

A-8

STATE OF MINNESOTA

IN SUPREME COURT

OFFICE OF
APPELLATE COURTS
FILED

SEP 20 1984

WAYNE TSCHIMPERLE
CLERK

In Re Petition to Amend Rule 9 and
Rule 14, Minnesota Rules on Lawyers
Professional Responsibility

PETITION

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

The Lawyers Professional Responsibility Board (Board) and the Director of Lawyers Professional Responsibility (Director) hereby petition the court to amend Rule 9 and Rule 14, Minnesota Rules on Lawyers Professional Responsibility (RLPR), to read as follows:

RULE 9. PANEL PROCEEDINGS

(j) **Notification.** The Director shall notify the lawyer, the complainant, if any, and the District Committee, if any, that has the complaint, of the Panel's disposition. If the Panel did not determine that there was probable cause to believe that public discipline is warranted, the notification to the complainant, if any, shall inform him of his right to petition for review under subdivision (k). If the panel affirmed the Director's admonition, the notification to the lawyer shall inform him of his right to appeal to the supreme court under subdivision (l).

(1) Respondent's appeal to supreme court. The lawyer may appeal the panel's affirmance of the Director's admonition by filing a notice of appeal and nine copies thereof with the clerk

of this court and by serving a copy on the Director within 30 days after being notified of the panel's action. This court may review the matter on the record or order such further proceedings as it deems appropriate. Upon conclusion of such proceedings, the court may either affirm the admonition; or make such other disposition as it deems appropriate.

~~(l)~~ (m) **Manner of recording.** Proceedings at a Panel hearing or deposition may be recorded by sound recording or audio-video recording if the notification thereof so specifies. A party may nevertheless arrange for stenographic recording at his own expense.

~~(m)~~ (n) **Panel chairman authority.** Requests or disputes arising under this Rule before the Panel hearing commences may be determined by the Panel chairman or vice-chairman. For good cause shown, the Panel chairman or vice-chairman may shorten or enlarge time periods for discovery under this Rule.

RULE 14. HEARING ON PETITION FOR DISCIPLINARY ACTION

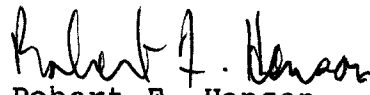
(d) Referee's findings, conclusions, and recommendations. The referee shall make findings of fact, conclusions, and recommendations, file them with this Court, and notify the respondent and Director of them. Unless the respondent or Director within five days orders a transcript and so notifies this Court, the findings of fact and conclusions shall be conclusive. One ordering a transcript shall make satisfactory arrangements with the reporter for his payment and shall specify in his initial brief to the Court the referee's findings of fact, conclusions and

recommendations he disputes, if any. The reporter shall complete the transcript within 30 days.

Petitioners request that these amendments apply to all panel proceedings and hearings on petition for disciplinary action held after the date of the court's order amending Rule 9 and Rule 14, RLPR.

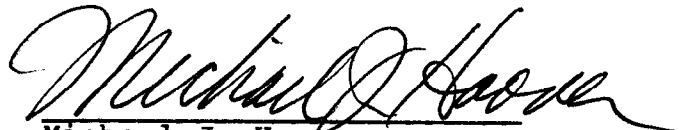
LAWYERS PROFESSIONAL RESPONSIBILITY BOARD

Dated: September 17, 1984


Robert F. Henson
Chairman
Attorney No. 44271

The Director of Lawyers Professional Responsibility hereby joins in the above petition.

Dated: 9-18-84


Michael J. Hoover
Director of
Lawyers Professional
Responsibility
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