

# Meet Our Top 2022 Authors: 5 Articles and a Series Worth Another Look

Each year, the Communications Committee, which serves as the Editorial Advisory Board for *Wisconsin Lawyer* magazine, recognizes writing excellence. The Hon. Charles Dunn Author Award is named in honor of Wisconsin's first supreme court chief justice. On April 30, 1836, President Andrew Jackson commissioned Charles Dunn as chief justice of the Wisconsin Territory. Dunn continued in this office until the territorial courts were superseded by the state courts in 1848. He was a member of the 1848 Wisconsin Constitutional Convention, where he chaired the judiciary committee.

The 2022 Charles Dunn Award goes to Kelsey Mullins, who authored the article "Highlighting a Hidden Legal Issue: Transnational Marriage Abandonment." The committee also recognized several authors of individual articles and the authors of a series of articles on Wisconsin water law who went above and beyond to pen excellent articles in 2022. The other articles deserving "special commendation" for writing excellence are also noted.



## Best of the Best: Protecting Vulnerable Individuals

**Article:** "Highlighting a Hidden Legal Issue: Transnational Marriage Abandonment" (Nov. 2022)

**Award:** Hon. Charles Dunn Author Award

**Author:** Kelsey Mullins

**Judges' comments:** Our state's immigrant and refugee communities face unique legal challenges. This article's explanation of transnational marriage abandonment highlighted an issue all Wisconsin lawyers should be aware of and gave us some practical tips on how to use legal strategies to empower survivors.

Mullins, U.W. 2021, practices law with End Domestic Abuse Wisconsin in Madison. She focuses on legal issues affecting survivors of domestic violence, in particular immigrant survivors and survivors of human trafficking.

## Articles Deserving Special Commendation



**Article:** "Jim Shellow and the Importance of Mentorship" (April 2022)

**Award:** Special Commendation

**Author:** Joseph A. Bugni

**Judges' comments:** Attorney Jim Shellow has left his mark on the legal world

through his advocacy, but thanks to his mentorship of others, his legacy goes far beyond that. This article is an important reminder of the benefits of finding a great mentor and then becoming one yourself.

Bugni, Ave Maria School of Law 2006, is a public defender with Federal Defender Services of Wisconsin Inc., based in Madison.



**Article:** "Family Drug Treatment Court: A Boost to Families in Children's Court" (Oct. 2022)

**Award:** Special Commendation

**Author:** Hon. Thomas J. Walsh

**Judges' comments:** This is not the first

time Brown County Circuit Court Judge Thomas J. Walsh has been recognized for his contributions to *Wisconsin Lawyer*, and we hope it is not the last. His thoughtful exploration of the

problems that arise as more and more Wisconsin children are removed from parents with substance use disorders and his suggestion that a treatment court model could help these families reunify are certainly food for thought.

Walsh, Hamline 1992, is a Brown County Circuit Court judge.



**Article:** "Biometrics Outside Borders: Privacy Protection Acts and Wisconsin Lawyers" (Nov. 2022)

**Award:** Special Commendation

**Author:** David P. Hollander

**Judges' comments:** As more states pass

laws like Illinois's Biometric Information Privacy Act (BIPA), attorneys must be prepared to advise their clients about ways to protect themselves and their data. This article provides a practical overview as well as practice tips we can all use as fingerprints, face scans, and other biometric information become the subject of litigation.

Hollander, U.W. 2017, is an attorney with Stafford Rosenbaum LLP, Madison. He practices commercial litigation with a focus on business disputes, real estate and construction, political law, and intellectual property litigation.

## MEET OUR CONTRIBUTORS

**Article:** “The Imperfect Victim & Defamation Suits” (Dec. 2022)

**Award:** Special Commendation

**Authors:** Amanda R.R. Mayer, Megan E. Lee, Patrick Nicholas Barker Shirley, Kayleigh Cowan, Alexis Bauer

**Judges’ comments:** Written in response to the attention generated by the defamation trial concerning Amber Heard’s statements about Johnny Depp, this article brought a Wisconsin perspective to a legal issue that generated national headlines.

Amanda R.R. Mayer, Marquette 2012, is the legal projects director for Judicare Legal Aid in Wausau. Megan E. Lee, Michigan State 2019, is the communications and development director at Judicare Legal Aid in Wausau. Patrick Nicholas Barker Shirley, U.W. 2018, is a staff attorney with Legal Action of Wisconsin Inc. in Madison. Kayleigh Cowan is a U.W. Law School student. Alexis Bauer is a Marquette University Law School student.



