

NO. 51870

STATE OF MINNESOTA
IN SUPREME COURT

In the Matter of the Redistricting of the County))
Courts of the Fifth Judicial District)) PETITION

TO THE HONORABLE SUPREME COURT OF THE STATE OF MINNESOTA:

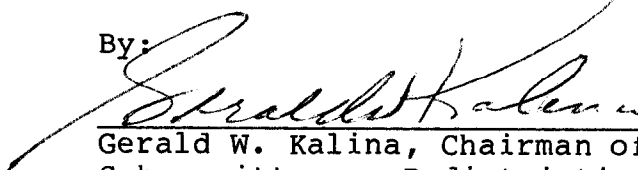
The Judicial Planning Committee respectfully reports, and recommends, to the Supreme Court that it redistrict the county courts of the Fifth Judicial District as follows:

- DISTRICT A: Lincoln, Lyon and Redwood Counties
- DISTRICT B: Brown, Nicollet, Watonwan and Cottonwood Counties
- DISTRICT C: Blue Earth County
- DISTRICT D: Jackson, Martin and Faribault Counties
- DISTRICT E: Nobles, Rock, Murray and Pipestone Counties

It is further recommended that the location of chambers of the county court judges within said district remain as presently constituted; provided, however, that the chambers of judges hereafter appointed or elected in County Court District E, consisting of Nobles, Rock, Murray and Pipestone Counties may be located in any or all of such counties in conformity with the provisions of Minnesota Statutes 1977, Section 480.22.

DATED: *October 14, 1980*

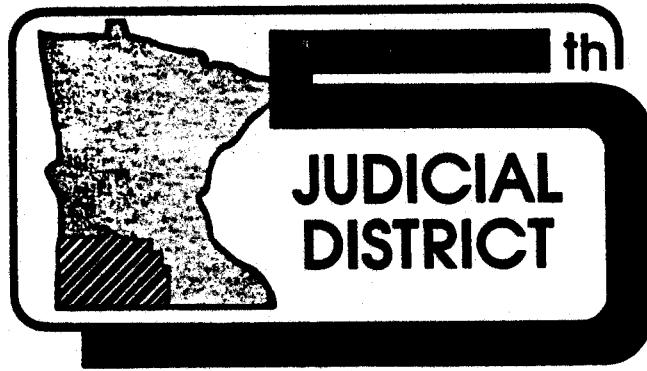
RESPECTFULLY SUBMITTED
JUDICIAL PLANNING COMMITTEE

By: 
Gerald W. Kalina, Chairman of the
Subcommittee on Redistricting

IN RE: FIFTH JUDICIAL DISTRICT

APPENDIX

The Judicial Planning Committee respectfully forwards the "Plan for Re-Districting of the County Courts of the Fifth Judicial District", prepared by the judges of the Fifth District. This plan, which sets forth the rationale of the redistricting, has been reviewed and adopted by the Judicial Planning Committee with one exception. That one exception regards the location of chambers recommended for County Court District E, consisting of Nobles, Rock, Murray and Pipestone Counties. In response to public testimony before the Judicial Planning Committee at a public hearing in the Fifth Judicial District, the Committee recommends the following change to the plan: that the chambers of judges hereafter appointed or elected in County Court District E may be located in any or all of such counties in conformity with the provisions of Minnesota Statutes 1977, Section 480.22. In all other respects, the Judicial Planning Committee adopts and recommends the redistricting plan as prepared by the judges of the Fifth Judicial District.



PLAN FOR RE-DISTRICTING OF
THE COUNTY COURTS OF
THE FIFTH JUDICIAL DISTRICT
State of Minnesota

January, 1980

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COUNTY COURT JUDGES - FIFTH JUDICIAL DISTRICT

| COUNTY-JUDGE | TERM EXPIRES |
|------------------------------------------------|--------------|
| Blue Earth County: | |
| Charles C. Johnson, Chief County Court Judge | 1984 |
| Assistant Chief Judge, Fifth Judicial District | |
| James D. Mason | 1982 |
| James C. Harten | 1984 |
| Brown County: | |
| William B. Mather, Jr. | 1980 |
| *Judicial Officer-Patrick Moriarty | |
| Cottonwood County | |
| James W. Remund | 1980 |
| Faribault County: | |
| J. W. Schindler | 1980 |
| Jackson County: | |
| Donald G. Lasley | 1982 |
| Lincoln-Lyon Counties: | |
| Irving J. Wiltrout | 1980 |
| George A. Marshall | 1984 |
| Martin County: | |
| Conrad Gaarenstroom | 1980 |
| Murray County: | |
| John D. Holt | 1984 |
| Nicollet County: | |
| Warren E. Litynski | 1980 |
| *Judicial Officer-Norman Nitzkowski | |
| Nobles-Rock Counties: | |
| Gary L. Crippen | 1980 |
| Pipestone County: | |
| David E. Christensen | 1984 |
| Redwood County: | |
| Wayne R. Farnberg | 1980 |
| Watonwan County: | |
| David R. Teigum | 1984 |

