, freezing rain and the kind of wind that turns your umbrella inside-out. I had walked the 40 minutes to the courthouse that morning. Buses make me feel sick, and I had energy to burn.

Now, as I paced in the courthouse hallway, far above the city, I was painfully aware of my shabby suit, patched together from thrift store shelves. I felt my backpack again, checking for my paperwork, my ID, my proof of residency the hundredth time. Even by my neurotic 1L standards, I was paranoid of forgetting something. But darn it, I wouldn’t mess this up now.

I had spent months preparing for this day – collecting documentation, running from government entity to government entity, filing forms, and paying fees. I was familiar with delays at this point, as I had experienced them many times before. There was no one to hold my hand through this process. I felt like a child stumbling in the dark.

Arriving at the courthouse almost an hour early didn’t help my nerves. My witnesses for the day – two friends who agreed to take the morning off work – weren’t there yet. I could feel my heart pounding as I walked the hallway, back and forth.

No more delays, I thought. No more delays.

Evan, my first witness, showed up about 45 minutes before the court appointment. Clad in tweed with a purple bowtie, and pushing his glasses up the bridge of his wet nose with one finger, he looked every bit the academic. He walked up and gave me a big hug.

“How you feeling?” He asked.

I grunted my response, focusing on not vomiting all over his stylish shoes. “Thank you for being here. It means a lot.”

It wasn’t long before Ellen showed up, curly red hair askew and wearing her nicest “boho-chic.” She gave me a smile. I returned it.
It was the day of my name change hearing, and for transgender people like me, this was a truly life-altering experience.

There’s a lot I learned from going through the name change process—a few things about myself, a lot about the legal system. The day of my hearing was the first time I had to sit in a courtroom in real life. I was a woman partway through her 1L year... arguing over where the proper waiting room was.

I had no idea. That didn't help my nerves.

With about five minutes to go, a young woman met us in the hallway. She said she was the judge's clerk and we could enter the courtroom. She told me to sit at the table in front. We all walked in.

It was different than I pictured. I had only ever seen a courtroom in the movies, filled with attractive people and gleaming marble columns. This looked different — wood paneling, 80s-style ceiling, some theatre-like seating.

I walked past the small gate and sat at the plain table, fidgeting despite myself. Ellen and Evan sat in the gallery, making small talk. I had no idea if I was doing this right.


I almost jumped out of my skin, swearing under my breath. My racing heart beat faster, and I breathed harder. “All rise,” a voice sounded from somewhere. I followed the instructions as the judge swept into the room.

He was tall and slim. Younger than I expected, he had on a big black robe, and I immediately understood who was in charge. I gulped, again self-conscious of my half-soaked shabbiness doing its level best to look professional.

A couple minutes later, as I stood taking my oath, I glanced at the judge. All imbalances of power cause discomfort. But to look someone in the eye who had the power to decide something so central to one’s being was uncomfortable.

I was glad we weren’t joined by spectators in the gallery that morning. He asked me what I did for a living. I told him I was a first-year law student. He asked where I went to school. I told him. His eyebrows went up, but he otherwise didn’t comment.

Under normal circumstances, I’m a reasonably articulate, intelligent person. But thanks to adrenaline, I spent the next several minutes making a fool of myself. I stumbled through the most basic questions about my life. My hands and voice competed at how violently they could shake. At one point, I sat down when expressly told to stand up. I provided too much information when none was necessary. I didn’t expand on important facts. Smooth, I thought. Really nailing this, I had no idea how to interact with this man. How often do I say, “Your honor?” How do I convince him I’m here in good faith?

The court then asked for my documentation proving residency, and I handed my mail to the clerk. The judge perused it for a moment, then said, “But some of this is from just a few days ago.” I had recently moved.

My heart stopped. For a sweaty moment, I saw myself facing another several months of delay. I wouldn’t have the right ID. That makes life dangerous for people like me.

“It wasn’t...” I stuttered, “made clear to me that the documentation was needed to prove a time period. I just brought stuff showing I’ve lived in the state for a few years. Is that not enough?”

We got that issue and several others borne of my ineptitude resolved and sorted through witness testimony, but a little part of me was still convinced I’d sunk the ship.

In short, Evan and Ellen saved the day. They were cool, articulate, and sincere in their support of me. They even spoke at length about my intelligence and talent, which, given my performance so far in court, seemed close to perjury.

After what felt like an eternity, the court ordered my name change. There was a ringing in my ears as I started to quietly cry. The judge stood and walked out. I sat down hard behind the desk in shock. It’s done, I thought. The impossible moment had arrived.

Memories of that day flashed through my head as I sat in the back of the courtroom, watching the name change applicant. The judge sat in front, looking and acting the same, but somehow much less scary. The name change applicant was doing really well – answering the questions with poise and dignity. I admired him.

A lot has happened in the last year. I finished my 1L year near the top of my class, was accepted onto the board of a state bar association, and I performed well in a judicial externship program. And yes, it was with the same judge.

I learned several things since my name change hearing, things I wish I knew then. I now know that the judge was not trying to trip me up, and hearings like mine are actually pretty routine. I know that the judge runs a monologue of what he’s seeing and doing for the audio record, not just to hear himself talk. I know that he’ll tell applicants what he expects of them, if they just sit tight and listen. I know that his clerks don’t enjoy rescheduling a hearing any more than applicants do. I learned that court staff remember people, so every interaction counts.

Lastly, I learned that I am a far more effective advocate in the courtroom when I can take a deep breath and just relax, and when life hands you a little white card by an elevator bank, take it and run.
When the idea of crashing his car into the highway overpass abutments he passed percolated up from the depths of his grief and became an almost irresistible urge, it literally took Kurt Kloepner’s breath away. With a gasp, Kurt unbuttoned his collar and pulled at his tie. Then he focused his gaze narrowly on the road immediately in front of his car and clutched the steering wheel with both hands. He was more than five miles down the road before he realized that he had missed his exit. He was still shaking when he arrived home.
You’re early,” his wife, Anne, said as Kurt entered the house. It was not an accusation but it was a critique that she made no attempt to conceal.

“I decided to bring some work home and beat the worst of the rush hour traffic,” Kurt replied. “What’s for dinner?”

“Leftovers, but I fixed myself a plate when I got in. You can warm something up for yourself when you are hungry,” she answered before picking up her glass of chardonnay and leaving Kurt alone in the kitchen.

Kurt poured himself a J&B, neat, and then climbed the stairs to his bedroom to change. He collapsed onto the bed, tugged off an oxblood wingtip, then bounced up and held the shoe at shoulder level. He stood frozen in this position, his face flushed red, until the urge to throw his shoe against the wall passed. Then Kurt slumped back down onto the bed, took a long pull off his drink and, with both elbows resting on his knees, ran his fingers through his hair. As his hands closed into fists around his hair he felt the pull at his scalp; he grit his teeth and tightened his grip until the whiskey and the pain slowly calmed him.

Eighteen months earlier. Kurt and Anne Kloepner learned that they were going to have their first child and threw themselves into making preparations to begin their lives as parents. The spare bedroom was made into a nursery that Kurt painted pastel blue and Anne decorated with Winnie the Pooh curtains. Kurt stenciled a ceiling high border of rocking horses around the walls of the nursery – a procession of ponies in brown, orange, and yellow. A virtual menagerie of stuffed animals was waiting for the child by the time he was born. For the two days she spent at the hospital after giving birth Anne barely slept; almost hourly she would creep down the hall to peek into the room where her infant son slept with the other healthy newborns. He was so small and so beautiful that each time Anne saw him she cried. All of the anecdotes of family and friends had not prepared Kurt and Anne for the consummate joy that they experienced with the arrival of their son, David.

