

STATE OF MINNESOTA
IN SUPREME COURT
51882

SUPREME COURT
FILED

FEB 17 1981

JOHN McCARTHY,
CLERK

IN RE HEARING ON THE
CREATION OF A NEW
ELEVENTH JUDICIAL DISTRICT.

O R D E R

WHEREAS, the Supreme Court conducted a hearing on December 19, 1980, on a petition of the Judicial Planning Committee recommending the creation of a new Eleventh Judicial District, thereby reducing the Seventh and Tenth Judicial Districts, and

WHEREAS, the Supreme Court has concluded that while the recommendation contains much merit, it is not feasible at this time for the following reasons:

1. The entire redistricting effort statewide was conducted pursuant to various guidelines promulgated by the special supreme court redistricting committee in 1977, one of which was that county court redistricting be conducted within an existing district court judicial district's boundaries.
2. There continues to exist broad opposition within both the Seventh and Tenth Judicial

Districts to altering existing district lines of those districts.

3. Altering district court boundaries raises a question of the authority of this court to assign existing district court judges to a new judicial district absent specific legislation.
4. There is no provision in existing law allowing appointment of a new district court administrator and supporting staff to administer any new judicial district that might be created, nor are there funds to finance those administrative efforts absent legislative appropriation, and

WHEREAS, this court has determined not to refer the question of redistricting within existing district court lines back to the special committee of the Judicial Planning Committee, which three times has proposed as a solution the creation of a new judicial district, and which has not suggested any alternative, and

WHEREAS, the Supreme Court has drafted its own alternate plan for county court districts within the existing Seventh and Tenth Judicial Districts of the district court, and that plan is as follows:

1. The following county court districts already approved in the western portion of the Seventh Judicial District by court order dated,

October 18, 1979, would continue in effect:

District A - Counties of Clay, Becker
and Ottertail;

District B - Counties of Douglas,
Todd and Wadena.

2. New county court districts in the Eastern portion of the Seventh Judicial District consisting of the following counties or portions thereof would be created:

District C - Counties of Stearns and Benton plus the entire city limits of the City of St. Cloud, Minnesota;

District D - Counties of Mille Lacs and Morrison.

3. The county court districts within the Tenth Judicial District would consist of the following:

District A - All of Anoka County;

District B - All of Washington County;

District C - Wright and Sherburne Counties;

District D - Pine, Isanti, Chisago and Kanabec Counties.

Chambers of existing judges would be set in those county seats where chambers currently exist unless following a public hearing said chambers are altered by court order.

WHEREAS, the Supreme Court wishes to allow public testimony on this redistricting plan,

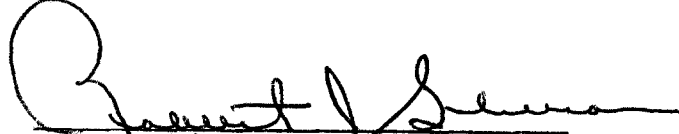
NOW, THEREFORE, IT IS HEREBY ORDERED that a hearing on the above plan shall be held in the Supreme Court Chambers in the State Capitol, Saint Paul, Minnesota, at 9:30 a.m. on Friday, April 17, 1981.

IT IS FURTHER ORDERED, that advance notice of the hearing be given by the publication of this order once in the Supreme Court edition of FINANCE AND COMMERCE, ST. PAUL LEGAL LEDGER, and BENCH AND BAR.

IT IS FURTHER ORDERED, that interested persons show cause, if any they have, why the proposed redistricting plan should not be adopted. All persons desiring to be heard shall file briefs or petitions setting forth their objections, and shall also notify the Clerk of the Supreme Court, in writing, on or before April 10, 1981, of their desire to be heard on the matter. Ten copies of each brief, petition, or letter should be supplied to the Clerk.

DATED: February 17th, 1981.

BY THE COURT:


Chief Justice