*Two judicial officers presently serving

STATE OF MINNESOTA

FIFTH JUDICIAL DISTRICT

COUNTIES OF BLUE EARTH, BROWN, COTTONWOOD, FARIBAULT, JACKSON, LINCOLN, LYON, MARTIN, MURRAY, NICOLLET, NOBLES, PIPESTONE, REDWOOD, ROCK AND WATONWAN.

The following plan to re-district the County Courts within the Fifth Judicial District for administrative and election purposes has been prepared and approved by the trial court Judges of the Fifth Judicial District:

DISTRICT NO. I. LINCOLN, LYON AND REDWOOD COUNTIES

with three County Court Judges, one of whom must have chambers in Redwood County, one of whom must maintain chambers in Lyon County, and one of whom must maintain chambers in Lincoln or Lyon County.

DISTRICT NO. II. BROWN, NICOLLET, WATONWAN AND COTTONWOOD COUNTIES

with four County Court Judges (presently assisted by two Judicial Officers) with chambers for a County Court Judge in each of the four counties.

DISTRICT NO. III. BLUE EARTH COUNTY with three County Court Judges with chambers in Blue Earth County.

DISTRICT NO. IV. JACKSON, MARTIN AND FARIBAULT COUNTIES with three County Court Judges chambered in each of the three counties.

DISTRICT NO. V. NOBLES, ROCK, MURRAY AND PIPESTONE COUNTIES with three County Court Judges with chambers in Nobles, Pipestone and Murray Counties and visiting Judge's chambers in Rock County.

The effective date for the redistricting is recommended to be 1984 or until redistricting of County Courts in Minnesota is complete, whichever date is later.

Data to support the re-districting proposal is attached.

Proposal approved by the Trial Court Judges, Fifth Judicial District, January, 1980.

HOW THE COUNTY COURT DISTRICTS BEGAN. . .AND CHANGED. . .AND NOW ARE
IN THE FIFTH JUDICIAL DISTRICT:

When County Courts were established by the Legislature to be created in 1971 in Blue Earth County and the rest of the counties of this District in 1972 the following "districts" were set:

Lincoln and Lyon Counties - still exists

Murray and Pipestone Counties - separated by action of the County Boards in 1976

Rock and Nobles Counties - still exists

Martin, Watonwan and Faribault Counties - separated by action of the County Boards in 1972

Nicollet and LeSueur - separated by action of the County Boards in 1972.

The law establishing the County Courts provided, "a combined county court district may be separated into single county courts by the concurrence of the county boards of the respective counties affected. Vacancies in the office of judge created by such a separation shall be filled in the manner herein provided for the selection of other county court judges."

The passage of Chapter 432 by the 1977 Legislature honored the action of the local County Boards in separating the counties by listing only Lincoln and Lyon Counties and Rock and Nobles Counties as two-county districts within the Fifth District and further providing, "Notwithstanding the other provisions of such subdivision, county judge positions created by county board action prior to April 23, 1977 shall be continued unless terminated pursuant to subdivision 6.

Sec. 23, Subd. 6, Chapter 432, Laws of 1977 states, "For the more effective administration of justice, the supreme court may combine two or more county court districts into a single county court district. If districts are combined, the office of a judge may be terminated at the expiration of his term etc."

January, 1980

PROPOSAL FOR RE-DISTRICTING OF COUNTY COURTS
FIFTH JUDICIAL DISTRICT, MINNESOTA

Population figures used are projected 1980
figures as compiled by Southwest State
University, Marshall, Mn.