When they brought the baby home Anne wanted him to spend the first month or so sleeping in a bassinet in their room. Kurt said they would never get a minute of sleep with David in the nursery. With the baby monitor, Kurt said, it hardly matters. Barely seven weeks later Anne woke during the night to find David unconscious in his crib and Kurt woke to Anne's screams. Kurt called 911 immediately upon seeing Anne seated on the floor and cradling their limp, newborn son in her arms. While they waited for the ambulance, Kurt could do nothing but pace the hall outside of the bedroom and listen as Anne held their child and rocked back and forth, crying repeatedly. “No! No!” David was dead in his mother's arms when the paramedics arrived, his arms hanging outstretched at his side and his complexion a steely blue. The paramedics continued efforts to revive the child all the way to the hospital, to no avail. An autopsy identified no health defect or injury responsible for David's death. The death certificate pronounced Sudden Infant Death Syndrome to be the cause of death. Like some prowling predator, SIDS had struck in the dark of night and taken Kurt and Anne's son.

Kurt promptly removed the crib and changing table from the nursery and placed them, with the mountain of stuffed animals, in a remote corner of the unfinished basement of their home; he moved his old single bed and nightstand back into the room but, almost one year later, he had not yet been able to paint over the rocking horses. This mattered none to Anne, who never went near the room. Anne never directly stated that David died because Kurt refused to allow their baby to sleep in their bedroom but Kurt saw the accusation daily in her eyes. The guilt was almost suffocating those nights when Kurt woke to hear Anne crying in the darkness and he was impotent to do anything but lay beside her, feigning sleep. In fact. Anne wept so often about David that Kurt decided that he could not do so at all. The reward Kurt received for this self-control was Anne's disdainful conviction that the job of grieving for David was hers alone.

Gradually the hole in Anne's heart left by David's death filled with anger at Kurt for what she saw as his callous indifference. As their quarrels became more frequent so did the number of nights that Kurt found himself retreating to sleep in the bathroom light. A procession of ponies in brown, orange, and yellow. A virtual menagerie of stuffed animals was waiting for the child by the time he was born. For the two days she spent at the hospital after giving birth Anne barely slept; almost hourly she would creep down the hall to peek into the room where her infant son slept with the other healthy newborns. He was so small and so beautiful that each time Anne saw him she cried. All of the anecdotes of family and friends had not prepared Kurt and Anne for the consummate joy that they experienced with the arrival of their son, David.

When they brought the baby home Anne wanted him to spend the first month or so sleeping in a bassinet in their room. Kurt said they would never get a minute of sleep with David in the same room and he prevailed on Anne to have the baby sleep in the nursery. With the baby monitor, Kurt said, it hardly matters. Barely seven weeks later Anne woke during the night to find David unconscious in his crib and Kurt woke to Anne's screams. Kurt called 911 immediately upon seeing Anne seated on the floor and cradling their limp, newborn son in her arms. While they waited for the ambulance, Kurt could do nothing but pace the hall outside of the bedroom and listen as Anne held their child and rocked back and forth, crying repeatedly. “No! No!” David was dead in his mother's arms when the paramedics arrived, his arms hanging outstretched at his side and his complexion a steely blue. The paramedics continued efforts to revive the child all the way to the hospital, to no avail. An autopsy identified no health defect or injury responsible for David's death. The death certificate pronounced Sudden Infant Death Syndrome to be the cause of death. Like some prowling predator, SIDS had struck in the dark of night and taken Kurt and Anne's son.

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I wrote a biology paper about them in college. They are awesome birds of prey. Look at it! It’s beautiful.

"After DDT pesticides in the food chain drove peregrine falcons to the brink of extinction," Tom continued. "other raptors like hawks and eagles took over many of the best tall cliffs, which are the natural hunting grounds of falcons. So after the peregrine falcons bounced back they substituted skyscrapers for tall cliffs, and are nesting and hunting in major cities all over North America now.

“What the heck do they eat in a city?” Kurt asked.

“Songbirds. Even the occasional duck or grouse that gets off track. And pigeons. Lots and lots of pigeons.” Tom laughed and continued, “That’s what he’s doing now. Just drifting on the air currents and watching for prey. And when they see it they can dive at speeds of over 150 miles per hour and snatch it right out of the air. Fucking awesome.”

“No for the prey. ” Kurt replied. He did not share Tom’s fascination with the bloody tooth and claw of nature, and hoped that his comment might help Tom get the message.

“I suppose not, but a sight to see nonetheless.”

“I guess, Tom. I hate to rush off but I have a brief that I need to get out this afternoon and —”

“Hey, no problem. I’m done anyway.”

By midafternoon Kurt made an excuse to his secretary about an appointment away from the office and left for home. Just before his car reached the highway entrance ramp Kurt made a sudden right turn. Today he would go home by back roads in order to avoid the gauntlet of highway overpass abutments that he had faced the day before. Driving more slowly Kurt was able to relax and tried to enjoy his drive. As he did, so his thoughts turned to the falcon that he and Tom had watched during lunch. Although he had not told this to Tom, the hunting habits of these birds of prey troubled Kurt.

When Kurt was twelve, just after his parents divorced, his mother thought that Kurt needed a hobby to keep him out of trouble. To placate his mother, Kurt joined the local 4-H Club. Although he began reluctantly Kurt soon threw himself into a project of raising and training pigeons. The birds that Kurt raised were homers, a domesticated variety of pigeon that had been bred over many centuries to refine an uncanny sense of direction by which they could be released up to 600 miles from their nests and find their way home. Kurt was quick to tell anyone who laughed at his project that when the Olympic Games were first held in ancient Greece pigeons carried the results of the contests to the homes of the contestants from throughout the country, and that during World War II pigeons carried messages that very well might have changed the outcome of the war. Although Kurt knew that the pigeons seen on city streets could not boast of such lineage he also knew that the wild pigeons that populated North American cities were directly related to the domesticated variety he had raised and he hated the thought of any pigeon becoming a meal for some predator.

With Anne working the afternoon shift at the hospital, the house was empty when Kurt arrived home and he poured himself a drink. By the time he poured his second, Kurt could not stop thinking about peregrine falcons hunting pigeons downtown. The falcons came, Tom had told him, for the abundance of prey. Would they leave, Kurt wondered, if the prey left?

Moments later Kurt found himself atop a ladder, searching through the storage area in the rafters of his garage. After he had raised his first homing pigeons Kurt had purchased a transport box. Essentially a suitcase with four, small, ventilated compartments for individual birds, the transport box allowed Kurt to purchase two breeding pairs at a time from a local club and bring them safely to his backyard aviary. Finding the transport box brought back memories of the birds he had grown to love. Kurt carried it down the ladder and opened it on the workbench to air it out.

Of course, Kurt told himself, the pigeons downtown were wild, not domesticated homing pigeons. They lacked the sophisticated homing instincts that had bred into the birds he had raised. Once allowed to roam, these wild pigeons would almost certainly fly away never to return. On the other hand, if Kurt could capture them and take them somewhere far from the dangers of the peregrine falcons that haunted the downtown skyscrapers that same lack of homing instinct might prevent the wild pigeons from returning to the dangerous downtown area that they now called home. If he could help it, Kurt did not want these wild “cousins” of his pigeons to become dinner for peregrine falcons.

