

STATE OF MINNESOTA
IN SUPREME COURT

#51882

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

PETITION

The undersigned do hereby whole heartedly support the alternate draft prepared by the Supreme Court setting forth the redistricting of County Court Districts within the Seventh and Tenth Judicial Districts according to the Court's Order of February 17, 1981, in this matter.

The undersigned do however Petition the Court to create in the Wright and Sherburne Counties, County Court District, of the Tenth Judicial District a third Judge with chambers to be at Elk River, Minnesota. Your Petitioners further request the Supreme Court to recommend that said third Judgeship be filled by an attorney residing in Sherburne County. Your Petitioner suggests this in order to advance the Supreme Court's desire to insure whenever possible that Judges of County Court be elected by and be responsible to persons in the Counties in which they reside and that each County in a Judicial District have at least one County Court resident Judge therein.

Dated: March 2, 1981

Respectfully submitted,



Clifford C. Lundberg



Sheldon M. Vie

Attorneys at Law
310 Kins Avenue, P.O. Box 19
Elk River, MN 55330
Telephone: 612/441-1251

51882

CHAMBERS OF THE
JUDGES OF COUNTY COURT

Court House

ST. CLOUD, MINNESOTA 56301

COUNTIES OF:

SHERBURNE

BENTON

STEARNS

April 8, 1981

WILLARD P. LORETTE
~~CHAS. H. H. H.~~

PAUL J. DOERNER

RAINER WEIS

ROGER M. KLAPHAKE

RICHARD J. AHLES

The Supreme Court
State of Minnesota
St. Paul, MN 55155

The Honorable Supreme Court Justices:

It is hard to convey the surprise, dismay, discouragement, and ultimate destruction of morale that engulfed the affected judiciary upon comprehending the probable end result of the proposed denial of the new proposed Eleventh Judicial District.

The problem with the proposed new Order is that it completely overlooks the hard and conscientious work that has been put into this matter by many, many good people over a long period of time. The Judicial Planning Committee was quite naturally driven to a reasonable conclusion in their supporting a new Eleventh Judicial District for many compelling reasons.

In the first instance, the Seventh Judicial District was framed at a time when the judges traveled by train, and for this reason it is a long, thin, and presently totally nonworkable district. Inherent in its shape and distance are costs and problems that can only be resolved by redistricting within the shape of the present economy and lives of the citizens.

At the time of that districting, no cars traveled in the wintertime. The salesmen traveled by train and every small town such as Rockville, Cold Spring, Richmond, Roscoe, and Paynesville and right down the line had a hotel. Typically, all these little communities were served by passenger train service at least twice a day. A salesman would come to the community, sell his wares to a multiple number of stores, and attempt to secure transportation to the next town by horse and buggy, wagon, or train as the case might be, and then stayed at that hotel the following night. The result was that every small town had a flourishing hotel, the bulk of which are now either torn down or vacant or used for other purposes.

It was for precisely the same reason that the little towns were established at distances of approximately six to ten miles, so that the people with their oxen, and later their horses, could get to these towns for their commercial and social purposes.

With not only the advent of the automobile but also the resulting improvement of roads, year round travel became possible, the passenger service of these trains fell into complete nonuse, so that at the present time generally no passenger service exists by train.

At that time, it is safe to assume that many of the sophisticated parts of the law, which now are generally framed in the network of constitutional rights, did not exist. As an example, it is safe to assume that they did not conduct mandatory pre-sentence investigations before a sentencing on every felony conviction or plea.

Now when the district judge from Moorhead comes to Foley in Benton County for a week or two and accepts a number of guilty pleas in felony cases, pre-sentence investigations are ordered. Some time later the county attorney of Benton County, with his retinue, the police with the prisoner, set forth with their caravan to travel to Moorhead to finish the matter by the sentencing procedure, which may take five, ten, or fifteen minutes but which entails a tremendously high cost if the total manpower hours, wages, travel in an energy-short period, is all considered. It is hard to visualize a more wasteful procedure, having no regard whatsoever for the taxpayers' role as citizens in this arrangement.

From the district judges' point of view, since they must run election-wise throughout that district, it becomes compelling that they must serve the entire district for at least one appearance each year.

Possibly far more costly and more important is the fact that administering a totally nonfunctioning district of this shape and length makes it virtually impossible to institute those uniform procedures, general supervision, and administration which would up-date the courts and make them serve the citizenry of the State of Minnesota far, far better at a much lower cost.