LINCOLN

LYON

REDWOOD

COUNTY COURT DISTRICT NO. I = Combined population = 53,400
Three County Court Judges
Average population per Judge = 17,800

NICOLLET

BROWN

DISTRICT NO. II
Combined population, four
counties = 83,500

COTTONWOOD

Four County Court
Judges (2 Judicial Officers)
Average population per Judge = 20,875

WATONWAN

BLUE EARTH

DISTRICT NO. III.
Population = 58,000
Three County Court
Judges: Average Popu-
lation per Judge =
19,333

EFFESTONE

MURRAY

COUNTY COURT DISTRICT NO. V
combined population = 59,000
Three County Court Judges:
Average population per Judge =
19,666

ROCK

NOBLES

JACKSON

MARTIN

FARIBAULT

COUNTY COURT DISTRICT NO. IV
Combined population = 58,600
Three County Court Judges;
Average population per Judge = 19,533

POPULATION DENSITY FOR THE COUNTIES OF THE FIFTH JUDICIAL DISTRICT

Based upon the premise that the greater the density of population in an area the greater the need for court services involving human services, law enforcement, property transactions, etc. a comparison of population distribution for the Fifth District follows:

| County | Population 1 9 7 0 | Population 1 9 8 0* | Area in acres | Acres per person (1980 pop.) |
|-------------------------------|-----------------------|------------------------|------------------|---------------------------------|
| Blue Earth | 52,322 | 58,000 | 477,159 | 8.22+ |
| <u>Proposed District No.1</u> | | | | |
| Lincoln | 8,143 | 7,800 | 334,365 | 42.867+ |
| Lyon | 24,273 | 26,200 | 453,073 | 17.292 |
| Redwood | 20,024 | 19,400 | 557,475 | 28.735+ |
| <u>Proposed District No.2</u> | | | | |
| Brown | 28,887 | 29,900 | 387,267 | 12.952+ |
| Nicollet | 24,518 | 26,000 | 280,866 | 10.802 |
| Cottonwood | 14,887 | 14,300 | 407,635 | 28.505 |
| Watonwan | 13,298 | 13,300 | 277,052 | 20.830 |
| <u>Proposed District No.4</u> | | | | |
| Faribault | 20,896 | 20,000 | 454,724 | 22.736+ |
| Jackson | 14,352 | 14,200 | 446,068 | 31.413 |
| Martin | 24,316 | 24,000 | 450,521 | 18.771 |
| <u>Proposed District No.5</u> | | | | |
| Nobles | 23,208 | 23,400 | 454,877 | 19.439 |
| Murray | 12,508 | 11,900 | 444,657 | 37.366 |
| Pipestone | 12,791 | 12,400 | 296,386 | 23.942 |
| Rock | 11,346 | 11,300 | 307,716 | 27.231 |

*Projected 1980 population figures were compiled by Southwest State University, Marshall, Mn. and do not reflect 1980 census.

Total population for Fifth Judicial District: 1970- 305,949
1980*-312,500

Projected Population for 1980 increased 6,551

Total acreage in Fifth Judicial District:6,030,343

Population (1980) 312,500

312,500 = 19,531.25 average population per Judge.

