

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

**CHAMBERS
JOHN R. TUNHEIM
DISTRICT JUDGE**

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**JUDGE JOHN R. TUNHEIM
Biographical Material**

Judge John R. Tunheim has served for thirteen and one-half years as a United States District Judge since taking his oath of office on December 29, 1995, when he was 41. Upon the recommendation of Senator Paul Wellstone, he was nominated by President Clinton on July 10, 1995 and confirmed by the United States Senate on December 22, 1995. One of seven district court judges in the District of Minnesota, his courtroom and chambers are in Minneapolis and he handles both criminal and civil trials for which the federal courts have jurisdiction. He also occasionally hears cases in Duluth, St. Paul and Fergus Falls. When confirmed, Judge Tunheim was the twenty-ninth individual chosen to serve as a United States District Judge since Minnesota was granted statehood in 1858.

Judge Tunheim served as the Chairman of the U.S. Assassination Records Review Board, an independent federal agency responsible for reviewing and facilitating public disclosure of previously classified government records related to the assassination of President John F. Kennedy. He was nominated to the part-time post by President Clinton in September, 1993 and confirmed by the U.S. Senate in February, 1994, and served as the Board's only chairman during its very successful 4 ½ year tenure, which resulted in a legacy of over 5 million pages of materials concerning the assassination now available to the public at the National Archives in College Park, Maryland. Judge Tunheim lead negotiations with intelligence officials from Russia, Belarus, Cuba and Mexico for release of foreign records. To declassify intelligence and law enforcement records, he was frequently called upon to review current classified operations to determine whether release of older records was appropriate. Judge Tunheim received the James Madison Award in 1999 from the Coalition on Government Information for his work in declassifying intelligence and law enforcement records.

Judge Tunheim has invested a significant amount of time in international rule of law development. His early work in Kosovo helped the United Nations to re-establish and improve the legal system, and ultimately, to restructure the entire judiciary. In 2007-2008, he worked as the principal outside advisor to the process that developed the Kosovo Constitution, including training the constitutional commission, negotiating the final compromises and drafting provisions that established the judicial system, the constitutional court and the intelligence and security sectors. He continues to assist with the process that is establishing procedures for the new constitutional court. Judge Tunheim has also been instrumental in the restructuring of criminal law and procedure in Kosovo, drafting commentary to the new procedure code, and developing a new law that enables negotiated guilty pleas and cooperating defendants. He also developed the highly successful plan to recruit American judges to serve as international judges in Kosovo and he has helped develop

cooperative agreements between American law schools and the University of Pristina Law School.

Judge Tunheim's international work also includes extensive efforts in Uzbekistan in recent years and the development of a good relationship with leaders. His five trips to Uzbekistan have helped the country implement important changes in pretrial criminal procedures intended to significantly improve the human rights record in Uzbekistan. He is currently involved in a major effort to train all criminal court judges in the Republic of Georgia to implement an adversary system and jury trials for criminal cases. He lectures frequently on the International Covenant on Civil and Political Rights and has supervised elections in Kosovo and Macedonia. Judge Tunheim has worked on rule of law development projects, not only in Kosovo, Uzbekistan and Georgia, but also in Russia, Montenegro, Jordan, Hungary, Kazakhstan, Kyrgyzstan, Moldova, and Lithuania. He has frequently hosted foreign judges in the United States, and has twice taught intellectual property law to judges from the Balkan countries. He also helped develop an extensive course on judicial ethics to be taught at the ABA/CEELI Institute in Prague.

He has taught federal and state constitutional law as an Adjunct Professor of Law at the University of Minnesota Law School and is currently serving as a Member of the Board of Visitors at the law school. He was chosen as an Emerging Leader and served as a Mondale Fellow at the Hubert H. Humphrey Institute of Public Affairs at the University of Minnesota in 1992-93. Currently, Judge Tunheim serves as a Member of Dean's Advisory Council at the Humphrey Institute. He is also serving as a Member of the Board of Regents of Concordia College in Moorhead, Minnesota. He is also President of the Norwegian-American Historical Association and a member of the Executive Committee of the Norwegian Nobel Peace Prize Forum.

He has served since 2005 as the Chair of the United States Judicial Conference Committee on Court Administration and Case Management (CACM), a committee with broad jurisdiction for making policy recommendations for the federal judiciary. He has served on the CACM Committee since 2000. He was President in 2007-2008 and is a long time member of the Board of Directors of the American Judicature Society, an organization devoted to justice system improvements in the areas of judicial ethics, merit selection of judges, juror comprehension and avoiding wrongful convictions. Judge Tunheim is also a member and former Board member of the Federal Judges Association, and a member of the Board of Directors of the Minnesota Chapter of the Federal Bar Association.

Prior to his appointment as a federal judge, Judge Tunheim served 9-1/2 years as Chief Deputy Attorney General in the Minnesota Attorney General's Office. As the senior appointed official in Attorney General Skip Humphrey's Office, he was responsible for supervising and directing all operations of the office. Among his duties were the supervision of all legal services, including both criminal and civil litigation, the recruitment and supervision of the office's lawyers, chairing the management team, representing the governor and other top state officials, working with the Legislature, and handling significant constitutional cases. He also served as Minnesota Solicitor General and Manager of the Attorney General's Public Affairs Litigation Division from 1984-1986.

