

FRANK A. BARNARD
Res. 612-843-3212
RICHARD H. HILLEREN
Res. 612-842-6461
KENNETH C. SPATES
Res. 612-842-9023
MARK E. TRACY
Res. 612-843-3053

BARNARD, HILLEREN & SPATES
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OFFICE OF
APPELLATE COURTS
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WAYNE TSCHIMPERLE
CLERK

To the Honorable Supreme Court of the State of Minnesota,
State Capitol,
St. Paul, Minnesota.

Your Honors:

I have contacted several of our Legislators and they agree with me without exception that your requirements under the Continuing Legal Education program should be changed at least for the benefit of the elderly and semi-retired lawyers and the changes would be better acceptable by lawyers and the public if made by you instead of by legislation.

In less than a month I will have been admitted to the Minnesota Bar for fifty years and have practiced in Benson for over forty-five years, being in Wadena for two years prior to coming to Benson and with the Federal Land Bank prior thereto. In 1976 we had a total loss by fire in my office causing me to lose all of my notes, records, beautiful library and equipment. During the past four to five years we have had considerable sickness in our family. My wife, of over fifty years, is confined to a nursing home over twenty-five miles from her. She entered there in March of 1982. She has taken most of my time as I feel obligated to try to be with her at least every other day or daily as she is so discouraged living in a rest home even though she knows she needs the nursing care provided there and that she is unable to live at home even with efficient help if it were available which is not the case in such a small town as Benson at any price.

The above has forced me to sever practically all relations with my office and therefore draw no income therefrom. Yet I still have a very few old clients who insist on coming to only me for advice or to handle some simple legal question or matters. As long as my wife lives

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The Supreme Court.

I see no change in my situation. Therefore I find it completely impracticable and unjustified for me to spend the large sums necessary to attend the Seminars of the C. L. E. The fee and other large expenses to make the nearly three hundred mile trip to each seminar is a burden that I can not continue to carry. Still I abhor the idea of telling the public that I can not give legal advice or do any legal work as I have had my right to do so terminated.

When I attended my fiftieth class reunion last year at the William Mitchell College of Law there were only four of my classmates there and one could not attend so it would not mean anything to other lawyers if you gave us consideration as is done by so many businesses and the governments. A great many people greatly recognize our predicament as we grow older.

My request is that you consider terminating the rules requiring C. L. E. credits and payment of the Bar membership for those of us over sixty-five, seventy or seventy-five years of age and who have practiced forty, forty-five or fifty years. If we were required to purchase for a reasonable sum the material given out at the Seminars to cover the forty-five required credits, some of us could consider such expense and would agree to keep the material to ourselves and any tape of the Seminar if made available to us. Not until you are in such a situation can you fully appreciate how one must guard his estate for an unpredictable future in these times.

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I know you are all very busy and I have hated to impose on your precious time by writing such a letter as this to you, but the time is short in the last few months for the action I hope you will make as I am in Group III which terminates in June if something is not done unless you would make it retroactive. My obituary will not seem complete to my heirs and friends if it can not show that I was a lawyer until I died.

My father was L. D. Barnard of Kenville and he practised until he became disabled. He died as a fullfledged member of the bar in 1954. He never finished law school and never had the privilege of attending a Seminar. My brother, George L. Barnard, and I were happy to follow in his footsteps and my father was proud of us. The Minnesota reports during his active years prove by the cases in each volume during that he was very successful.

I would greatly appreciate hearing from at least one of you after you have all considered the contents of this letter.

Thanking you in advance,
Sincerely submitted,

Frank A. Barnard
1125 Homewood Dr., Benson, MN.