Kurt decided that the rooftop patio at his law office would provide an excellent place to capture pigeons. Given their habit of congregating wherever there was a regular supply of food Kurt knew that he could attract pigeons to the rooftop by scattering pieces of bread. It would be simple enough to rig a small net to drop on them once they gathered. After he poured himself another J&B, Kurt opened the drawer beneath the telephone, took out a notepad and pen, and began making a list of the things that he would need.

By the time he staggered to bed, Kurt had finished both the list and the remainder of the bottle of scotch.

When Kurt woke in darkness to the sound of David’s cries he started to call out, “I’m coming,” before he realized that he had only been dreaming again. David was gone. Kurt shivered in his bed at the thought of his infant son lying alone in the same blackness. Had Kurt slept as his frightened son cried on the night he died? As Kurt felt the salty pool of unworthy tears fill his eyes his shame was palpable. Disgusted, he wiped away the tears, first with slaps of open hands to his cheeks and then with repeated blows with his clenched fists. A momentary flash dispelled the darkness each time that his knuckles found the sockets of his closed eyes. Kurt continued to rain blows on himself until he was out of breath; then he lay there in the dark and waited for morning.

Five days later Kurt had captured and released his first pigeons. The swelling around Kurt’s eyes was gone and the bruises on his face were now a mottled green. He told those who asked about his injuries that he was retrieving a box from a shelf when it fell on him. Despite his bruises Kurt felt better than he had in months. He had not touched a drink in nearly a week and several days earlier had resumed running in the morning before leaving for work. This discipline, and Kurt’s successful rescue of several pigeons, made him feel that he was finally back in control of something in his life.

As the weeks passed, and with every mile logged on his new running program, Kurt felt stronger. He found, at last, a way to share with Anne his own profound sense of loss at the death of their son and, as Anne’s tears became less frequent, to comfort her when she felt the need to cry. Over time Kurt stopped sleeping in the nursery. Sleeping again in their shared bed, Kurt seldom had the dreams that had haunted him since the night David died. In time Kurt and Anne resumed making love. And then one evening Kurt announced to Anne that the next weekend he was going to repaint the former nursery, covering over the rocking horses.

The following afternoon Kurt noticed a pigeon land on the narrow ledge outside the 25th story window of his office. He watched as the pigeon marched in one direction and flapped its wings, as if attempting to fly, before walking in the other direction and doing the same thing at the opposite end of the ledge. Pigeons had sometimes landed on his windowsill before but this one intrigued Kurt because it performed each nervous strut and flutter facing the window. Why didn’t it simply turn to face the open air away from the building and fly away?
Kurt suddenly felt the pigeon’s fear and understood the danger it was avoiding. He leaned against the office window and looked up to see that a peregrine falcon was circling some twenty yards above. The sense of powerlessness that Kurt felt was all too familiar; even if he could open his office window, which he could not, there was no hope of being able to coax the frightened bird in from the windowsill to safety. Kurt picked up his telephone, dialed Tom Hall’s extension to tell him what was happening, and asked Tom if he could think of anything that they could do.

“Hang on, Kurt. I’ll be right there,” Tom said, and arrived less than a minute later with two co-workers in tow.

“Come on in,” said Tom, inviting Linda and Kate into the office.

“I was just telling them about the peregrine falcons that live downtown, and I thought they might want to see these incredible birds in action,” Tom explained to Kurt.

“That’s just a stupid pigeon, Tom. I knew that you were tricking us.” Kate said, laughing.

“Not on Tom’s window sill. Kate. I know that’s just a pigeon. The falcon is up there,” Tom said, pointing.

“Where?” Kate asked.

“Do you see it?” Tom asked, pointing. When both women nodded, Tom continued. “Then watch this!”

“No, Tom! Don’t!” Kurt cried, but it was too late. Tom hammered with both fists on the window and the pigeon took flight. Although it happened too quickly for any of them to observe in detail it was also too astonishing to ever forget. As the pigeon was tucking in its legs, and before the second flap of its wings, a dark arrow from above turned the pigeon into an explosion of gray feathers. Through the feathers they saw the falcon pull out of its dive and fly gracefully, lazily, toward the rooftop with the pigeon in its talons.

“Whoa! Awesome,” Tom cried, the first who was able to speak.

“You asshole,” Kurt yelled. “You fucking asshole!”

“Come on. Chill out, Kurt! Death is just part of nature,” Tom laughed.

No one responded, but Tom watched the legal assistants exchange awkward looks with Kurt before Tom recalled being told shortly after he was hired that Kurt’s infant child had died the prior year.

“Hey, I’m sorry, Kurt. I didn’t mean anything by it.” Kurt scowled at Tom and shook his head but said nothing.

“Let’s all let Kurt get back to work,” Linda suggested, and the three of them left Kurt alone. As Kurt looked out of his window a feather that had drifted onto the windowsill was picked up by a gust of wind and floated away.

Kurt left his office a little before five o’clock and was surprised when he walked around the corner onto Eighth Street and saw a crowd of people gathered across the street from his parking ramp. As Kurt approached he saw someone in the crowd point toward the sky but Kurt ignored the gesture. He had seen enough of falcons for the day and was intent on getting past the crowd and to his car when he heard someone say, “He’s been standing there for over twenty minutes now.” When Kurt looked up he saw a young man standing at the top of the nine-story Conservatory Ramp. The young man was no different than any one you might encounter on the downtown streets except that he was perched nearly one hundred feet off the ground on a narrow ledge at the top of a building. The man was standing outside of a waist-high guardrail that ran around the entire perimeter of the parking lot roof. He gripped the guardrail with both hands, his arms fully extended behind him. Even from this distance Kurt could see that the man’s eyes were fixed on the street below him. His tie hung at a forty-five degree angle from his slender body, silhouetted by a waning autumn moon partially visible between the buildings.

A murmur rolled through the crowd as they saw a uniformed police officer on the roof of the parking ramp walk slowly toward the young man. Although the conversation could not be heard the man shook his head violently several times and the officer made a show of backing away one step, with hands outstretched, in a posture of supplication. She continued to talk to him from that distance as the man, listening to make sure that she did not approach him, leaned out again and returned his gaze to the street below. And then, without warning, he let go.

In that moment, as the man flew away, there was a collective gasp and the rooftop police officer reached futilely to save him. But when the man landed, as if the gasps had created a vacuum, the only sound that could be heard was the thud made when his head hit the pavement. And then, into the vacuum, the sounds of horror and shock rushed like a wildfire. Seconds later, as if in slow motion, the young man’s shiny black patent leather shoe, thrown off by the impact, landed several feet from where Kurt stood.

“Don’t!”

“No!”

“Christ!”

“No!”

“Oh —”

“God!”

“No! Oh, God, no!”

“Jesus!”

When Anne Kloeppner arrived home from work at 11:30 that night she came in the door from the garage and saw that the house was dark except for a light coming from the open basement door. On the kitchen table sat the bottle of Chivas Regal she had purchased to open when her father visited next month at Christmas; beside it was a large glass. Both were nearly empty.

“Kurt, are you down there?” Anne asked from the top of the stairs. She received no reply but heard an intermittent noise coming from the basement and crept halfway down the stairs to investigate.

