

STATE OF MINNESOTA
IN SUPREME COURT

C5-84-2139
C2-84-2163
C9-81-1206

In re the Petition of the Boards of Law
Examiners, Continuing Legal Education
and Lawyers Professional Responsibility
for Amendment of Rules Relating to
Registration of Attorneys

ORDER FOR PUBLIC HEARING

WHEREAS, the Supreme Court of the State of Minnesota has authority to regulate the practice of law; and

WHEREAS, the Court has assessed the attorneys licensed to practice law in the State of Minnesota a registration fee to support the costs of regulating the practice of law; and

WHEREAS, the Boards of Law Examiners, Continuing Legal Education and Lawyers Professional Responsibility have petitioned the Court for an increase in the attorney registration fee to support rising costs;

NOW, THEREFORE, it is hereby ordered that a public hearing concerning these petitions be held at 10:00 a.m. on March 19, 1987, in the Supreme Court chambers in the State Capitol in St. Paul.

IT IS FURTHER ORDERED THAT:

1. All persons, including members of the Bench and Bar, desiring to present written statements concerning the subject matter of the hearing, but who do not desire to make an oral presentation at the hearing shall file 10 copies of such statement with the Clerk of the Appellate Courts, 230 State Capitol, St. Paul, Minn., 55155, on or before March 6, 1987, and

2. All persons, desiring to make an oral presentation at the hearing shall file 10 copies of the material to be so presented with the aforesaid clerk together with 10 copies of a request to make the oral presentation. Such statements shall be filed on or before March 6, 1987.

Dated: January 28, 1987

BY THE COURT

OFFICE OF
APPELLATE COURTS
FILED

JAN 28 1987

WAYNE TSCHIMPERLE
CLERK


Douglas K. Amdahl
Chief Justice

WARREN E. LITYNSKI

Judge of Nicollet County Court
Nicollet County Courthouse
P.O. Box 496
St. Peter, Minnesota
56082
507/931-6800 EXT. 225

OFFICE OF
APPELLATE COURTS
FILED

FEB 4 1987

WAYNE TSCHEMPERLE
CLERK

DATE: February 2, 1987

TO: Justices of the Supreme Court

FROM: Warren E. Litynski, Judge of Nicollet County Court

RE: Proposed Increase in Attorney Registration Fee

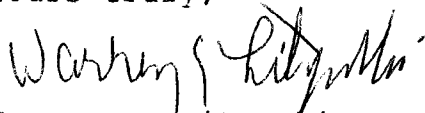
C5-84-2139
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As I indicated to Justice Kelley when he was present at our recent Fifth District Judges Meeting, I have no objection to the proposed increase, but I do not believe in throwing money away.

When I presided over an attorney disciplinary hearing last year (not for a trust account violation), I suggested to the attorney for the Board of Professional Responsibility that when a complaint is received against any attorney for any reason, the trust account should routinely be checked. I was told that the Board had no authority to do that where there was no allegation of a trust account violation.

My suggestion is that the rules be amended to allow the Lawyers Board to routinely audit the trust accounts of attorneys against whom a complaint of any type has been made.

Yours truly,



Warren E. Litynski
Judge of County Court

WEL/cv

STEPHEN C. ALDRICH
ATTORNEY AT LAW
SUITE 2160
100 SOUTH FIFTH STREET
MINNEAPOLIS, MINNESOTA 55402
(612) 339-7019

February 24, 1987

OFFICE OF
APPELLATE COURTS
FILED

FEB 26 1987

Douglas K. Amdahl
Chief Justice, Supreme Court
State of Minnesota
State Capitol Building
St. Paul, MN 55155

WAYNE TSCHENPELLE
CLERK

CS-84-2139 : Law Examiners

CS-84-2163 : CLE

C9-81-1206 : Atty. Registration

Dear Sir:

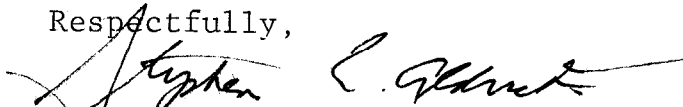
This letter is my written statement in support of the request of the Board on Continuing Legal Education for a \$2 increase in its fee per attorney per year. As you know, I was first appointed to serve on the Board in the Summer of 1986. I am writing personally to support the Board's position.

It is absolutely critical that we computerize the records of the Board. We deal with the files of 13,000 plus attorneys of whom 1/3 must report to the board each year. In addition, we must consider and keeps records on thousands of courses which the attorneys attend in the 50 states and foreign countries as well. No business with that kind of record keeping function would dare to exist in 1987 without a computerized record-keeping system.

Without an increase in the fee, the capital funds for the computer and software purchase and installation will be impossible. With the Director of the CLE Board having the added burden of Specialization as well as Law Examiners, efficiencies in the administration of the CLE Board need to be made. The details of the particular system are not at issue here. Nor is the question of whether we can join together with the Law Examiners Board or the Licensing office of the Court in some way. That is a technical and managerial problem that the Director and others can work out.

We have functioned without fee increase since inception. We carefully considered and rejected other means of raising revenue (new or higher "user" fees, for example) and concluded that the \$2 increase is the most efficient and equitable. The cost of administering the fees we have increases as attorneys ask for relief in special cases more frequently.

