

12

OFFICE OF THE CLERK
MINNESOTA APPELLATE COURTS
230 STATE CAPITOL
ST. PAUL, MINNESOTA 55155

January 25, 1984

Hon. Glenn E. Kelley
Justice, Minnesota Supreme Court
230 State Capitol
St. Paul, Minnesota 55155

Re: Petition for Amendments to Minnesota Rules on
Lawyers Professional Responsibility A-8

Dear Judge Kelley:

Pursuant to our discussion, I am enclosing a Petition proposing various amendments to the Rules on Lawyers Professional Responsibility.

The proposed changes would require the Director and respondents to file an original and nine copies of all petitions and answers with our office. The parties now are required to file only an original or an original and one copy of their documents and this necessitates our office running additional copies for full court distribution.

Although the Director has furnished sufficient copies of his petitions to allow full court distribution, we believe the rules should be amended. Thank you.

Sincerely,

Wayne Tschimperle
Wayne Tschimperle, Clerk

Enclosures

cc: Laurence Harmon
Sue Dosal
Michael J. Hoover

STATE OF MINNESOTA

IN SUPREME COURT

A-8

In Re Petition for Amendments
to Minnesota Rules on Lawyers
Professional Responsibility

PETITION

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

The Office of the Clerk of Appellate Courts hereby petitions the Court to adopt, effective immediately, amendments to the Minnesota Rules on Lawyers Professional Responsibility as follows:

RULE 12. PETITION FOR
DISCIPLINARY ACTION

(a) Petition. When so directed by a Panel or by this Court, or when authorized under Rule 10, the Director shall file with this Court a petition for disciplinary action. An original and nine copies shall be filed. The petition shall set forth the unprofessional conduct charged.

[Subsections (b) and (c) unchanged]

RULE 13. ANSWER TO PETITION FOR
DISCIPLINARY ACTION

(a) Filing. Within 20 days after service of the petition, the respondent shall file ~~in duplicate in this Court an answer~~ an original and nine copies of an answer in this Court. The answer may deny or admit any accusations or state any defense, privilege, or matter in mitigation.

[Subsections (b) and (c) unchanged] .

RULE 16. TEMPORARY SUSPENSION
PENDING DISCIPLINARY
PROCEEDINGS

(a) Petition for temporary suspension. In any case where the Director files or has filed a petition under Rule 12, if it appears that a continuation of the lawyer's authority to practice law pending final determination of the disciplinary proceedings may result in risk or injury to the public, the Director may file with this Court an original and nine copies of a petition for suspension of the lawyer pending final determination of the disciplinary proceedings. The petition shall set forth facts as may constitute grounds for the suspension and may be supported by a transcript of evidence taken by a Panel, court records, documents or affidavits.

[Subsection (b) unchanged]

(c) Answer. Within 20 days after service of the petition or such shorter time as this Court may order, the lawyer shall file ~~in-duplicate~~ in this Court an original and nine copies of an answer to the petition for temporary suspension. If he fails to do so within that time or any extension of time this Court may grant, the petition's allegations shall be deemed admitted and this Court may enter an order suspending the lawyer pending final determination of disciplinary proceedings. The answer may be supported by a transcript of any evidence taken by the Panel, court records, documents, or affidavits.

[Subsection (d) unchanged]

RULE 18. REINSTATEMENT

(a) Petition for reinstatement. A suspended, disbarred, or resigned lawyer's petition for reinstatement to practice law shall be served upon the Director and the president of the State Bar Association. The original petition, with proof of service and one nine copies, shall then be filed with this Court.

[Subsections (b), (c), (d), and (e) unchanged]

Dated: January 25, 1984.


WAYNE TSCHIMPERLE
Clerk of Appellate Courts

OFFICE OF
APPELLATE COURTS
FILED

JAN 25 1984

WAYNE TSCHIMPERLE
CLERK