MAYER



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BAUER

## Water Law Series: Articles

**Series Award:** Special Commendation

**Judges’ comments about the series:** The year-long water law series highlighted legal issues that impact us all – no matter what sort of law we practice. Each article complemented the others, while highlighting the wide-ranging issues related to water. We think this series will be a resource for Wisconsin lawyers for many years to come. The committee especially commends Paul Kent for his assistance in helping *Wisconsin Lawyer* editors narrow the issues and recruit authors.



**Article:** “Water, Water Everywhere: 50 Years of the Clean Water Act and Beyond” (April 2022)

**Author:** Paul G. Kent

**Comment:** Wisconsin has the third highest number of natural lakes of U.S. states but keeping these and other water resources clean and equitably available for all users is a challenge that increases by the day. Learn here about the basics of Wisconsin’s water laws and the issues that are catalysts for disputes about water use.

Kent, U.W. 1981, practices with Stafford Rosenbaum LLP, Madison, in administrative and local government law and environmental law. He has taught environmental law and practice at the U.W. Law School since 1989. He is a member of the State Bar of Wisconsin’s Administrative & Local Government Law Section, Environmental Law Section, and Senior Lawyers Division. He is the author of *Wisconsin Water Law in the 21st Century*.



KENT



O'BRIEN



HAMES

**Article:** “The Challenge of Wisconsin’s Water Abundance: Managing Stormwater in a Watershed Context” (May 2022)

**Authors:** Paul G. Kent, Erin O'Brien & Tracy Hames

**Comment:** To effectively manage stormwater quantity and quality, we need to do so in the context of watersheds and hydrologic processes rather than as a series of discrete issues and programs.

O'Brien is policy programs director for the Wisconsin Wetlands Association (WWA), Madison. WWA is a science-based nonprofit organization focused on wetlands conservation. Hames is executive director for WWA.

**Article:** “Plugging the Holes in Wisconsin’s Groundwater Policy”

(June 2022)

**Author:** Prof. David A. Strifling

**Comment:** Separate laws on groundwater and surface water withdrawal

and the lack of a fully integrated regulatory scheme for high-capacity wells have more often led to conflict and uncertainty than to clarity. Wisconsin’s groundwater management regime is developing but still has gaps. The author discusses groundwater quantity and quality, the public trust doctrine, and interstate disputes.

Strifling, Marquette 2004, is the director of the Water Law and Policy Initiative at Marquette University Law School, Milwaukee.





**Article: “Water Law Perspectives from the West”** (July/August 2022)

**Author:** Gregor MacGregor

**Comment:** Understanding the backdrop of scarcity, the perceived stability surrounding property rights, and the value of water in a dry land will help Wisconsin lawyers learn from the western United States and their residents.

MacGregor, University of Colorado 2019, is a water attorney focused on environmental justice and agricultural land preservation. He is director of the Acequia Assistance Project, a pro bono legal service organization assisting traditional Hispanic farmers in southern Colorado. He also teaches the University of Colorado Law School’s field seminar, taking students and subject-matter experts rafting through the Grand Canyon as a floating symposium.

**Article: “The Public Trust Doctrine: Managing Navigable Waters in the Public Interest”** (Sept. 2022).

**Author:** Larry A. Konopacki

**Comment:** Wisconsin’s navigable waters are one of the state’s most valuable resources. The public trust doctrine plays a significant role in ensuring that they are managed in the public interest for all state residents and U.S. citizens.

Konopacki, U.W. 2005, has a broad legal practice including environmental law and is a partner with Stafford Rosenbaum LLP, Madison.



**Article: “This Land is Your Land: Keeping Public Trust Lakebeds and Riverbeds Open for the Public”** (Sept. 2022)

**Author:** Michael Cain

**Comment:** Wisconsin’s navigable waters, lakebeds, riverbeds, and shorelines are subject to the state’s public trust doctrine. The author explains the doctrine and how tools developed by the state are used to protect these public riches.

Cain, U.W. 1976, is retired from the Wisconsin Department of Natural Resources, where he was the lead attorney in the wetland and surface water regulatory program. He was involved in drafting and developing laws and regulations protecting Wisconsin’s waters under the public trust doctrine and was the lead attorney for enforcement and litigation of these programs.

