

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CHAMBERS
JOHN R. TUNHEIM
CHIEF DISTRICT JUDGE

300 SOUTH FOURTH STREET
MINNEAPOLIS, MN 55415



CHIEF JUDGE JOHN R. TUNHEIM
Biographical Material

Chief Judge John R. Tunheim has served for over twenty years as a United States District Judge since taking his oath of office on December 29, 1995, when he was 42. Upon the recommendation of Minnesota Senator Paul Wellstone, he was nominated by President Clinton on July 10, 1995 and confirmed by the United States Senate on December 22, 1995. He became Chief Judge of the District of Minnesota, a mid-sized federal district court with seven active judges, five senior judges, nine magistrate judges and five bankruptcy judges, on July 1, 2015. Chief Judge Tunheim's 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, Chief Judge Tunheim was the twenty-ninth individual chosen to serve as a United States District Judge since Minnesota was granted statehood in 1858.

Chief 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, after being recommended by the President of the American Bar Association and confirmed by the U.S. Senate in February, 1994. He 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. Chief Judge Tunheim led 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. Chief 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.

Chief Judge Tunheim has been an active member of the American Bar Association throughout his career. He is a former Chair and former and current 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 served as the Division's representative in the ABA House of Delegates from 2005-2011, was a member of the

Nominating Committee of the ABA and also a member of the ABA House of Delegates Committee on Technology. 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 as Delegate.

He has served twice on the American Bar Association Advisory Board for the Central European and Eurasian Law Initiative and currently is Chair of the CEELI Council and a member of the Board of the ABA's Rule of Law Initiative (ROLI). In addition, he is the former Chair of the Executive Committee of the National Conference of Federal Trial Judges in the ABA Judicial Division and served on the ABA Advisory Committees to the Standing Committee on Law and National Security and 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 also served from 2006 - 2015 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 was responsible for revising the standards governing prosecutors and defense lawyers in criminal matters. He currently serves as the Minnesota State Co-Chair of the ABA Fellows for which he received the Outstanding State Chair Award in 2016 and has also been a member of the ABA's National Jury Commission.

Chief 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. In 2011-2012, he directed the process to consider whether the Kosovo Constitution should allow for the direct public election of the Kosovo President. He continues to assist with the development of the Kosovo Constitutional Court, drafting rules of procedure with the Court, devising a code of conduct for the Court and leading extensive training efforts. Chief Judge Tunheim has also been instrumental in the restructuring of criminal law and procedure in Kosovo, drafting commentary to a new procedure code, and developing a law that enabled 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 is now developing a mentoring partnership between the Kosovo Chamber of Lawyers and the Minnesota State Bar Association.

Chief Judge Tunheim's international work also includes extensive efforts in Uzbekistan in recent years and the development of a good relationship with leaders. His nineteen trips to Uzbekistan have helped the country implement important changes in pretrial criminal procedures intended to significantly improve the human rights record in Uzbekistan and to train prosecutors and judges. He has been 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 and has been working with select criminal court judges on improving the handling of complex criminal terrorism

trials. He has traveled to Abu Dhabi to assist the United Arab Emirates in restructuring the subject matter jurisdiction of the courts and has worked with the legal system leaders in Bahrain to develop modern sentencing practices... He lectures frequently on the International Covenant on Civil and Political Rights and has supervised elections in Kosovo and Macedonia. Chief Judge Tunheim has worked on rule of law development projects, not only in Kosovo, Uzbekistan and Georgia, but also in Russia, Montenegro, Jordan, Hungary, Bulgaria, Macedonia, Kazakhstan, Kyrgyzstan, Moldova, Lithuania, Nepal, Tunisia and Ukraine. He has frequently hosted foreign judges in the United States, most recently judges from Georgia, Kosovo, Kyrgyzstan and Uzbekistan, and has twice taught intellectual property law to judges from the Balkan countries. He also works closely with the CEELI Institute in Prague, where he has annually moderates the conferences of a network of young eastern European judges. He also works with the U.S. Department of Commerce's Commercial Law Development Program in helping foreign countries develop effective bar associations and enforce intellectual property laws.

Chief Judge Tunheim is currently involved in a project with the United Nations Executive Directorate on Counter Terrorism. The team is working with police, prosecutors and judges in eight South Asian countries (Pakistan, India, Afghanistan, Bangladesh, Sri Lanka, Bhutan, Nepal, and the Maldives) to become fully prepared to handle fairly and effectively terrorism cases. He has worked with judges from the region in Nepal, Pakistan, Singapore, Thailand and the Maldives. He has begun working with judges from the Balkan countries on developing skills for effective handling of terrorism cases, conducting workshops for Kosovo and Albania judges and developing a regional conference on counterterrorism with the CEELI Institute in Prague.

Chief Judge Tunheim serves as an elections expert for the International Foundation for Electoral Systems (IFES) on elections throughout the world. In July 2013, he led an extensive review of the election dispute resolution processes in Dhaka, Bangladesh and conducted election training in the Maldives in February 2014 and Myanmar in June 2016.

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 Advisory Council at the Law School. He was chosen as an Emerging Leader and served as a Mondale Fellow at the Hubert H. Humphrey School of Public Affairs at the University of Minnesota in 1992-93. Chief Judge Tunheim currently serves as the Chair of the Dean's Advisory Council at the Humphrey School. He is Past Chair of the Board of Regents of Concordia College in Moorhead, Minnesota, and served on the Board for eleven years. He is a Past President of the Norwegian-American Historical Association, Chair of the Board of the Oslo Center for Peace and Human Rights – US Foundation, and a member of the Board of Trustees for the Oslo Center for Peace and Human Rights – Norway.

Chief Judge Tunheim currently serves on the Judicial Council for the Eighth Circuit. He served from 2005–2009 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 served on the CACM Committee from 2000-2009. He currently serves the Judicial Conference as one of the leaders of the development of a

new electronic filing system for the federal courts. He also served as a member of the Executive Committee's Committee on Long Range Planning. Chief Judge Tunheim was President in 2007-2008 and was 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. Chief 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. He has also frequently presented at District Judge training workshops for the Federal Judicial Center on the topics of handling terrorism cases and other complex litigation and use of technology.

Prior to his appointment as a federal judge, Chief 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 Chief 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 Chief Judge Tunheim the degree of Doctor of Humane Letters, *Honoris Causa*, and also honored him with its Distinguished Alumni Achievement Award. In 2010, the Board of Regents of the University of Minnesota voted to honor Chief Judge Tunheim with its Outstanding Achievement Award, an award rarely given.

Although Chief Judge Tunheim has been on the bench for over twenty years, he remains one of Minnesota's most experienced Supreme Court advocates. As Chief Deputy Attorney General, Chief 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 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 and Marine on St. Croix, Minnesota, with his spouse, Kathryn, who is President of the Minneapolis marketing and communications firm, Tunheim. They have two adult children, Elizabeth, a marketing specialist, and Samuel, a lawyer, and one granddaughter, Isabel. 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).