As examples of this, I would cite the instance when I traveled to another county for a day to help out. I asked where the clerk was and was informed that the judge did not use a clerk; that he did this clerical work himself. It was clear that they thought this was really decent and good of the judge to write out by hand the various detail work which was normally done by a clerk. I remember commenting on my return that the people in that particular county didn't realize it, but they had a \$42,000 a year clerk half-time.

It would obviously have been far better had he used a clerk, since he spent approximately one half of his time doing clerical work, and devoted his full time to being a judge which then would have taken a half day instead of a day, and utilized the additional

equal time working as a judge in a neighboring county which, incidentally, was behind in their schedule, a matter which I was personally aware of.

As credentials for the remarks I have made and will make, let me point out that I worked for McKesson and Robbins in the drug industry for ten years. I spent six years of these in management. I worked in the warehouse; in sales; I was sales supervisor, credit manager, merchandise manager, and filled in part-time as personnel manager. As credit manager I extended credit in the vicinity of ten to twelve million dollars a year, and as merchandise manager, purchases of ten to twelve million dollars per year were made in my duties by myself or people under my immediate supervision.

I would say unqualifiedly that if any person in a managerial position in a corporation had been found in a similar circumstance as I have just cited where he was doing clerical work instead of the job of supervision for which he was paid, the company would not have attempted to correct him but they simply would have fired him.

I am not suggesting that a judge should be fired, but I am saying that we are long overdue in bringing these districts into a size and shape where they function efficiently at a lower cost to the taxpayers, and of course it had been my hope that the Eleventh Judicial District would be the model district which would pave the way for the rest of the state in due time.

In my experience in a corporation, I learned that first things must be done first. In that company we serviced all of Minnesota, North Dakota, the top half of South Dakota, and part of Wisconsin, which made the scheduling of districts far more complex than the relatively simple task of redistricting the State of Minnesota into a meaningful group of workable units.

I call the Court's attention to the number one paragraph of the Order setting forth the proposed redistricting. Attention there is called to the fact that the redistricting statewide effort had one very, very important guideline which was that the county court redistricting be conducted within an existing district court judicial district's boundaries. The Order then goes on to mandate on page three, paragraph two, that District C would consist of the Counties of Stearns and Benton plus the entire city limits of the City of St. Cloud, Minnesota.

In other words, the Order itself violates the guideline which is set forth in paragraph one of the Order. It is violated in that the county court system, District C, would not be within the district court judicial district boundaries but that that part of the City of St. Cloud which lies in Sherburne County would be in the Tenth

Judicial District.

We have suffered with the unending array of legal problems arising from that through the years and hoped at last that this would be resolved. I understand that another letter from the County Court here will set forth some of the problems that are not addressed by this situation.

The "broad opposition" referred to in paragraph two within both the Seventh and Tenth Judicial Districts, we submit, is not significant, although it may be more vocal. It is our belief that the great majority of those affected would welcome this change and but for certain specific special interests, a limited opposition exists which has been given publicity beyond its weight.

As far as paragraph number three goes, it is obviously a relatively simple matter to get the specific legislation to conform to such an obviously great improvement in a judicial structure which would economically be so beneficial to the public, and more important, would make the administration of justice far more reasonable and just.

The question raised in number four would take the same answer, as obviously the Legislature would have no problem staffing that new district with an administrator when the economic and other benefits to the public would be so great.

While it is obvious that the great majority of the judges in the State of Minnesota are very capable and responsible individuals, surely all of us have known instances where in a specific case a judge has been senile or so incapacitated for one reason or another that he simply should not have been on the bench. Had he served in a district that was workable, the democratic process would have worked and the voters would have corrected the situation, but keeping the districts in a totally nonworkable form makes it possible to create an insulation that is destructive to democracy, to the morale of the citizens and, therefore, derisive and destructive to those most sacred precepts of democracy which we must hold most dear.

