

STATE OF MINNESOTA

IN SUPREME COURT

C9-85-1506

In re Public Hearing on Vacancy in
Judicial Positions in the Third
Judicial District

ORDER

WHEREAS, the provisions of Minnesota Statutes Section 2.722, Subd. 1a (1985), prescribe certain procedures to determine whether a judicial position which is vacated by the retirement of an incumbent judge should be continued, transferred or abolished;

WHEREAS, the provisions of the above statute require the Supreme Court to consult with attorneys and judges in the affected judicial district to determine whether the vacant office is necessary for effective judicial administration, and, after making such determination, to decide whether to certify the vacancy to the Governor within 90 days after receiving notice of the retirement from the Governor; and

WHEREAS, Governor Rudy Perpich has notified the Supreme Court on January 15, 1987, that a vacancy in the Third Judicial District will occur as a consequence of the retirement of Judge Robert E. Lee; and

WHEREAS, the Supreme Court intends to consider weighted caseload information, which indicates that there currently exists a surplus of judicial positions in the Third Judicial District, in determining whether to certify the vacancy to the Governor in the above judicial position; and

WHEREAS, THE Supreme Court wishes to hold a public hearing in the Third Judicial District and to receive relevant supplemental information regarding judges and judicial resource needs from attorneys and other interested persons at that time;

NOW, THEREFORE, IT IS HEREBY ORDERED that a public hearing be held in main courtroom in the Houston County Courthouse, Caledonia, Minnesota at 10:30 a.m., on March 20, 1987;

IT IS FURTHER ORDERED that persons wishing to have the Supreme Court consider information concerning the continuation of the judicial vacancy described above shall file twelve copies of a written summary of such information and, if applicable, their desire to make an oral presentation at the hearing, with the Supreme Court at least five days before the hearing, at the following address: Clerk of Appellate Courts, 230 State Capitol, St. Paul, Minnesota 55155.

IT IS FURTHER ORDERED that persons who wish to obtain information concerning the weighted caseload analysis and its application to the vacancy in the Third Judicial District shall direct their inquiries after **February 15, 1987** to: Mr. Wayne N. Kobbervig, 40 North Milton Street, Suite 201, St. Paul, Minnesota 55104.

Dated January 26, 1987

BY THE COURT

OFFICE OF
APPELLATE COURTS
FILED

JAN 26 1987

WAYNE TSCHIMPERLE
CLERK


Douglas K. Amdahl
Chief Justice

February 7, 1986

Ms. Sue Dosal
State Court Administrator
40 North Milton
St. Paul, MN 55155

Dear Ms. Dosal:

Enclosed please find a certified copy of a resolution passed by the Houston County Bar Association which is being forwarded to you for your information.

Sincerely,



SUSAN STEFFEN TICE
Secretary-Treasurer
Houston County Bar Association

SST/cra

Enclosure

OFFICE OF
APPELLATE COURTS
FILED

FEB 18 1986

WAYNE TSCHIMPERLE
CLERK

Motion was made by Attorney James Schultz, seconded by Attorney Ross Phelps and unanimously carried to adopt the following resolution:


BE IT RESOLVED, that the members of the Houston County Bar Association unanimously urge that the position of Houston County Judge, presently filled by Judge Robert E. Lee, not be vacated, and that an appropriate and qualified judge be allowed to replace the present judge when the position becomes vacant.

CERTIFICATION

State of Minnesota)
) ss.:
County of Houston)

I, Susan Steffen Tice, Secretary-Treasurer for the Houston County Bar Association, do hereby certify that the above is a true and correct copy of a resolution adopted by the Houston County Bar Association at its annual meeting on December 3, 1985.

WITNESS, my hand on this 7th day of February, 1986.



Susan Steffen Tice
Secretary-Treasurer
Houston County Bar Association

