

**SUPREME COURT
FILED**

SEP 8 1982

STATE OF MINNESOTA

IN SUPREME COURT

**JOHN McCARTHY
CLERK**

In re the Petition of
the County Boards of
Stearns and Benton Counties
to Eliminate a Judgeship

ORDER

A-13

WHEREAS, the County Boards of Stearns and Benton Counties have petitioned the Supreme Court pursuant to Minn. Stat. § 487.01, subd. 7 (1980), to eliminate one county court judgeship,

WHEREAS, the Supreme Court has reviewed materials relative to the workload of the Stearns/Benton County Court District and the Seventh Judicial District submitted by the county commissioners, the judges of the Stearns/Benton County Court District, and the office of State Court Administration,

WHEREAS, the court finds the weighted caseload study indicates a continuing need for six judges in the Stearns/Benton County Court District and a continuing need for the present number of judges in the Seventh Judicial District,

WHEREAS, the court finds that the caseload of the county court district has increased over the past several years, and has increased 9.3 percent in 1981, and

WHEREAS, the population and the caseload are projected to increase into the future,

NOW, THEREFORE, IT IS HEREBY ORDERED that the petition be denied.

Dated: September 7, 1982.

BY THE COURT:


Chief Justice

MEMORANDUM

The county boards observe that the recent removal of Sherburne County from the former three-county court district reduced the population served by 29,908 persons, yet the number of judges remains the same. It appears, however, that the reduction in size has not resulted in a reduction of the judicial workload. The caseload in 1981 increased over 1980 by 9.3% in the Stearns/Benton County Court and by 10.1% in the district court, so that by 1981 the filings for the Stearns/Benton County Court have equalled that of the old Stearns/Benton/Sherburne district. Moreover, the workload for the Seventh Judicial District as a whole, on a per judge basis, even without Sherburne, is greater than all other districts except the Fourth and Tenth Districts. While the rate of population growth is expected to level off, it appears that the real population growth of Stearns and Benton Counties is not projected to decline through the year 2000. If the judicial system is to provide the service the public has a right to expect of it, the current number of judgeships should, we believe, be maintained.

D.K.A.