

A BOOK DISCUSSION GUIDE

for *MILES LORD: The Maverick Judge Who Brought Corporate America to Justice* by Roberta Walburn

PRAISE FOR THE BOOK

“An intimate, compelling portrait of a courageous and exceptional man who believed in justice and never backed down.”

—JONATHAN HARR, author of *A Civil Action*

“Miles Lord set a new standard for judicial courage by speaking truth to power and fighting for the rights of the downtrodden. He shook up the system—and we’re all in his debt for that.”

—WALTER MONDALE

“Roberta Walburn has written a brilliant biography for our time. The personal behind-the-bench insights superbly illuminate Miles Lord’s legendary moral backbone and remind us of the urgent need for courageous judges prepared to confront corporate greed and cover-up, as government oversight is curtailed.”

—PETER PRINGLE, author of *Big Tobacco at the Bar of Justice*

“This long-overdue biography of Miles Lord, the Iron Ranger Hubert Humphrey once lauded as ‘a people’s judge,’ puts his legacy in context as it recalls his work fighting corruption and pollution, standing up for women and gender equity in sports, and looking out for ‘the little guy.’ This is storytelling—and high drama—at its best.”

—JOHN BESSLER, University of Baltimore School of Law, author of *The Birth of American Law*

“Every student of history and lover of justice should read this book. Judge Lord’s biography could have no better author than his clerk, Roberta Walburn, who is also a champion of justice and has fought corporate malfeasance all her professional life.”

—LINDA LIPSEN, chief executive officer, The American Association for Justice

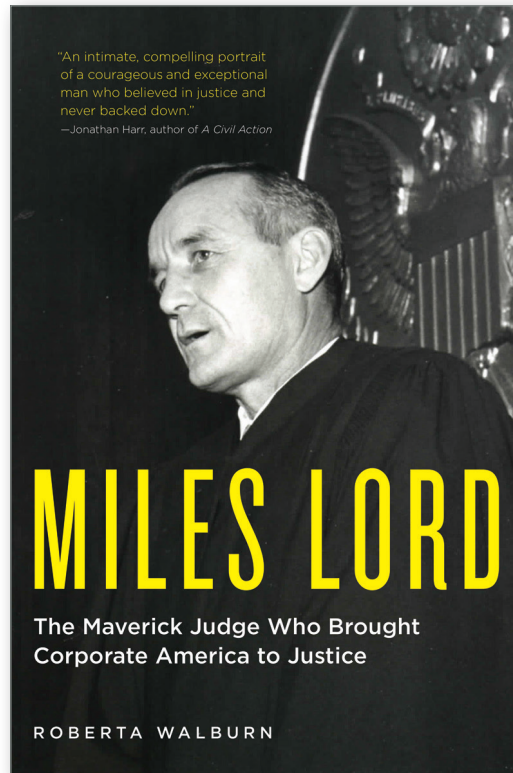
ABOUT THIS BOOK

This is the story of Miles Lord (1919–2016), who rose from humble beginnings on Minnesota’s Iron Range to become one of the most colorful and powerful federal judges in the country, described as “an unabashed Prairie populist” and “a live-wire slayer of corporate behemoths.” He cut a wide swath through history on his path to the bench, coming of age alongside a cadre of young Midwestern social-gospel progressives, including Hubert H. Humphrey, Eugene McCarthy, and Walter Mondale, in their days before national fame. Once on the bench, he reshaped jurisprudence with precedent-breaking rulings—on issues ranging from women’s rights to consumer protection to education reform—and breaking trail when he ordered the shutdown of the Reserve Mining Company, which was spewing its waste into Lake Superior, in the most sensational trial of the early environmental era.

Another of Judge Lord’s milestone cases—and interlaced as a centerpiece narrative of this book—involved the Dalkon Shield intrauterine device, which caused horrific infections in thousands of women that resulted in infertility and sometimes death. Author Roberta Walburn served as the judge’s law clerk during that litigation in 1983–84, and she provides both an insider’s view and an in-depth chronicle of what was called “one of the most disastrous episodes of American corporate misconduct.” In the end, more than 200,000 women received nearly \$3 billion in compensation, and the Fortune 500 defendant was left in ruins. But Judge Lord was hauled up on judicial misconduct charges for his no-holds-barred actions that were certainly provocative but also stand as a timely reminder, even (or especially) today, of the challenges in balancing the scales of justice for a legal system that too often skews to the rich and powerful.

DISCUSSION QUESTIONS

1. How does a judge's background influence his or her rulings? How did it influence Judge Lord?
2. How do the economics of the law—and the disparity in financial resources available for hiring attorneys—affect the quality of justice?
3. Should the playing field be leveled in our legal system to put all parties on equal footing? If so, what is the best way to best achieve this result and what is the proper role of a judge in accomplishing this? How did Judge Lord view his role?
4. Is there a difference between what is right from a legal perspective versus what is right from a moral perspective? If so, how should the conflict between these two values be addressed?
5. What is the proper role of attorneys in the legal system? How should attorneys balance their duty of loyalty to their clients versus their duty to serve as “officers of the court”? What examples of these conflicting loyalties did you see in the book?
6. What are the causes of delays in our legal system? How can those delays be minimized?
7. What is the importance of document discovery in pretrial proceedings? How did it impact the Reserve Mining and Dalkon Shield cases?
8. What lessons can be drawn from the Dalkon Shield and Reserve Mining cases?
9. What is the proper role of the legal system in promoting societal change? How does it compare with the other two branches of government, the legislative and executive branches?
10. Given their lifetime tenure and the protections of Article III of the Constitution, when and how should federal judges be disciplined? What are your views on the judicial misconduct proceedings that were brought against Judge Lord?
11. What would be Judge Lord's impact if he were on the bench today?



ABOUT THE AUTHOR

Roberta Walburn is an attorney based in Minneapolis, Minnesota, where she has practiced law for more than twenty-five years, focusing on complex civil litigation. She has been named as one of the most influential members of the legal profession in state history and recognized by the University of Minnesota for “shaping the legal landscape for the benefit of society.” Previously, she worked as a reporter for the *Minneapolis Star Tribune* and *Buffalo (N.Y.) Evening News* and as a legislative assistant to U.S. Senator Paul Wellstone, as well as serving as a law clerk to U.S. District Judge Miles Lord. **She has been a frequent lecturer/guest teacher and is available to appear in person or via Skype at college and law classes and other educational forums. Contact: robertawalburn@comcast.net.**

MORE INFO:

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