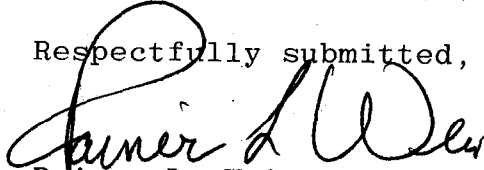
It is my hope that the Court will recognize that the Judicial Planning Committee consisted of excellent personnel, intelligent, conscientious, who gave freely of their time and dedicated themselves to a program that was in the interest of the citizens of the State of Minnesota and that the Court will not in haste consider the proposed redistricting as set forth in the Order of February 17, 1981, which is tantamount not simply to having the clocks of time stand still, but actually will turn back the hands of time. It

The Supreme Court
April 8, 1981
Page 5

is an Order that cannot help but be subject to more and more criticism by the public and the press as time goes on.

I would submit that our citizens deserve better.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Rainer L. Weis".

Rainer L. Weis
Judge of County Court

RLW:lss

"The saddest words of man or pen,
are the words, it might have been."

CHAMBERS, OF THE
JUDGES OF COUNTY COURT

Court House

ST. CLOUD, MINNESOTA 56301

COUNTIES OF:

SHERBURNE

BENTON

STEARNS

WILLARD P. LORETTE

PAUL J. DOERNER

RAINER WEIS

ROGER M. KLAPHAKE

RICHARD J. AHLES

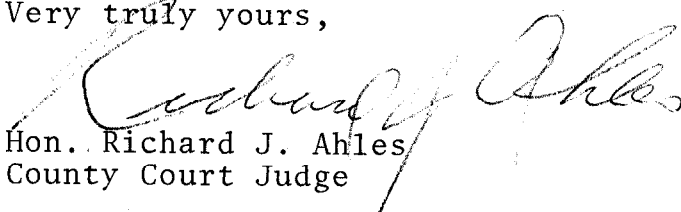
John McCarthy, Clerk
Supreme Court
State of Minnesota
230 State Capitol
St. Paul, Minnesota 55155

Re: HEARING ON THE CREATION OF A NEW JUDICIAL
DISTRICT, SUPREME COURT DOCKET NO. 51882

Dear Mr. McCarthy:

Enclosed find the original and ten copies of a memorandum signed by four of the five ~~County Court Judges of the present County Court District of Stearns, Benton, and Sherburne Counties~~, pursuant to the Supreme Court's invitation for response to their proposed redistricting plan.

Very truly yours,


Hon. Richard J. Ahles
County Court Judge

RJA/gms

Enclosures

CHAMBERS OF THE
JUDGES OF COUNTY COURT

Court House

ST. CLOUD, MINNESOTA 56301

COUNTIES OF:
SHERBURNE
BENTON
STEARNS

WILLARD P. LORETTE
[REDACTED]
PAUL J. DOERNER
RAINER WEIS
ROGER M. KLAPHAKE
RICHARD J. AHLES

April 9, 1981

STATE OF MINNESOTA

IN SUPREME COURT

IN RE: HEARING ON COUNTY
COURT REDISTRICTING WITHIN
THE EXISTING SEVENTH AND
TENTH JUDICIAL DISTRICTS.

MEMORANDUM

The County Court Judges of the County Court District of Sherburne, Benton and Stearns Counties respectfully submit this Memorandum to the Court for its hearing set for April 17, 1981, on the Court's proposal for County Court redistricting affecting the Seventh and Tenth Judicial Districts.

We previously have supported the establishment of a new Judicial District, which was endorsed by the Judicial Planning Commission (JPC) after more than three years of meetings, discussions, and review of the options available. We frankly are disappointed that the creation of a new Eleventh Judicial District is not acceptable to the Court. It had been our hope that the clear merits of that proposal would be perceived.

We do not endorse the proposal now advanced by the Supreme Court. We do believe, however, that if your proposal is implemented, it should be done so only under the following conditions:

1. That the County Court District of Stearns, Benton and the Sherburne County portion of the City of St. Cloud will continue to elect five Judges and that the existing five County Court Judges now resident in Stearns and Benton counties will be considered incumbents of that district.
2. That your redistricting proposal not be considered a separation into single districts and a subsequent combination into multiple districts so as to trigger Judge relocations, vacancies, or Judge terminations under M.S.A. 487.11, Subd. 3, 5, and 6.
3. That the County Court District of Sherburne and Wright counties will elect, until their number is increased as authorized by law, two Judges, and that the existing two County Court Judges now resident in Sherburne and Wright counties will be considered incumbents of that district.