“Kurt, is that you?” As Anne inched her way down the stairs the sound became clearer. From the bottom step she was able to see Kurt in the corner of the basement, curled up and snoring on a pile of stuffed animals, a huge koala bear clutched in his arms. She walked to him and gave him a nudge.

“Kurt, wake up,” she said, and then shook him harder. “Kurt!”

Kurt opened his eyes in a fright that did not diminish when he saw Anne. Instead, his nostrils flared as he stared at her before he buried his head into the stuffed animal and cried.

“Oh, Christ!” Kurt’s speech was slurred and the words unclear but his fear was unmistakable.

Anne shook his shoulder and demanded, “What, Kurt? What’s wrong? Kurt, talk to me!”

Kurt looked up at Anne slowly, his red eyes still wide with fear.

“Oh, God, Annie,” he wailed, and then stared at her, trembling, as he struggled to find the words. “The falcons,” he said finally. “The falcons are here!”
RINGS & BEAR HUGS

By Ayah Helmy
M y mother walked into my room with her right hand balled into a fist. She looked tired. A wetness glimmered around her eyes, and her normally perfect eyebrow hairs were unsettlingly out of place.

"Do you want this?" She reached my bed, where I was perched, and stretched out her hand, revealing a silver ring.

"Is that Dad’s?" My heart swelled. My eyes ran over the metal, softly caressing the smooth surface, dipping into each scratch and chip etched by wear. I saw the ring on his finger in my mind’s eye. When I was a child, I used to study my father’s hands. His light skin was covered in freckles. Skin sensitive to the sun, a liability under its harsh gaze. Its color always made me think he was some sort of angel, especially when I compared his light skin and green eyes to my olive skin and brown eyes. His nails that always seemed to be the perfect length, unlike my chewed up nubs. He had wispy light brown hair on his knuckles and trailing down from his forehead. I always reveled in the strength in his hands when he pressed me into one of his crushing, uplifting, endorphin-rushing bear hugs. His ring was ever-present, a symbol of his commitment to his shirt collars. He tried to keep the ring on, much weight to keep the ring on. He had gone too swollen due to his failing kidneys. He would pout and he would hug me and tell me he was kidding.

I always saw his business as a blessing and a curse. It meant that he was, much of the time, a company the year I was born. He used to smile at me sometimes and joke, "The two biggest pains in my ass came into my life that year." I would pout and he would hug me and tell me he was kidding.

In his death, he still lives both in the center and periphery of my consciousness. His presence invigorates me with bittersweet, overwhelming love and his now-permanent absence destroys me several times a day. Just as always, I revel when his sent wafts through my life, or I wait, sniffing the air hopefully. His ring was, just as he was, a force larger than me, reminding me to do what is right, telling me to be humble and hardworking, giving me approval, expressing occasional disappointment, hugging me with tender solace.

He had been dead for a year when I went on a trip to Ireland with Susie. I was excited to go. My father loved the Irish. "They’re our brothers," he would say, referring to English colonization of both Egypt and Ireland. And they truly were. Through adventures with strangers, night time wandering, and stumbling walks home, I had kept the ring with me. I fiddled with it just as he had, a similar eyebrow raised and a thoughtful pout settling over my face that many have told me is just like his.

On my way out of Ireland, I was in the Dublin airport washing my hands. The bathroom looked like it hadn’t been decorated or cleaned since 1979. A weak fluorescent light flickered above my head, washing the discolored tile in a sickly shade of yellow. I set the silver circle on the corner of the sink, afraid to tarnish it. I washed quickly and pushed the handle with my wrist to turn the water off.


I thought I was early, but I had been looking at the wrong flight information in my email. I grabbed my bag and ran out of the bathroom toward my gate. The gate was about to close when I breathlessly reached the disapproving flight attendant. She sucked her teeth and scanned my ticket, watching me over her bifocals. Raising my bag over my head, I moved through the tiny commuter jet, bumping into the knees and shoulders of the teeming crowd of passengers. I slid into my seat with a nervous, apologetic smile to the man I had to climb over to get into it. I stuffed my bag between my ankles, breathing a sigh of relief.

Taking out my phone, I smiled, planning to relay the near-catastrophe to Susie, who was taking a later flight. My naked thumb danced across the screen, inputting my password. I looked at it, my eyes widening, a scream catching in my throat.

In a haze, I looked around myself frantically as the airplane pushed out of the gate. I called to the flight attendant, who was walking down the narrow aisle, checking people’s seatbelts. When I told her what happened, she offered an apology and said that the plane was already taxing. It was against protocol to go back, she said. I barely heard her.

"It’s ok. It’s ok. I have it," I lied to myself, reaching my shaking hands into my pockets. I patted down every pocket on my body. I enlisted my sympathetic neighbor to hold my bag as I pulled out every strap penny, errant string, and ball of fuzz.

I fell into the seat with nausea rushing through me. My throat tightened and I pressed my face into my hand to keep myself from crying. Just like that, I had left it, him, us, behind in a dark, dingy space, never to be seen again.
I get up most mornings about 4:45 a.m. I don't necessarily like it, but, it's my habit. The first thing I do upon waking is slip on my robe and stagger, still half asleep, into my four-year old son Theo's bedroom to check on him. Then I stagger into the bathroom, where I get dressed for work. A few weeks ago, my parents were in town visiting and we stayed up late, talking and drinking wine. When the alarm sounded at 4:30 a.m. the next morning, I was extra tired and fuzzy around the edges. Nevertheless, out of habit, I turned off the alarm, slipped on my robe, and staggered into the morning chill toward Theo's bedroom.

Did I mention that we own a chair? It is a heavy, sturdy, solid oak chair, old but not antique, rather plain and straight backed in the style of an old-fashioned school chair, which it probably is. I purchased it at a garage sale about fifteen years ago, when I was still serious about practicing classical guitar. The chair is the perfect height and size for the rigid classical guitar position, and the lack of armrests or sides allows for easy, unfettered arm and hand movement. I lugged it around with me through the numerous moves of my peripatetic bachelorhood because it's such a perfect guitar chair.

Nowadays the chair resides in an unused corner of the living room. We make Theo take his “time outs” in it as a form of discipline. In the guileless manner of children, Theo refers to it as “my crying chair.”

Lately, Theo, who is getting bigger and stronger, has taken to pushing the crying chair across the room so he can climb onto it and play with the stereo’s buttons and knobs. He knows how to load a CD, turn it on, and select songs once the disc is playing. He loves doing this and is pretty careful, so we let him indulge himself.

The stereo happens to be located near Theo’s bedroom door. On that morning after my late night with my parents, the crying chair was sitting near the stereo and immediately outside his bedroom door. In the pre-dawn darkness, with my fuzzy head, I failed to see it. But I found it, with the little toe of my right foot.

The crunch of flesh and bone against a heavy piece of solid oak in the hush of a sleeping house is difficult to describe but easy to recognize. What a welcome to the new day! One moment I was gradually coming to grips with the sensations of the morning: the chill air, the mental checklist of the day’s tasks, a silent “thank you” to God because a particularly ornery old racquetball injury did not ache that morning, the sublime joy of seeing my beautiful wife in peaceful repose. The next moment: searing pain shooting from toe to brain, alarm bells jangling in my inner ear, heart racing, central nervous system vibrating with the surge of adrenaline and the other hormones on high alert.