Respectfully,


Stephen C. Aldrich

cc: Mr. Schwarzbaur
Director, CLE

RESIDENCE TELEPHONE: (612) 729-8979



OFFICE OF APPELLATE COURTS FILED

STATE OF MINNESOTA MAR 17 1987 BOARD OF LAW EXAMINERS BOARD OF CONTINUING LEGAL EDUCATION BOARD OF LEGAL CERTIFICATION WAYNE TSCHIMPERLE CLERK

200 So. Robert Street, Suite 310 St. Paul, Minnesota 55107 • Telephone (612) 297-1800

Margaret Fuller Corneille, Esq., Director

March 16, 1987

Mr. Wayne Tschimperle Clerk of Appellate Court 230 State Capitol St. Paul, MN 55155

RE: Petitions of Board of Law Examiners and Board of Continuing Legal Education C2-84-2139 C2-84-2163 C9-81-1206 Hearing March 19, 1987

Dear Mr. Tschimperle:

On behalf of the Board of Law Examiners and the Board of Continuing Legal Education, I am requesting that I be afforded the opportunity to present oral argument as to both the Continuing Legal Education and Board of Law Examiners' petitions. I am also requesting that Edward Schwartzbauer, Chairman of the Continuing Legal Education Board, and Gerald Rufer, President of the Board of Law Examiners, or his designee, be afforded the opportunity to address the Court on these issues.

Thank you for your consideration in this matter.

Sincerely,

Margaret Fuller Corneille Director

MFC:MFC:cam

cc: Mr. Gerald S. Rufer Mr. Edward J. Schwartzbauer

LAW EXAMINERS

- Gerald S. Rufer, President Mary P. Walbran, Secretary Carl Baer Joseph R. Cade Hon. Isabel Gomez-Edwards John D. Kelly Richard H. Kyle Frank B. Wilderson, Jr., Ph.D.

CONTINUING LEGAL EDUCATION

- Edward J. Schwartzbauer, Chairman Stephen C. Aldrich N.L. Gault, Jr., M.D. James H. Geraghty Betty R. Hardle John D. Healy, Jr. James W. Krause Hon. Jonathon G. Lebedoff Mary Ann McCoy Jean E. Paulson Carol T. Rieger Gwenyth Jones Spitz David L. Stowman

LEGAL CERTIFICATION

- Ronald L. Seeger, Chairman Don L. Bye Stanley G. DeLaHunt Cathy E. Gortin Howard Guthmann Clarence E. Hagglund Neil W. Hamilton Heidi M. Hoard Timothy A. Olcott Clarence Peterson Larry G. Rapoport Jean S. Tews

OFFICE OF
LAWYERS PROFESSIONAL RESPONSIBILITY

520 LAFAYETTE ROAD
FIRST FLOOR
ST. PAUL, MINNESOTA 55101
612-296-3952

DIRECTOR
WILLIAM J. WERNZ
FIRST ASSISTANT DIRECTOR
THOMAS C. VASALY
ASSISTANT DIRECTORS
CANDICE M. HOJAN
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MARTIN A. COLE
BETTY M. SHAW

OFFICE OF
APPELLATE COURTS
FILED

MAR 16 1987

WAYNE TSCHIMPERLE
CLERK

March 12, 1987


PERSONAL AND CONFIDENTIAL

Mr. Wayne O. Tschimperle
Clerk of Appellate Courts
230 State Capitol
St. Paul, MN 55155

Dear Mr. Tschimperle:

This will confirm discussions with your office that I am scheduled to appear on behalf of the Lawyers Board in connection with our petition on March 19. If anything further is needed by way of formal request, please let me know.

Very truly yours,


William J. Wernz
Director

WJW/rlb

PUBLIC HEARING CONCERNING PETITION OF THE MINNESOTA STATE

CLIENT SECURITY BOARD FOR ADOPTION OF PROPOSED RULES

Supreme Court No: C0-85-2205

Hearing Date: March 19, 1987
 9:00 a.m.
 Supreme Court Chambers

NAME		DATE WRITTEN SUMMARY FILED	ORAL PRESENTATION	
			YES	NO
James R. Carlson	Attorney	1-5-87		X
James B. Bleeker	Attorney	1-7-87		X
Paul E. Rohde	Attorney	1-14-87		X
Glen A. Norton	Attorney	1-26-87		X
Richard Hodsdon	Attorney	1-30-87		X
Mark D. Nyvold	Attorney	2-2-87	X	
Gary P. Mesna	Attorney	2-17-87		X
Peter Scheuer, et al	Attorneys	2-13-87		X
Wallace C. Sieh	Attorney	2-19-87		X
Frederick Suhler, Jr.	Rochester City Attorney	2-25-87		X
Melvin Orenstein	Chairman, Client Security	3-4-87	X	
Paul Jennings	AFSCME Local 2938, Atty.	3-4-87	X	
Tim Groshens	Director, Minn. State Bar	3-5-87 Richard Pemberton	X	
William Richardson	President, Henn. Co. Union of Lawyers & Professionals	3-5-87		X
Robin Sjaastad	Attorney	3-5-87		X
Karn L. Haugen, et al	Attorneys	3-6-87		X
Penny D. Johnson, et al	Attorneys & Judges	3-6-87		X
Tibor M. Gallo, et al	Attorneys	3-6-87		X
Marcia L. Proctor	For the Atty. Registration Fee Committee	3-6-87		X