Further, we believe your proposal raises certain inherent questions concerning the inclusion of a part of Sherburne County (that part in the City of St. Cloud) into the County Court District of Stearns and Benton counties. Our questions are as follows:

1. In which county shall cases arising in the St. Cloud portion of Sherburne County be tried? Reference is made to 487.21, Subd. 1, which in part provides that:

". . .regular sessions of the Court shall be held in at least the county seat of each county within the County Court District."

Further reference is made to M.S.A. 487.21, Subd. 4, which in part states:

"If a municipality is located in more than one County Court District, or more than one county within a County Court District, the county in which the City Hall . . . is located determines the county or County Court District in which the municipality shall be deemed located for the purpose of Section 487.01 to 487.39 . . ."

Does 487.21, Subd. 4, refer only to the county location of the full municipality whenever the word municipality is referred to in Chapter 487 or does it effectively make the Sherburne County portion of St. Cloud a part of Stearns County (City Hall location) for all Chapter 487 purposes?

2. Assuming that the trial of cases arising in the Sherburne County portion of St. Cloud will be held in Stearns or Benton county, on what basis should the cost of the Court's operation be assessed to and paid by Sherburne County?
3. As to those cases arising in the St. Cloud portion of Sherburne County, which county is considered the "county" under:
 - A. M.S.A. 524.2-201 (Probate) ". . . in the county where the deceased had . . .domicile . . ."
 - B. M.S.A. 253A.08 (Commitments) ". . . file in the Probate Court of the county of the . . . patient's settlement . . ."
 - C. M.S.A. 260 (Juvenile) ". . . venue of . . . proceedings . . . shall be in the county where the child is found or the county of his residence."

- D. M.S.A. 260.331 (Probation Officers) ". . . counties shall provide probation officers to County Courts . . ."
- E. M.S.A. 518.09 (Dissolution) ". . . commence by Summons and Petition in the county where the Petitioner resides . . ."
- F. M.S.A. 487.39 (Appeals) ". . . shall be taken by filing a written notice . . . with the Clerk of Court of the county in which the action was heard"

There are other similar statutory provisions making reference to "county" or "counties" which raise practical questions as to the proper county of venue. In addition to venue questions, there are further questions concerning fine and forfeiture distributions, filing documents, the entry and docketing of Judgments in the proper county, and the relationships between the County Court and the County Boards.

These questions and others have arisen whenever redistricting alternatives have been discussed by our Bench, members of the Bar, County Attorneys, and community leaders. These questions have the potential for considerable confusion among lawyers, litigants, Courts, and County Boards, and ultimately may result in litigation ending in the Supreme Court.

As an alternative to your proposal, in light of your rejection of a new Eleventh Judicial District, we suggest the following:

1. A new County Court District in the Seventh Judicial District consisting of Stearns and Benton counties, with five County Court Judges serving and residing therein.
2. A new County Court District in the Tenth Judicial District consisting of Wright and Sherburne counties,

with two County Court Judges serving and residing therein until the legislature sees fit to create one or more additional judgeships therein.

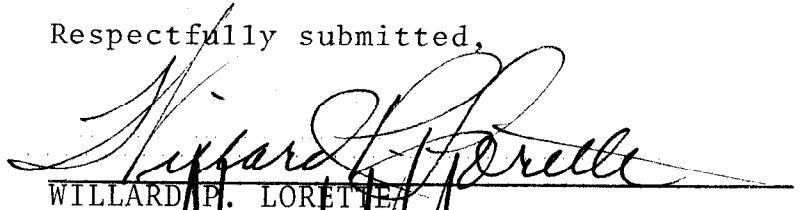
This proposal has the merit of leaving the appropriate total number of Judges in the Seventh Judicial District (the only such Judicial District in the state according to the recent figures compiled by the SJIS Study--1980 Minnesota Weighted Case Load Analysis). The Tenth Judicial District, according to the SJIS Study, is and will be definitely short of Judges whether or not Sherburne County is wholly or partially served by the Judges now serving Stearns and Benton counties. This Judge shortage in the Tenth Judicial District can only be solved on a permanent basis by the legislature. If our proposal is adopted, the Judge shortage in the Tenth Judicial District can best be resolved temporarily by assignment of Judges from those Judicial Districts which the SJIS Study show as having Judge time available.

In further support of our proposal, the most recent U.S. Census figures for Stearns and Benton counties show a more than adequate population to support the need for five County Court Judges in these two counties. Since 1970 the St. Cloud area has been the most rapidly growing area in the state and is likely to continue at the same pace.