The impact immediately arrested my forward motion, causing me to tumble, head-first, into the stereo. Fortunately, the shelving on which the stereo was located was also very sturdy, constructed of solid redwood, and I was quick enough to grab it and avert a nasty fall.

I checked on Theo, who was not awakened by the noise. I kissed him softly on his forehead. “Babe, are you all right?” came Karen’s sleepy voice in the darkness.

“Yeah.” I replied softly, and limped into the day.
I sit on the cold concrete floor of my local used bookstore, perusing guides to weapons, firearm manuals and poison glossaries. Yeah, you figured me out. I’m going to kill that lying, cheating husband of mine. And then, when he’s good and dead, when he’s staring at me through lifeless eyes, when his icy heart has pumped its last beat and his body begins the slow process of rotting, then I’m going to enjoy draining the life from his lover, my former best friend.

I pause, sucking in the cold hospitality of the bookstore. The musty smell of old paperbacks reminds me of exuberant death. Murderous thoughts wrap me in their tender, welcoming arms and warm me. Slaughter is my new love. Till death do we part.

That’s going to happen a lot sooner than you thought it was, Honey.

I find my books and pay in cash—cash I had stowed away in my dresser drawer under my sanitary napkins, where I knew my beloved would never venture. Putting my books in a bag so as to not make public my intentions, I steal out to my car and drive home, ever on the lookout for police. No, I have done nothing wrong. But I do not wish to be detained from my mission, nor attract the unwanted attention of those who might question my activities or even attempt to thwart me.

Back at my lair, I tear open my bag and begin perusing my contraband. I wolf down the information I need with which to do the evil deed I have planned.

My heart grows heavy with despair as I read about my options. Not all methods are quickly lethal. Not all weapons are easily procured. Some, once procured, are easily traced to the owner. They can be difficult to dispose of. I abandon my first choice: death by brakeless auto.

I simply adore the idea of his brakes failing, his hell-bound car careening off an embankment, his soul charred beyond even Satan’s recognition in a brakeless conflagration.

His body a sacrificial lamb on my altar of hate.

But I know that he is just as likely to discover my tampering by backing into someone’s station wagon in the local grocery store parking lot.

I settle on stabbing. I imagine using the knife which I purchased at a local thrift store a week ago (with cash, of course), and I smile. It will do quite nicely. I do not fuss about what to wear, as I will not get blood on my clothes. I worry not about being seen creeping around his love nest, as no one will witness my accomplishment. I will not be caught. I will not be punished. Once I feared only being stopped. But now that this victimless crime is in motion, it will proceed like time—trudging forward, unstoppable.

It is time to perform my community service. I position myself on his doorstep. Feigning a desire to woo him back, I gain entry. I waste no time in dispatching him. His screams fill the air, yet no one hears. Blood is everywhere, but I am clean.

I know I must leave my handiwork, but cannot help but lap up the exquisite details of his death in these last few minutes. His blood caresses the floor near his body. I smile at my masterpiece. I created this—I am an artist, a maker, a god.

Killing him was purifying and energizing. As the life left his body it entered mine. I am secure in the knowledge that I will get away with this ruthless slaughter scot free.

I must leave my creation, as my effort has made me hungry. When I am finished with my sweets, I return to the crime scene, tap the “save” button on my keyboard, and close the murder story. Yes, killing him was cathartic. And I will probably do it again tomorrow. This time by hanging.

But for now, my best friend needs to die.

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Scot Free

by Phyl Bean
simple gifts by John Medeiros

(for michael, who almost finished law school)

what you wanted were simple gifts:
   a world you could touch without its retreat
   and a world to touch you back;
   one that held you in the palm of its hand
   and allowed you to shiver, leaf-like, in autumn.

what you wanted were smiles in the eyes of strangers,
lovers kissing in museum windows,
suns that rose to feed the crops and moons
to howl at when the rest of us were fast asleep.

you wanted whispers of children in several tongues,
winds that blew through back porch chimes
and laughter – always laughter – booming
from houses as you passed by.

you wanted beaches in winter,
   mirrors you could call your friend,
oceans you could capture in a porcelain cup.
   fresh linens to hide your secret scars.

all you wanted was to rise
   above it all, for the books you read to be less bitter –
   the roads less blemished by the footprints of others.

but the world was bigger than that –
   too large to fold in half and tuck into the pocket
   of a well-tailored suit. it was too designed,
   too layered with tooth and bone
   to welcome simple gifts
   like fading skies
   or shaker hymns.

it had too much to offer someone
   who gave but never learned how to receive.
We Are Family

and Business
and Intellectual Property
and Immigration
and Personal Injury
and Real Property
and Bankruptcy
and Wills & Probate
and Tax Law
and Employment
and Criminal Defense
and Landlord/Tenant
and Workers’ Compensation
and the list goes on ...

When current clients or new callers to your office have legal needs outside of your practice area, remember that your colleagues in the Hennepin County Bar Association can help. With 200 participating attorneys—representing nearly every practice area—the HCBA Lawyer Referral and Information Service is the best place to refer those that you can’t assist.

Lawyer Referral has been recognized for its quality by the ABA, and the excellent work provided by our experienced panel attorneys strengthens the reputation of all HCBA lawyers. Make referrals to your bar association colleagues with confidence. Think of us as family.
MARVEL AT THE FIREFLIES

By Brian Kidwell

Shooting stars in midnight skies use the vantage of their height to marvel at the fireflies.

The wind comes through the pines as sighs honored to behold the sight of shooting stars in midnight skies.

And then a sentry owl cries proclaiming that it’s only right to marvel at the fireflies.

The lake is shimmering as it tries to reflect the glory of the flight of shooting stars in midnight skies.

Spirits ancient and wise are summoned by the call of night to marvel at the fireflies.

And deep within a lover’s eyes when grace decides the time is right are shooting stars in midnight skies. Marvel at the fireflies!

WELL GROUNDED

by Mike Unger

Above the clouds, The sun shines. One need only climb. It brightens and warms the day. Peace is near. Calm. Quiet. Listen. Feel the rays. It can’t last. But it need not. Returning to earth, I am ready again.
WELL GROUNDED
by Mike Unger

Above the clouds,
The sun shines.
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The Fund for Legal Aid and the Hennepin County Bar Association thank our May 10 Law Day Dinner contributors for protecting rights and improving lives!
How Online Calendaring Saves Time and Money

by Jess Birken

The world (outside of our industry) is already knee-deep in online scheduling. It’s time lawyers caught up.

Automation and legal tech are hot topics lately. But I think a lot of attorneys see the words “tech” and “automation” and their eyes glaze over. Think you have to be an IT wiz who can code an SQL server to do law firm automation? You don’t. Sure, I’m a techy lawyer. But I can’t code a single thing. Yet I’ve managed to save lots of time and money by leveraging a bunch of web-based applications to help me run my solo practice more efficiently. That’s something anybody can do, whether you’re fresh out of law school or an old dog.

Using a calendaring app like Acuity or Calendly is one of the easy fixes that will save you tons of time and money. How? By allowing you to never, ever, EVER type this sentence again: “Unfortunately, none of those times work for me, Kelly; what about Monday at 1 p.m. or Wednesday at 4:30 p.m.?” You know what I mean—the inefficient, aggravating back-and-forth e-mailing between you (or your staff) and your clients, referral partners, prospects, etc., around setting up a meeting.