He spent three years in private litigation practice with the St. Paul law firm, Oppenheimer, Wolff, Foster, Shepard and Donnelly from 1981-1984 and served as Law Clerk to Senior U.S. District Judge Earl Larson in Minneapolis in 1980-1981. He is a 1980 *cum laude* graduate of the University of Minnesota Law School where he served as President of the *Minnesota Law Review*. The Minnesota Law Review honored Judge Tunheim in 2006 with its Distinguished Alumni Award for extraordinary contributions to the profession and to society. He is a 1975 *summa cum laude* graduate of Concordia College in Moorhead, Minnesota, and served from 1975-1978 as a Staff Assistant to U.S. Senator Hubert H. Humphrey. In 2004, Concordia College conferred on Judge Tunheim the degree of Doctor of Humane Letters, *Honoris Causa*, and also honored him with its Distinguished Alumni Achievement Award.

Although Judge Tunheim has been on the bench for over thirteen years, he remains one of Minnesota's most experienced Supreme Court advocates. As Chief Deputy Attorney General, Judge Tunheim personally argued three cases before the United States Supreme Court, *Hodgson v. State of Minnesota* (1989), *Perpich v. U.S. Department of Defense* (1990), and *Grove v. Emison* (1992), winning two. While a practicing attorney, he served the United States District Court for the District of Minnesota as a member of both the Federal Practice Committee and the Advisory Committee on Civil Justice Reform.

He is a former Chair and member of the Council of the American Bar Association Division on Government and Public Sector Lawyers, a division he helped establish in 1991, and serves on the Division's Council of Fellows. He now serves as the Division's representative in the ABA House of Delegates and is also a member of the ABA House of Delegates Committee on Drafting. The Government and Public Sector Lawyers Division honored him in August 2003 with its Clair Nelson Award for Excellent Service to the American Bar Association. Through the years, he served the Division as Chair, as Treasurer, as Chair of the Finance, Nominating and International Committees, as Vice Chair, and now as Delegate.

He has served on the American Bar Association Advisory Board for the Central European and Eurasian Law Initiative for the past six years. In addition, he is the Secretary of the Council for the National Conference of Federal Trial Judges in the ABA Judicial Division and serves on the ABA Advisory Committee to the Standing Committee on Election Law. He also served a two-year term as Co-Chair of the Public Law Section of the Minnesota State Bar Association, a section he helped to establish. The Section honored him in 2004 with its Justice Rosalie Wahl Award for Judicial Excellence. He is also currently serving as the Chair of the Standards Task Force on the Prosecution and Defense Function for the ABA Criminal Justice Section, an ABA task force that is responsible for revising the standards governing prosecutors and defense lawyers in criminal matters.

He served as a delegate from the American Council of Young Political Leaders to Russia in December 1991. He was a delegate to the Democratic National Convention both in 1988 and in 1992. He was the first ever recipient of the David Graven Public Service Award from the Minnesota State Bar Association in 1994, an award which is given to the Minnesota lawyer who best exemplifies the high standards of the profession in combination with a commitment to public or

community service. He is the 1991 recipient of the Marvin Award from the National Association of Attorneys General (“NAAG”), annually presented to the most outstanding assistant attorneys general in America. He received the 1988 President’s Distinguished Service Award from NAAG for his work as an editor of the book *Office of Attorney General: Powers and Duties*. He chaired the 1990 and the 1991 Chief Deputies Conferences and conducted frequent management consulting for attorneys general and their staffs throughout the United States.

In 1990, he served as a member of Governor Perpich’s Select Committee on the Impact of Drugs on Crime, Education and Social Welfare. From 1987-1991, he was a member of the Synod Council of the St. Paul Area Synod of the Evangelical Lutheran Church in America. In 1985, he co-chaired the Minnesota State Bar Association/Attorney General Task Force on Legal Advice to Farmers. He served as Chair of the Washington County Planning Advisory Commission from 1989-1992 and as a Member of the City of Stillwater Charter Commission from 1989-1995. He was a founding Board Member and served for nine years on the Board of the St. Croix Valley Community Foundation. He is a former member and Chair of the Board of Directors of Family Service St. Croix, and a former member of the Board of the University of Minnesota Law Alumni Association. He is also a former President of Trinity Lutheran Church in Stillwater, Minnesota, and has been an active youth sports coach in his home community.

He lives in Stillwater, Minnesota, with his spouse, Kathryn, who is President of a Minneapolis marketing and communications firm, Tunheim Partners. They have two adult children, Elizabeth and Samuel. He was born and raised in Newfolden, a small farming community in the prairies of northwestern Minnesota. He has authored a book which is a study of immigration and settlement in northwestern Minnesota called *A Scandinavian Saga* (Lakes Publishing, 1984).