Finally, we submit that our proposal avoids the questions inherent in your proposal, since under our proposal each county involved in the proposal lies wholly within only one County Court District.

In summary, we are opposed to your proposal to create a County Court District consisting of Stearns and Benton Counties and the Sherburne County portion of the City of St. Cloud. We would prefer that the Court reconsider the creation of the Eleventh Judicial District, as previously outlined by the Judicial Planning Commission, but in the alternative urge creation of County Court Districts consisting of Stearns and Benton counties in the Seventh Judicial District and Sherburne and Wright counties in the Tenth Judicial District. We believe that either of our proposals accomplishes the broad goals previously outlined by the Supreme Court without creating substantial administrative problems.

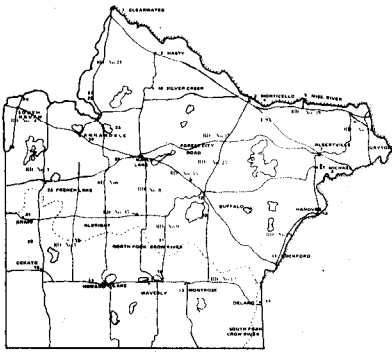
Respectfully submitted,


WILLARD P. LORETTE


ROGER M. KLAPHAKE


PAUL J. DOERNER


RICHARD J. ANLES



Office of
WRIGHT COUNTY ATTORNEY

WILLIAM S. MacPHAIL

Phone: 612-682-3900

Wright County Courthouse - Buffalo, Minnesota 55313

April 8, 1981

The Supreme Court for the
State of Minnesota
State Capitol
St. Paul, MN 55155

Gentlemen:

Re: Redistricting Proposal for the Seventh and Eleventh Judicial Districts

During the past four-year period, those of us most interested in and directly affected by the accessibility of judicial service have spent long and frustrating hours attempting to retain what we felt to be in the best interests of the citizens in our various counties. From my own prospective, much of this time has been spent in opposition to the creation of a new Eleventh Judicial District, it being the opinion of myself and other attorneys I have contacted that this plan would result in diminished judicial service to the citizens of Wright County.

By its order dated February 17, 1981, the Supreme Court has promulgated a plan which will apparently solve the problem existing somewhere without creating a new problem for Wright County. Although Wright County may lose a small amount of County Court judicial time in order that Sherburne County be served, I am sure that the excellent cooperation between the counties which I have observed in the past will make this problem minimal.

I wish to give notice of my desire to be heard on April 17, 1981. My purpose is not to show cause why this proposal should not be adopted, but rather to indicate that there are others like myself who feel that if, in fact, change must be made, the Supreme Court's proposal of February 17, 1981, is preferable to the previous plans.

Others indicating support for the Supreme Court's proposal are:

- (1) The Wright County Board which, by resolution dated March 17, 1981, has indicated strong support.
- (2) At their meeting on March 19, 1981, it is my understanding the County Court Judges within the Tenth Judicial District passed unanimously a resolution approving the Wright-Sherburne County Court District.

The Supreme Court for the
State of Minnesota

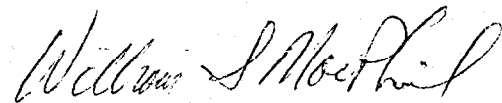
Page 2

April 8, 1981

(3) I have personally contacted nearly all the attorneys officing in Wright County. It is my understanding that if, in fact, there is a need to change, none object to the February 17 proposal. The overwhelming majority are strongly in favor thereof. None that I talked to approve the creation of an Eleventh Judicial District.

A copy of the Resolution in Support of Redistricting Proposal dated February 17, 1981, by the Wright County Board, is enclosed herewith. I and the other Wright County attorneys concur in the reasoning set forth therein.

Respectfully submitted,



William S. MacPhail
Wright County Attorney

WSM:dlp

Enclosure

BOARD OF COUNTY COMMISSIONERS

WRIGHT COUNTY, MINNESOTA

Date March 17, 1981 Resolution No. 81-11

Motion by Commissioner Zachman Seconded by Commissioner Nelson

SEE ATTACHED

YES

NO

McAlpine X
 Zachman X
 Bogenrief X
 Nelson X
 Engstrom X

McAlpine _____
 Zachman _____
 Bogenrief _____
 Nelson _____
 Engstrom _____

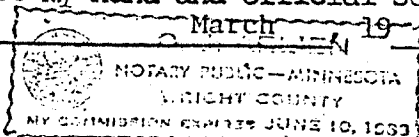
STATE OF MINNESOTA

) ss.

