

## COURSE INFORMATION

### LIVE PRESENTATION

Monday, June 18, 2012; 9:00 – 11:00 a.m.  
Minnesota CLE Conference Center  
Seventh Street & Nicollet Mall  
Third Floor City Center, Minneapolis

### VIDEO REPLAYS

Schedule times for replays may differ from live presentation due to abbreviated lunch and break periods. Start times are as indicated below. Please register at least one week in advance to secure your copy of the course materials on the day of the seminar.

**Minneapolis – 7/30/12 (Registration 8:30; Replay 9:00)**  
**Minneapolis – 8/22/12 (Registration 8:30; Replay 9:00)**

Minnesota CLE Conference Center  
Seventh Street & Nicollet Mall, Third Floor City Center

**Alexandria – 7/20/12 (Registration 12:45; Replay 1:00)**

Douglas County Courthouse  
305 Eighth Avenue West, Jury Assembly Room

**Duluth – 9/28/12 (Registration 12:30; Replay 1:00)**

Radisson Hotel Duluth—Harborview  
505 West Superior Street

**St. Cloud Area – 11/2/12 (Registration 12:30; Replay 1:00)**  
Minnesota School of Business

1201 Second Street South, Waite Park

### CREDITS

Minnesota CLE is applying to the Minnesota State Board of CLE for **2.0 elimination of bias credits**. The maximum number of total credits you may claim for this course is **2.0**.

### NEW LAWYER SCHOLARSHIP PROGRAM

In recognition of the challenges facing lawyers entering the profession, Minnesota Continuing Legal Education has established a scholarship program for unemployed and underemployed lawyers admitted less than three years. Those wishing to apply for such assistance should contact Grant at 651-254-2111 or [gdavies@minncle.org](mailto:gdavies@minncle.org) for details.

### ACCOMMODATION

If you have a disability and need an accommodation in order to attend this seminar, please contact us as soon as possible at 2550 University Avenue West, Suite 160-S, Saint Paul, MN 55114 or call us at 651-227-8266 or 800-759-8840.

### CANCELLATION POLICY / NO-SHOW POLICY

Paid registrants who cancel their registration at least 3 business days before the program will receive a full credit on their account; if fewer than 3 business days, a \$25 administrative fee will be deducted. The materials for this course will not be made available for sale.

### QUESTIONS?

Please call Minnesota CLE at 651-227-8266 or 800-759-8840 or visit us on the web at [www.minncle.org](http://www.minncle.org).

## REGISTRATION FORM

# RAV v City of St. Paul – Its History and the Legacy on the 20th Anniversary

Monday, June 18, 2012 744-12 | fvh  
Minnesota CLE Conference Center

### PLEASE “✓” APPROPRIATE BOX BELOW:

#### LIVE – 6/18/12

- \$115 MSBA member  \$135 standard rate  
 \$115 paralegal

#### VIDEO –

- \$115 MSBA member  \$135 standard rate  
 \$115 paralegal

Location: \_\_\_\_\_

Date: \_\_\_\_\_

I have a MN CLE Season Pass<sup>SM</sup>.

Pass # \_\_\_\_\_

### NEW LAWYER DISCOUNT!

- I was first admitted to the bar after June 18, 2009, and have deducted \$60 from the registration fee marked above.



Minnesota Continuing  
State Bar Legal Education  
Association

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### TO REGISTER:

**MAIL TO:** Minnesota CLE  
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**GO ONLINE:** [www.minncle.org](http://www.minncle.org)

**OR CALL:** Minnesota CLE at 651-227-8266 or 800-759-8840

# RAV v City of St. Paul – Its History and the Legacy on the 20th Anniversary

On June 21, 1990, a small cross was burned in the front yard of a home at 290 Earl Street in the Dayton’s Bluff neighborhood of St. Paul. Two young men were arrested, one having the initials RAV. The prosecution and subsequent appeals, ultimately to the US Supreme Court, have become one of the most frequently cited and discussed First Amendment cases.

“The result [in RAV] was a Supreme Court decision of landmark dimension, a declaration in favor of more speech rather than less...an opinion that will probably stand as one of the Supreme Court’s most far reaching interpretations of the First Amendment.”

— *New York Times, June 24, 1992*

**Satisfy Your Two  
Hour Elimination  
of Bias Education  
Requirement**

**Monday, June 18, 2012**

Minnesota CLE Conference Center  
Seventh Street & Nicollet Mall  
Third Floor City Center, Minneapolis

*Video replay details on back.*



Minnesota State Bar Association  
Continuing Legal Education  
*Your State Bar at Work for You*

## RAV v City of St. Paul – Its History and the Legacy on the 20th Anniversary

In *RAV* the trial court dismissed the ordinance violation, the Minnesota Supreme Court reversed unanimously, and with Justice Scalia authoring the majority opinion, the US Supreme Court, in a 9-0 vote, struck down the St. Paul hate speech ordinance, stating “St. Paul has sufficient means at its disposal to prevent such behaviour without adding the First Amendment to the fire.”

Of the 150+ Minnesota cases to reach the US Supreme Court, *RAV* is the most often cited and included in law reviews in the state’s history.

Judge Edward J. Cleary, Minnesota Court of Appeals, who was the chief lawyer for the Petitioner *RAV*, Justice David R. Stras, Minnesota Supreme Court, who clerked for Justice Clarence Thomas at the United States Supreme Court, and William J. Wernz, formerly Ethics Partner at Dorsey and Whitney LLP and Director of the Minnesota Lawyers Board will discuss the case, the context in which it arose, and the impact of the decision over the past 20 years.