There are a handful of great web applications out there to check out. I’m partial to Acuity because of its intuitive interface, simple setup, and ability to process payments. What is it, exactly? Well, have you ever scheduled a doctor’s appointment online? How about a haircut or other service appointment? This is that. The world (outside of our industry) is already knee-deep in online scheduling. It’s time lawyers caught up. And it’s one of the easiest ways for you to improve your clients’ experience with your firm. It’ll improve your own experience too!

I use Acuity to automate and simplify scheduling for things like: networking (lunch, coffee, happy hour); meeting with current clients (at the office, by phone, or virtually); and consulting with potential clients. Let’s say I’m introduced to a networking connection over email. Rather than emailing to see if they’d like to meet, when they could meet, figuring that out twice, then deciding on a location (at least four emails exchanged)—instead of all that—I’m just going to write back with a friendly response like this:

Hi Tom, great to meet you by email! I’d love to get lunch or coffee sometime. If it’s easy for you, take a look at my online scheduling tool and pick any time that works best for you. Here’s the link www.tinyurl.com/birkenlawmeet. Really looking forward to it!

When they click on the link, they see the options this way:

The page is branded with my logo and colors. In this example, I’ve set up three clear options to choose from. Almost everything you see in the image is customizable (titles, duration, description, etc.). The viewer is then prompted to pick a specific date and time. Only days and times that I’m actually available appear to the viewer.

From the back end I’ve set my availability for the “Lunch” appointment type as Monday, Tuesday, Wednesday, or Friday between 11 a.m. and 1:30 p.m. But it doesn’t just go by my set hours. It knows what I’m actually doing on those days. So if I have something else scheduled, Acuity reads my personal and firm calendars (it’s connected to Office365 and my gmail account) and blocks off any times that I’m already doing something else. As long as I keep my calendars updated, I don’t have to worry about what time people choose because I know it’s going to work for me.
For networking appointments, I give up control and let the other person decide the location. They know my location is Northeast Minneapolis. Left to their own devices, people are very kind, either coming to my area or finding a good halfway point. My interface is set up to look like this:

![Appointment Calendar]

Now, that might not work for you. No worries. Want more limited choices? You can easily create a “please-choose-from-this-list-of-options” style menu instead. Or even set the location as the lobby of your downtown law office with a note that you’ll walk to lunch together. There are many options to customize this form to fit your preferences.

So, we’ve saved on the annoying back and forth about date and time. We’ve saved on the haggling over where to meet. And the coup de gras?

The reminder! We’ve all done this a thousand times: “Dear , just confirming we are still on for today’s lunch at 11:45 a.m. at Main Street Diner?” Finally you can stop doing that right now—happy day!

Acuity is set up to send both an initial confirmation e-mail and a reminder (and more). Every email in the scheduling process is brandable and customizable (need to add directions to your office, with photos? No problem). Plus, every email is automatically configured with buttons that allow the person to cancel their appointment (no need to email you about it) or reschedule their appointment (again, time saved).

The reminder comes not only to the person who made the appointment but also to me (unless I turn this off or redirect it to my assistant). I have these set to go out 36 hours in advance. And, as you can see, the email comes with a convenient cancel or reschedule button. So, we both are reminded and assured that, yes, we’re really meeting.

This may seem like a small time savings, but it adds up. And just the mental health improvement from not feeling aggravated about all the back and forth—not to mention the improved experience for your colleagues or clients—it’s really worth it.

Jumping in with networking is the least intimidating way to start—there’s very little to lose and lots to gain. Make a fake lunch date with me to try it out—seriously, go for it. But I use this tool for SO much more than networking. If you’d like a behind the scenes tour of how I leverage Acuity to easily automate lots of functions at my firm, I’ve made a video tour available at www.tinyurl.com/birkenlawschedulingtour.

When she’s not helping lawyers use tech tools, Jess Birken is the owner of Birken Law Office—a firm that helps nonprofits solve problems so they can get back to their mission.
Peter Matua started cooking large meals for family and friends who wanted classic African dishes to serve at African gatherings. When word spread about his cooking and demand within the community grew, he decided to start a catering business. However, he was completely in the dark about obtaining licenses and commercial kitchen requirements. When he went to the African Development Center to ask for a loan for his commercial kitchen, he was ultimately connected with LegalCORPS, which assisted Matua with obtaining a license and developing a business plan.

“When you have a place you can go get help legally and financially, and be given a direction that you can go pursue yourself, it really helps out tremendously” Matua reflects in a LegalCORPS video about his experience. It was through LegalCORPS that Matua’s business, Tuma’s Event Ambience Creators, was able to start on solid legal ground.

LegalCORPS is a nonprofit organization that provides free business law assistance for low-income business owners, inventors, and small nonprofits. The organization was established in 2004 in response to a demand for pro bono transactional business law. While the law requires legal representation to be available in criminal matters, finding legal help for transactional and civil matters is much more difficult for low-income individuals. Most legal aid services are litigation-based, so the attorneys who offer these services are typically better versed in transactional business law. As the only statewide nonprofit that offers this assistance, LegalCORPS’ services foster growth and opportunity in Hennepin County.

LegalCORPS relies on a network of over 500 volunteer attorneys to provide pro bono client services. They serve their clients through brief advice clinics, education, and full representation. An educational presentation or a quick 30-minute advice session can sometimes be all it takes to prevent legal missteps that could otherwise lead to financial ruin for small startup organizations.

In 2018, LegalCORPS was awarded a grant from the Hennepin County Bar Foundation to support the Entrepreneurs of Color program—the same program that helped Pater Matua launch his catering business. Much of this program is focused on developing relationships and building trust within communities of color. Like Matua, many immigrants seek help from resources within their own community, so fostering partnerships with these organizations is a key component to this program’s success. The trusted relationships that LegalCORPS builds are crucial for these entrepreneurs to get access to much needed legal services.

Though obtaining a patent or creating a business plan may not be a typical example of creating access to justice, the ability to serve low-income clients in life-changing business decisions can be the difference between staying below the poverty line and rising above it. “Access to justice through LegalCORPS means access to the business law system, empowering entrepreneurs to build successful businesses to support themselves, their families, and strengthen communities through legally sound business practices” says Sally Nankivell, Executive Director of LegalCORPS.

LegalCORPS offers the opportunity for attorneys to give back to the community by offering pro bono transactional business law services that can make life-changing differences. If you would like to get involved with LegalCORPS by representing clients, giving presentations, participating in legal clinics, or serving on a committee, please contact Sally Nankivell at snankivell@legalcorps.org.

“When you have a place you can go get help legally and financially, and be given a direction that you can go pursue yourself, it really helps out tremendously”
Legal Stuff Booklets: Now Available in Spanish

For over 20 years, the Hennepin County Bar Association has produced **Legal Stuff**, a 50-page booklet designed to answer general questions about the law, legal rights, and responsibilities. As Hennepin County becomes increasingly diverse, it is important that our resources reflect the needs of the community. Through the generous support of the Hennepin County legal community, the Hennepin County Bar Foundation was able to translate **Legal Stuff** into Spanish.

Over 100,000 English copies of **Legal Stuff** have been provided free of charge to teachers and schools, community groups, new citizens, and others throughout Minnesota. The booklet covers a wide variety of areas, including: civic rights and responsibilities (voting, military service, jury duty, taxes), student rights—in school and out, and answers to legal questions relating to employment, immigration, housing, marriage and family law, healthcare, driving, criminal law, the court system, and a host of other areas. To order English or Spanish versions of **Legal Stuff**, please contact Dana Miner at dana@hcba.org or 612-752-6627.