County of Wright)

I, O. J. Arlien, duly appointed, qualified, and acting Clerk to the County of Wright, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution or motion with the original minutes of the proceedings of the Board of County Commissioners, Wright County, Minnesota, at their session held on the 17th day of March, 1981, now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Buffalo, Minnesota, this 17th day of March, 1981.



O. J. Arlien
 O.J. Arlien, Clerk to the County Board

RESOLUTION IN SUPPORT OF
REDISTRICTING PROPOSAL DATED FEBRUARY 17, 1981

WHEREAS it has been determined that there exists a need to make change among the County Court Districts within the Seventh and Tenth Judicial Districts; and

WHEREAS if change must be made, Wright County supports a plan which will result in minimal disruption and loss of judicial services to the citizens of Wright County; and

WHEREAS Wright County desires to maintain a county court system wherein the judges are elected by and responsible to the citizens of Wright County; and

WHEREAS Wright County was unable to support the proposal previously made to create a new Eleventh Judicial District for the reasons set forth herein; and

WHEREAS the Supreme Court by Order dated February 17, 1981, has drafted a plan which appears immanently sensible in that it will satisfy the need for change without working a disservice to the citizens within the current Tenth Judicial District, and particularly Wright County; and

WHEREAS Wright and Sherburne Counties have previously engaged in a shared prosecutor program wherein cooperation and success was experienced;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the prior redistricting proposal to create an Eleventh Judicial District shall continue to have the negative support of Wright County.

IT IS FURTHER RESOLVED that if change is to be made among the County Court Districts within the present Tenth Judicial District that the plan formulated by the Supreme Court dated February 17, 1981, is hereby strongly supported and approved.

NO. 51882

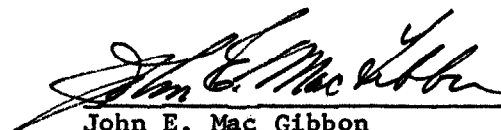
STATE OF MINNESOTA

IN SUPREME COURT

In the Matter of the Redistricting of the County)	PETITION OF SHERBURNE COUNTY
Courts in the Seventh Judicial District and the)	SUPPORTING COUNTY COURT
Creation of a New Eleventh Judicial District.)	REDISTRICTING PLAN

The County of Sherburne, through its County Attorney, signifies its support for the redistricting plan which is the subject of the Order of this Court dated February 17, 1981, and in particular, paragraph 2 - District C, thereof; the resolution of its Board of Commissioners is hereto attached marked Exhibit "A".

Petitioner regards the part of said paragraph placing the entire City of St. Cloud in the Stearns and Benton County Court District as consistent with the provisions of Section 487.21, Subdivision 4 of the Minnesota Statutes, which heretofore determined the entire City of St. Cloud to be in the County of Stearns for purposes of the County Court Act. This section was interpreted as inapplicable to venue in juvenile and probate matters. If the Court intends, by its plan to also include such matters, no problem is foreseen. The petitioner's cooperation is offered in all respects including legislation, if any, needed to implement said plan.



John E. Mac Gibbon
Sherburne County Attorney
321 Lowell Avenue
Elk River, Minnesota 55330
Telephone: (612) 441-1383

EXHIBIT "A"

SHERBURNE COUNTY BOARD OF COMMISSIONERS

RESOLUTION

ADOPTED AT ITS

NOVEMBER 6, 1979, REGULAR MEETING

WHEREAS, this Board has been informed that the Special Redistricting Subcommittee of the Judicial Planning Committee following a series of three meetings called for the purpose of considering the so-called problem in the Eastern part of the Seventh Judicial District has adopted by a vote of seven to three a plan to maintain the present judicial district lines leaving Sherburne County a part of the Tenth Judicial District but recommending the creation of a new county court district consisting of Wright County and Sherburne County, and

WHEREAS, this Board has been on record since February 21, 1978, as opposing any realignment of the Tenth Judicial District that would exclude Sherburne County, and

WHEREAS, this Board has been informed that notwithstanding the fact it has considered the present county court district and judicial district as efficient means for the delivery of judicial service and has been aware of no complaints by the bar or by the citizens of the county, to the contrary information has been given to the Special Redistricting Subcommittee that the present alignment is an unworkable one and must be changed.