### SCHEDULE

8:30 – 9:00 a.m. CHECK-IN & CONTINENTAL BREAKFAST

9:00 – 11:00 a.m.

### RAV v City of St. Paul – Its History and the Legacy on the 20th Anniversary

- Judge Edward J. Cleary
- Justice David R. Stras
- William J. Wernz

- **The Historical Context (1983-1990)** – the ordinances threatening free speech and debates of the early 1980’s.
- **The Case (1990-1992)** – the cross burning and subsequent prosecution.
- **The Legacy (1992-2012)** – the fall of speech codes around the country. *RAV* in perspective – 20 years later.

### Take in a great ethics seminar as well!

Take this opportunity to fulfill your CLE ethics requirement as well, by attending the **2012 Minnesota Legal Ethics Summit II** the afternoon of Monday, June 18. Make a day of it; hear great speakers examining today’s most challenging ethical issues. To register, go to: <http://www.minncle.org/seminardetail.aspx?ID=107021201>.

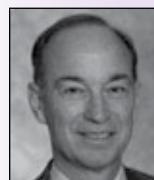
### FACULTY



**Judge Edward J. Cleary** was appointed Judge of the Court of Appeals in November 2011 by Governor Mark Dayton. Previously, he had been appointed by Governor Ventura to the Second Judicial District bench in 2002 and served as Assistant Chief Judge from 2008 until his Court of Appeals appointment. From 1997–2002, he served as the Director of the Minnesota Office of Lawyers Professional Responsibility. For the two decades preceding his appointment to that position by the Supreme Court, he practiced law privately and, from 1980–1995, as a Ramsey County Public Defender. In that capacity, he successfully briefed and argued a First Amendment case in 1992 before the United States Supreme Court (*RAV v. City of St. Paul*, 505 U.S.377 ) and authored an award-winning book on that case in 1994 (*Beyond the Burning Cross*, Random House – American Library Association Obeler Award 1996). He is a past President of the Ramsey County Bar Association and in 1998, the MSBA selected him as the recipient of the Graven Public Service Award. Since 2006, he has been the District Court representative on the Minnesota Sentencing Guidelines Commission, and in 2008, he served on the State Canvassing Board overseeing the Senate recount. He has been an adjunct professor at the University of Minnesota Law School for the past 12 years, teaching professional responsibility and trial practice.



**Associate Justice David R. Stras** joined the Minnesota Supreme Court in July 2010. Prior to his appointment, Justice Stras was a member of the faculty of the University of Minnesota Law School from 2004 through 2010. He taught and wrote in the areas of federal courts and jurisdiction, constitutional law, criminal law, and law and politics. In addition, Stras was co-director of the Institute for Law and Politics at the University of Minnesota. His law review articles have appeared in many academic journals, including the *Cornell Law Review*, *Texas Law Review*, *Georgetown Law Journal*, *Northwestern Law Review*, *Constitutional Commentary*, and the *Minnesota Law Review*. He has also served as of counsel to the law firm of Faegre Baker Daniels LLP in their appellate advocacy group. Justice Stras received his Bachelor of Arts degree, with highest distinction, in 1995 and his Master of Business Administration in 1999 from the University of Kansas. He also received his law degree from the University of Kansas School of Law in 1999, where he served as Editor-in-Chief of the *Criminal Procedure Edition* of the *Kansas Law Review*. While in law school, Stras achieved a number of academic honors, including election to the Order of the Coif. Following law school, Stras clerked for The Honorable Melvin Brunetti of the United States Court of Appeals for the Ninth Circuit and then for The Honorable J. Michael Luttig of the United States Court of Appeals for the Fourth Circuit. From 2001 to 2002, he practiced white-collar criminal and appellate litigation with the Washington, D.C., office of Sidley Austin Brown & Wood. Following his year in practice, he clerked for The Honorable Clarence Thomas of the Supreme Court of the United States.



**William J. Wernz** is an Of Counsel member of the Trial Department at Dorsey & Whitney LLP. He was Ethics Partner and a member of the Trial Department at Dorsey & Whitney LLP in Minneapolis 1992–2009. He practices in the areas of attorney ethics, malpractice and fiduciary law. He is the author of *Minnesota Legal Ethics* (2011), an online treatise, hosted by the Minnesota State Bar Association. From 1985 to 1992 Mr. Wernz was the Director of the Minnesota Lawyers Board. In 1998–99 he was the president of the Association of Professional Responsibility Lawyers, a nationwide group of over 200 lawyers. Mr. Wernz received the Minnesota Lawyer 2009 Outstanding Service to the Profession Award. In 1991 Mr. Wernz received the Minnesota State Bar Association Award of Excellence. In 2003 Mr. Wernz received the Minnesota State Bar Association President’s Award, for his work as chair of the Task Force that proposed changes in the Rules of Professional Conduct. In 2005 Mr. Wernz received the Hennepin County Bar Association Attorney Professionalism Award. Mr. Wernz has been an adjunct professor, teaching legal ethics, at the University of Minnesota and William Mitchell College of Law. Mr. Wernz is a *summa cum laude* graduate (1977) of the University of Notre Dame law school and has a Ph.D. in Religious Studies from the University of Iowa.