The translation of **Legal Stuff** was made possible through the generosity of individuals and businesses in the Hennepin County legal community. Thank you to Civil Action Group for the in-kind donation of translation services. And, thank you to our individual donors: Landon Ascheman, Judge Hildy Bowbeer, Kate Bruce, Judge Regina Chu, Thomas Conley, Judge Mel Dickstein, Joseph Dixon, Sandra Feist, Paul Floyd, Tom Fraser, David Hansen, Jayne and Frank Harris, Keith Johnson, Thad Lightfoot, Jim and Sarah MacGillis, Stu Nostdahl, Molly Porter, Michael Pysno, Roshan Rajkumar, Eric Ruzicka, Michael Skoglund, Jayne Sykora, Judge Mary Vasaly, and Kristine Zajac.

To order contact Dana Miner at dana@hcba.org or 612-752-6627.
EMPLOYMENT OPPORTUNITIES

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Metropolitan Area Agency on Aging Potential for part time or job share Starting salary of $52,000 - $60,000. For more information and to apply go to https://metroaging.isolvedhire.com/jobs-25590.html

ASSISTANT ATTORNEY GENERAL

The Office of the Minnesota Attorney General is accepting resumes from experienced attorneys who are interested in public service and representing the government in significant lawsuits that make a positive difference to Minnesota. Assistant attorney generals appear on behalf of the State of Minnesota in state and federal district and appellate courts in cases that impact the daily lives of the people of Minnesota. Attorneys get excellent litigation experience in handling their own cases. Requirements: Our selection process is highly competitive. Applicants should have successful legal practice experience, impeccable research, writing, and communication skills, outstanding academic credentials, good work ethic, character and judgment, and a strong professional drive. Service with the office may qualify applicants to have part of their student loans forgiven under the federal student loan forgiveness program that applies to state government employees. (For more information, visit www.studentaid.ed.gov/repay-loans/forgiveness-cancellation-public-service.) Applications, Please submit a cover letter and resume (including class rank) to: Office of the Minnesota Attorney General • Attention: June Walsh • 445 Minnesota Street, Suite 1100 • St. Paul, MN 55101 • ag.jobs@ag.state.mn.us • The Office of the Attorney General is an equal opportunity employer. If you need reasonable accommodation for a disability, please call June Walsh at (651) 757-1199 or (651) 297-7206 (TTY)

VOLUNTEERS OF AMERICA
HEALTHCARE COUNSEL

Come make a difference in the lives of others! Volunteers of America is one the nation’s largest and most comprehensive human services organizations. Volunteers of America National Services (“VOANS”) is a subsidiary of VOA that operates nationwide in the areas of senior healthcare and affordable housing. VOANS senior healthcare owns and operates over 46 senior living and care communities programs and employs over 3,000 professional staff. We offer multiple senior care programs including assisted living, skilled nursing facilities, home health services, independent living, memory support, and transitional care. These communities are located in Minnesota, Colorado, Florida, Ohio, Arizona, Michigan, North Carolina, and Nevada. Volunteers of America is seeking an accomplished healthcare attorney, to provide legal advice in the area of healthcare contracting and compliance with a focus on the Federal, state, and local laws, including but not limited to, HIPAA and CMS, applicable to skilled nursing facilities, assisted living facilities, the PACE program, and continuing care retirement communities. Experience in negotiations, writing and reviewing contractual agreements, including, but not limited to healthcare provider agreements, medical director agreements, lease agreements and service agreements. Candidate must be able to cultivate strong working relationships with legal department members, senior management, compliance officers, and outside counsel. Superior organizational, analytical, and time management skills required; ability to handle multiple tasks simultaneously and effectively manage shifting priorities; and exceptional attention to detail and follow-up capability. Work with Senior Vice President for Litigation, Risk Management and Compliance and healthcare operations staff on development of policies and procedures and implementation of compliance program. Perform pre-litigation work to minimize risk, ensure policies are implemented consistently, and maximize legal position. Strong computer, written and verbal communication and interpersonal skills including the ability to train healthcare team and its affiliates on substantive legal topics. Salary is commensurate with experience, as well as a comprehensive benefits package which includes health, dental, vision, retirement, etc. Requirements Juris Doctorate from an accredited law school. Previous experience as in-house counsel or with a non-profit healthcare organization desired with 5-10 years of healthcare experience with particular strength in transactional work, regulatory due diligence and contracting in the healthcare space. Must have knowledge of the general Federal and state healthcare regulatory schemes and preferably would have significant experience with and knowledge of HIPPA/HITECH Act, Medicare conditions of participation, the PACE program, the Stark Law, the Anti-Kickback statute, licensing and reimbursement. Must have a bias for action, strong work ethic, professionalism, customer orientation, and the flexibility to work in a team environment or independently, and under pressure successfully. Position is located in Eden Prairie, MN with ability to travel is required, particularly to Alexandria, VA and VOANS healthcare sites. To apply: http://voaapplicantstack.com/x:apply:a2xlo5hs61 EOE

EQUAL OPPORTUNITY ASSOCIATE

The Office of Equal Opportunity and Affirmative Action/Title IX Office at the University of Minnesota is seeking a highly qualified lawyer to respond to discrimination, sexual misconduct and other equal opportunity concerns on the University’s Twin Cities campus. To learn more and apply, visit the University’s Online Employment System: https://z.umn.edu/3gav Job opening id: 323505. Contact email: eoaa@umn.edu

STINSON LEONARD STREET ASSOCIATE

Private Business Division, Minneapolis, MN Stinson Leonard Street LLP is seeking an Associate with two to five years of experience to join the Private Business Division in our Minneapolis office. Qualifications Required: Active Minnesota attorney license required. Qualified candidates will have three to five years of relevant experience (as described below), possess excellent academic credentials and have strong writing, analytical, organizational, and communication skills.

Classified Advertising:
Member Rates: $1.50 per word.
Minimum charge of $50 for all ads.
Nonmember Rates: $2.00 per word.
Minimum charge of $50 for all ads.

To place a classified, contact:
Nick Hansen at nick@hcba.org

Publication Deadline:
September Issue: August 10, 2018
Minimum charge of $45 for all ads.
Includes placement on the HCBA website (for 60 days) and in the Hennepin Lawyer publication.
Relevant experience includes significant experience in connection with mergers and acquisitions, contract negotiations, ownership matters, corporate governance, entity selection and formation, business succession planning, and private equity transactions. More specifically, candidates should have experience with the following: • Serving in a mid-level associate or lead associate capacity with respect to merger and acquisition transactions • Serving in a mid-level associate or lead associate capacity with respect to ownership matters, including buy-sell agreements, minority/majority investments, and compensation matters • Serving in a mid-level associate or lead associate capacity with respect to contract review and negotiations, including supplier agreements, vendor agreements, distribution agreements, and consulting agreements • Serving in a mid-level associate or lead associate capacity in private equity transactions • Providing advice on entity formation, including corporations, limited liability companies and partnerships • Providing advice on succession planning and other issues specific to family operated businesses • Providing outside general counsel advice to private and family business clients To Apply: Please apply online at https://recruiting.stinson.com. For questions, please contact Anna Lloyd, Attorney Recruiting Manager, recruiting@stinson.com. Stinson Leonard Street is an EEO employer. We encourage qualified minority, female, veteran and disabled candidates to apply to be considered for open positions. We offer a competitive compensation and benefits package. We conduct criminal background checks of all individuals offered employment.