NOW, THEREFORE, BE IT RESOLVED that the Sherburne County Board of Commissioners supports the action of the said Special Redistricting Subcommittee in recommending that Sherburne County remain a part of the Tenth Judicial District and a new county court district be formed consisting of Sherburne County and Wright County, which recommendation has been referred to as Option One.

BE IT FURTHER RESOLVED that this Board does oppose any alternative action to that described in Option One and any realignment of the Tenth Judicial District that would omit Sherburne County from the Tenth Judicial District.

BE IT FINALLY RESOLVED that this Board authorizes and designates its County Attorney or Assistant County Attorney to appear before any appropriate committee considering such realignment of county court or judicial districts and if necessary before the Supreme Court and the Council of the Chief Judges of the District Courts to support the position of the County Board as set forth in this Resolution and to oppose any alternative to said Option One except that of maintaining all present alignments as they now exist.

/s/ Lyle Smith
CHAIRMAN OF COUNTY BOARD, Lyle Smith

The undersigned being the duly elected Sherburne County Auditor and Secretary of the County Board of Commissioners does hereby certify that the foregoing Resolution is a true and correct copy of the Resolution adopted by the Sherburne County Board of Commissioners at its November 6, 1979, regular meeting.


SHERBURNE COUNTY AUDITOR, Dale Palmer

circulate
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STATE OF MINNESOTA
CHAMBERS OF DISTRICT COURT
SEVENTH JUDICIAL DISTRICT
ST. CLOUD, MINNESOTA 56301

PAUL HOFFMAN, Judge

April 10, 1981

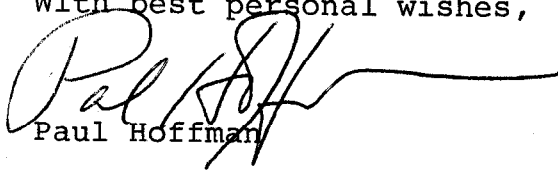
Honorable Robert Sheran
Chief Justice
Minnesota Supreme Court
St. Paul, Minnesota 55155

Dear Chief Justice Sheran:

This is to advise you that I will be unable to attend the redistricting hearing on April 17, 1981. I have no objections to the Supreme Court's proposal. I appreciate that there may be some problems in implementing this, but I am certain that they can be worked out.

To a large extent, my lack of objection is based upon my substantial hope that the Seventh District can and will be divided into two districts; and that the necessary changes in chambers can be effectuated. This proposal would eliminate much unnecessary travel, and give us more time for actual court work.

With best personal wishes,


Paul Hoffman

Copy to each
justice

NIERENGARTEN LAW OFFICES

SUITE 101 SEIFERT BUILDING
711 1/2 ST. GERMAIN MALL
P. O. BOX 339
ST. CLOUD, MINNESOTA 56302
PHONE: (612) 251-3602

ROGER J. NIERENGARTEN
WILLIAM J. SCHROEDER, III
KIM A. PENNINGTON

ST. JOSEPH OFFICE
15 E. MINNESOTA STREET
P. O. BOX 697
PHONE: (612) 363-7214

April 9, 1981

Clerk of Supreme Court
State of Minnesota
State Capitol
St. Paul, MN 55101

Re: Redistricting Hearing
April 17, 1981

51882

Dear Sir:

The Court, in its Order filed February 17, 1981, regarding a hearing on the creation of a new Eleventh Judicial District, required persons desiring to be heard to file Briefs or Petitions setting forth their objections to the proposal of the Supreme Court contained in that Order. The undersigned, as Chairperson of the Lawyers Redistricting Committee of the Seventh Judicial District, together with other members of the Committee, will be in attendance at the hearing on April 17. However, we will not be filing any Briefs or Petition because we are not objecting to the proposed redistricting plan as filed by the Court in its Order of February 17, 1981. We will, however, be in attendance to respond to any inquiries of the Court.

Very truly yours,

Roger J. Nierengarten

RJN/njn

cc: Honorable Charles Kennedy
Honorable Donald Gray
Honorable Gaylord Saetre
Honorable Paul Hoffman
Members of Redistricting Committee