

C. Donald Peterson dies at 69; served on state Supreme Court

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Former Minnesota Supreme Court Justice C. Donald Peterson, who served on the state's highest court for 19 years, died Saturday at his home in Edina. He had battled lymphoma since 1969.

Peterson, 69, was in private law practice for more than 25 years - as well as a member of the state Legislature - before joining the Supreme Court in January 1967.

Among his fellow justices he was known as quick-witted and persuasive, a gentleman who took a great deal of pride in the court but knew when to tell a joke to break the tension.

"He was a deep thinker, a man who recognized that times change, and as times change, conditions change," said Chief Justice Douglas Amdahl. "(When he) became convinced that his thinking originally was in error (he) was willing to learn anew and mend it. And by the same token he would never let any of us get away with any lightly disposed of, or lightly considered, matters."

Retired Justice James Otis, who served on the court with Peterson for 15 years, said that while they often agreed on issues, they sometimes strongly disagreed:

"Judge Peterson some years ago wrote an opinion and, when he circulated it, it

appeared that a majority of the court didn't agree with it. So he rewrote it and issued it again, reaching the opposite conclusion. I agreed with the original opinion he wrote and not with the revision, so I used his original opinion verbatim as my dissent. It's the only case in history, as far as I know, where one judge wrote both the prevailing opinion and the dissenting opinion."

Carl Donald Peterson was born Feb. 2, 1918, in Minneapolis, the youngest of 10 children. He graduated cum laude from the University of Minnesota and in 1941 graduated with honors from the University of Illinois law school. The next year he was inducted into the Army Air Force and emerged from World War II with a Bronze Star and U.N. Medal.

He also served as a U.S. Air Force representative on the U.S.-Japan Commission on Legal Jurisdiction under the security treaty between the two countries.

In 1959, Peterson ran successfully for the Minnesota House of Representatives, where he served until 1963. During his first term fellow legislators voted him "the most promising of the first-termers."

He also ran for lieutenant governor in 1962 with Gov. Elmer L. Andersen, who lost by a close margin to Karl Rolvaag.

Peterson was once again in private law practice when he was elected to the state

Supreme Court in 1966. He was the last justice to reach the office by popular election. Most are appointed by the governor first, then elected to additional terms.

He retired in January 1986 for health reasons.

Peterson's wife, Gretchen, is a descendant of the Ard Godfrey pioneer family. His daughter, Barbara, was named Miss U.S.A. in 1976. His daughter, Polly, was Miss Minnesota U.S.A. in 1981. Today, Polly is an attorney with Faegre & Benson law office in Minneapolis. Barbara is director of public relations with the Xerxes Corp. in Bloomington.

Surviving are his wife, his children, Barbara Peterson Burwell of Orono; Todd of Minneapolis, and Polly Peterson Bowles, Mark and Scott, all of Edina.

Services are pending. Arrangements are by Werness Brothers Funeral Chapel, 3500 W. 50th St.