CONFLICTS & ETHICS ATTORNEY

Robins Kaplan LLP, a national litigation law firm, has an exciting opportunity in Minneapolis for a talented individual to join our firm. Under direction of the Professional Responsibility Chair, the Conflicts and Ethics Attorney will review and analyze potential conflicts relating to new and lateral attorney candidates and potential conflicts relating to new clients and matters. The Conflicts and Ethics Attorney will also review and draft engagement agreements, informed-consent agreements, and ethical-wall memorandum. The Conflicts and Ethics Attorney will also review outside counsel guidelines and law-firm marketing materials and perform other projects as needed. Keys to Success: J.D. required. Active bar licensure. 5+ years of law-firm experience preferred, in general litigation, risk-management, or corporate compliance. Additional Experience: Experience in conflicts identification and clearance in a law firm, including drafting and reviewing ethical-wall memorandum for new hires or client matters, and informed-consent agreements for client matters. Experience preferred with researching multiple jurisdictions and jurisdiction-specific rules as they relate to conflicts of interest and attorney advertising. Strong, functional knowledge of theABA’s Model Rules of Professional Conduct. Experience performing legal research and research on corporations (Lexis/Westlaw, Bloomberg, etc.). Ability to work on complex legal issues and requests in a fast-paced and high-pressure environment. Strong writing and drafting skills and oral communication skills. Proficiency in Word, PowerPoint, Excel, Adobe, Filesite/Desksite and other document-management software. Experience with Intapp Open, Elite, or other conflicts modules preferred. Robins Kaplan LLP is a firm you can be proud to be associated with. We offer competitive compensation, rich benefits, a respectful environment, and the opportunity for a rewarding and impactful career with a dynamic group of professionals. Consider us for your next career stop and apply on line with a letter of interest, resume, copy of law school transcript and legal writing sample. https://www.robinskaplan.com/careers-openings-apply-online/FilterREID-4. Robins Kaplan LLP is an equal opportunity employer committed to building a diverse workforce.

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RMS LITIGATION

When a dispute results in litigation, the risks run high. That’s why you need the help of independent damages assessment professionals. RMS’s legal damages assessment team is comprised of subject matter experts well-versed in testifying and explaining their findings to a judge or jury. Our credible damages calculations and assessments help you properly defend your client or get the settlement your client deserves for his loss. Extensive technical training and complementary skill sets enable RMS’s damages assessment team to provide you with creative strategies and innovative solutions. Brad Kordana, CPA, ABV, CFE, leads the local financial investigation and dispute services group at RMS. He and his team work with industry experts to provide damage calculations related to breach of contract, lost profits, post-acquisition disputes, valuation matters, financial statement misrepresentation, fraud, construction disputes, insolvency matters, and intellectual property infringement. Contact Brad at 612-376-9387 today for your damages assessment needs.

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ATTORNEY COACHING

At the HCBA Annual Meeting and Awards Dinner on May 31, **HCBA President Thad Lightfoot** passed the ceremonial leadership gavel to **Adine Momoh**, who begins her term as president on July 1. Thanks to Thad for his leadership during the 2017-18 bar year, and congratulations to Adine who will serve as the HCBA’s 100th president and will focus her presidential year on programming that strengthens the association’s role as a champion of the profession. Nine HCBA members were recognized with the first-ever HCBA Excellence Awards. Recipients were profiled in the May/June issue. This included **Suzanne Pontinen**, the former director of Volunteer Lawyers Network, who was given a special Career Contributions to the Profession Award. **The Honorable Jacob Frey**, Minneapolis Mayor, provided the keynote address highlighting the important role that attorneys can play in improving equity in our community.
Count the Ways Your District Bar Adds Value to Your Career

Members can attend most HCBA 1.0 credit CLE programs at the association office for no charge. Non-members pay $40 or more for each seminar. Attend just 6 CLEs during the 2018-19 bar year, and membership can save you $240. You also receive a discount on most webcasts and OnDemand CLEs.

These active groups provide: leadership opportunities and development, skills training, a forum to exchange ideas, and mentoring. Improve your practice and help shape the legal profession—one meeting at a time. Plus, there is no extra fee to join HCBA sections.

Socials, networking events, and happy hours help you catch up with colleagues and create new connections. HCBA’s club get-togethers, based on shared interests, help add balance to your work life and provide even more ways to connect. Expand your professional network, social circles, and referral base the best way: in person.

HCBA’s membership publication features substantive law articles, practice tips, profiles, and news that local lawyers rely on. Subscription is included with your membership.

Serving Local Attorneys, Representing the Profession, and Working to Ensure the Fairness and Accessibility of the Legal System Since 1919.

Your Membership Makes It Happen.

Serving as the charitable arm of the HCBA, the Hennepin County Bar Foundation promotes equal access to justice within our community through its annual distribution of grants to local legal services organizations.

Thanks to the dedicated commitment and contributions of HCBA members like you, the foundation has been making a positive impact in Hennepin County since 1968, giving over $2.5 million in grants to law-related nonprofits.

The HCBA’s Lawyer Referral program has been serving the profession and the public for over 60 years, by helping individuals connect with and hire attorneys. Lawyer Referral is the best place to direct callers and clients with legal matters outside your practice area.

In addition to helping 10,000+ callers each year, HCBA’s Lawyer Referral service coordinates with District Court to ensure that attorneys are available to assist the public at the court’s Legal Access Point and at Misdemeanor Court arraignments. Your bar membership supports this valued public service.

The Volunteer Lawyers Network is the pro bono arm of the HCBA and provides civil legal services to low-income people in our community.

In its commitment to equal access to justice, the HCBA provides a variety of services for the public through its own programs and by significant financial support of VLN—made possible by your bar membership.

YOUR CONNECTION TO:
Local Lawyers • The Fourth District Bench • New Clients & Contacts • Practice Management Resources • Community Outreach and Pro Bono

- 80 FREE 1.0 credit CLE programs are planned for the 2018-2019 year. Plus, additional training sessions and webcasts, with discounted registrations for members.
- Plug in to mentoring and networking opportunities for every stage of your career.
- Gain management and leadership experience through committee work and projects, including diversity initiatives, programs supporting professionalism, and access to justice.
- Events and socials connect you with attorneys (from within and outside your areas of practice), members of the bench, and others in community. Expand your contacts and referral networks.
- Members interact with the Fourth District Court Bench through events, training, and advocacy efforts.
- Member clubs let you connect to attorneys with shared interests (such as yoga, biking, and photography).
- The Hennepin Lawyer magazine keeps you in the know about the law and local legal community and more, and gives you an opportunity to showcase your expertise.
- Legal education and outreach programs, such as our speakers bureau, support the Hennepin County community and provide you with ways to give back.
- A weekly e-newsletter provides you with updates and an events calendar so you will always be tuned in to what’s happening in the local legal community.
- The HCBA website provides even more opportunities to create connections and maximize your membership. Create networking groups, start a blog, update your profile page, and more.
IN A WORLD OF UNCERTAINTY

WE ARE CERTAIN ABOUT THE WORK WE DO.

We fight for the rights of employees and consumers in individual cases and class actions.