

STATE OF MINNESOTA  
IN SUPREME COURT

A-8

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

**ORDER**

WHEREAS, the Lawyers Professional Responsibility Board and the Director of Lawyers Professional Responsibility filed a petition requesting amendments to Rules 9 and 14, Rules on Lawyers Professional Responsibility; and

WHEREAS, the court has given due consideration to such amendments at a meeting on October 11, 1984;

NOW, THEREFORE, IT IS HEREBY ORDERED that the following amendments be and hereby are adopted effective immediately [new material underscored; matter to be deleted lined out]:

**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 to 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).

[Subsection (k) unchanged]

**(l) 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 Appellate Courts 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.

~~(h)~~ **(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.

DATED: October 22, 1984.

BY THE COURT

OFFICE OF  
APPELLATE COURTS  
FILED

OCT 22 1984

WAYNE TSCHIMPERLE  
CLERK

  
Douglas K. Amdahl, Chief Justice