**Article: “Water Law in Native Nation Territories”** (Oct. 2022)

**Author:** Prof. Richard A. Monette

**Comment:** Indian water rights law is complex, meandering through federal Indian law and several relatively distinct



but interrelated legal doctrines. The likelihood of more disputes about water quality and quantity makes it especially important for lawyers in Wisconsin, home to several Indian tribes, to understand the relevant legal doctrines and concepts.

Monette joined the University of Wisconsin law faculty in 1992, where he has also served as the faculty director of the Great Lakes Indigenous Law Center. He has taught water rights law for 25 years and has served as consultant on water negotiations for several tribes. He is an enrolled member of the Turtle Mountain Band of Chippewa, for whom he was twice elected chair and CEO. He has served as staff attorney for the U.S. Senate Committee on Indian Affairs and as director of the Office of Congressional Relations in the Bureau of Indian Affairs.

**Article: “Water Quality Challenges: Nonpoint Sources and Emerging Contaminants”**

(Oct. 2022)

**Authors:** Vanessa Wishart & Jane Landretti

**Comment:** Many water quality problems exist because a substance that was unknown or seemed harmless decades ago now is recognized as a pollutant. In the 21st century, state legislators and regulators and nongovernmental entities have devised ways to prevent or minimize pollution that previously was unfettered.

Wishart, U.W. 2012, is a partner at Stafford Rosenbaum LLP, Madison. She practices in environmental law, including water and wastewater utility work, remediation and redevelopment, and land use.

Landretti, Drake 2004, practices with Stafford Rosenbaum LLP, Madison, in environmental, administrative, and local government law. She was previously chief legal counsel at the Department of Agriculture, Trade and Consumer Protection and a staff attorney at the Wisconsin Department of Natural Resources and the Wisconsin Department of Transportation.



WISHART



LANDRETTI

**Article: “Riparian Rights in Wisconsin”**

(Nov. 2022)

**Author:** Mary Beth Peranteau

**Comment:** Disputes about use of and access to water regularly occur in Wisconsin and will continue to do so, especially as rainfall becomes less predictable. An understanding of riparian rights, rights attached to ownership and use of property adjacent to bodies of water, is essential for lawyers in all parts of the state.

Peranteau, U.W. 1996 cum laude, is an attorney and officer at Fredrikson & Byron P.A., Madison. Her practice focuses on real estate, land use, property rights disputes, and water law.



## MEET OUR CONTRIBUTORS

**Article:** “Federal Funding and Wisconsin’s Water Infrastructure” (Dec. 2022)

**Authors:** Melissa K. Scanlan & Misbah Husain

**Comment:** Acknowledging and rectifying harm caused to disadvantaged communities are key to environmental justice in the 21st century. With the help of Congress, Wisconsin and other states are trying to improve water infrastructure, especially in communities with high populations of low-income or non-white residents.

Scanlan, Univ. of California-Berkeley 1999, is the Lynde B. Uihlein Endowed Chair in Water Policy and director of the Center for Water Policy at the U.W.-Milwaukee School of Freshwater Sciences and an affiliate faculty member at the U.W. Law School. She is a member of the State Bar of Wisconsin’s Environmental Law Section.

Husain previously worked as a water policy specialist at the Center for Water Policy, U.W.-Milwaukee School of Freshwater Sciences.



SCANLAN



HUSAIN

### Water Law Series: Legal Resources

The committee particularly commends Jenny Zook, the reference & instructional services librarian at the U.W. Law Library, for her leadership in writing and recruiting authors for these water law-related legal resource articles.

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Go viral.**

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**Articles:** “Researching Wisconsin Water Law” (May 2022); “Researching Federal and State PFAS Regulations” (Oct. 2022); “Researching Riparian Rights” (Nov. 2022); “Researching the Great Lakes Compact” (*InsideTrack*, Dec. 21, 2022).

**Author:** Jenny Zook

Zook is the reference & instructional services librarian at the U.W. Law Library. She is chair of the Public Relations Committee and past president of the Law Librarians Association of Wisconsin, a chapter of the American Association of Law Libraries.

**Article:** “Researching Stormwater and Flood Management” (July/August 2022)

**Author:** Carol Hassler

Hassler is a law librarian at the Wisconsin State Law Library. She is a member of the Law Librarians Association of Wisconsin.



**Article:** “Researching Public Trust Doctrine Resources” (Sept. 2022)

**Author:** Elana Olson

Olson, William & Mary Law School 2001, is director of the Ray & Kay Eckstein Law Library and an adjunct professor of law at Marquette University Law School, Milwaukee. **WL**