

Nevada; and the more-recent attempt in 2016 by the Bundy family and its armed followers to seize control of the Malheur National Wildlife Refuge south of Burns.

She worked at the BLM and Interior Department during the lead-up to the 2014 standoff in Bunkerville, in which heavily armed supporters of the family prevented federal employees from seizing cattle that had been grazing on public land without the payment of grazing fees. In the end, the government backed off.

“We needed to do more work,” she says of the standoff. “We had a court order that [Bundy] was in trespass. But it was an old order.”

The government also needed to work more closely with the local sheriff and with state authorities, she says.

In the end, that conciliatory approach failed, she admits. “We did all that work. It still turned into a disaster,” Burke says. “I didn’t anticipate the number of people who would turn out to support the Bundys. The family owed almost a million dollars in grazing fees to you and me, the taxpayers.”

Burke is not exactly a populist on land-use matters. In 2009, she published a paper titled “The Emperor’s New

Clothes: Exposing the Failures of Regulating Land Use through the Ballot Box” in the *Notre Dame Law Review*.

“My concern was that land-use issues — you can take Malheur refuge as an example — are very complicated and complex,” she says. “They don’t seem to be appropriate for yes/no decision making.”

But then, like the good lawyer she is, Burke qualifies that statement. Actually, she says, a yes/no decision ultimately does have to be made — sometimes even at the ballot box — but that decision should culminate a longer-term process of examining goals and presenting alternatives, so that the final decision is well informed.

“But you can’t expect voters to research every single ballot initiative.”

Burke got the idea of becoming a lawyer from watching *Perry Mason* on television as a child growing up in Raleigh, N.C., the daughter of two public school educators.

“I liked what I saw,” she says. “Even knowing now that television wasn’t a very realistic depiction of law. It was that sense of righting wrongs, the idea that I could bring my skills to bear to help people.”

Burke, an African-American, will oversee a law school community that was deeply divided last year when a white law professor dressed herself in blackface for a Halloween party at her own home to which law school students were invited.

The professor later said she was trying to make a point about racism; some at the law school called for her to be fired.

“‘Unfortunate’ is probably as good a word as any to describe it,” Burke says. “I am sorry the law school community had to go through the experience that it did. Some people feel that not enough was done. Some say too much was done.”

Burke is looking forward rather than back. “How do we make sure the law school is a place where people are free to express themselves, and where people still feel respected?” she says.

At the law school, Burke says she’s still in the “listening and learning phase of my deanship,” talking with people, taking the pulse of the community.

At this point, you might say, she’s still singing in the choir. Any minute, though, you can expect her to step forward and sing solo.

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