No.County Court 16
Judges

COUNTY COURT CASELOAD COMPARISONS FOR THE FIFTH JUDICIAL DISTRICT - Jan. 1980

Grouped by proposed districts

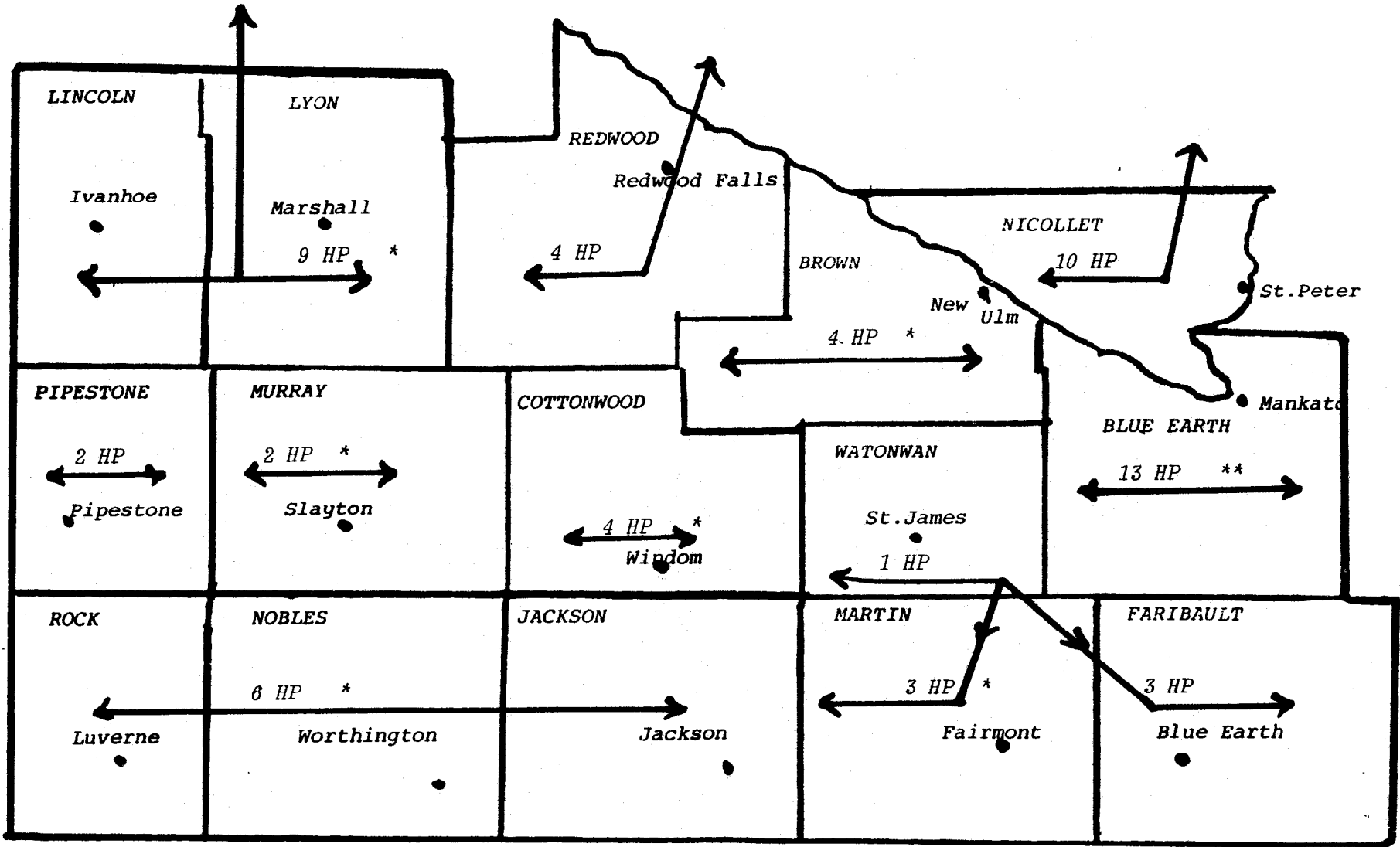
| | Co. Ct. civil, probate, family, com. | Co. Ct. Traffic and criminal | Co. Ct. Concil. | Co. Ct. Juvenile |
|----------------------------|--------------------------------------------------|---------------------------------------|--------------------|---------------------|
| <u>DISTRICT I</u> | | | | |
| Lincoln | 138 | 505 | 116 | 117 |
| Lyon | 478 | 3,231 | 407 | 374 |
| Redwood | 270 | 1,612 | 239 | 317 |
| | 886 | 5,348 | 762 | 808 |
| 1 Dist. Ct. Judge | | | | |
| 3 Co. Ct. Judges | | | | |
| Average per Judge: 295 | 1,782+ | 254 | 269.5 | |
| <u>DISTRICT II</u> | | | | |
| Nicollet | 312 | 5,331 | 196 | 633 |
| Brown | 434 | 2,176 | 187 | 540 |
| Cottonwood | 250 | 1,291 | 237 | 274 |
| Watonwan | 221 | 879 | 227 | 243 |
| | 1,217 | 9,677 | 847 | 1,690 |
| 2 Dist. Ct. Judges | | | | |
| 4 Co. Ct. Judges | | | | |
| 2 Judicial Off. | | | | |
| Average per Judge: 304.2 | 2,419 | 211.75 | 422.5 | |
| <u>DISTRICT III</u> | | | | |
| Blue Earth | 909 | 47,221 | 659 | 847 |
| 1 Dist. Ct. Judge | | | | |
| 3 Co. Ct. Judges | | | | |
| Average per Judge: 303 | 15,777 | 219.6 | 282.5 | |
| <u>DISTRICT IV</u> | | | | |
| Faribault | 308 | 1,444 | 312 | 262 |
| Martin | 489 | 3,551 | 319 | 478 |
| Jackson | 179 | 2,111 | 266 | 187 |
| | 976 | 7,106 | 897 | 927 |
| 1 Dist. Ct. Judge | | | | |
| 3 Co. Ct. Judges | | | | |
| Average per Judge 325 | 2,366 | 299 | 309 | |
| <u>DISTRICT V</u> | | | | |
| Nobles | 303 | 2,111 | 189 | 167 |
| Rock | 155 | 729 | 62 | 127 |
| Murray | 139 | 656 | 184 | 134 |
| Pipestone | 147 | 1,550 | 122 | 211 |
| | 744 | 5,046 | 557 | 639 |
| 3 Co. Ct. Judges | | | | |
| Average per Judge 248 | 1,682 | 185.6 | 213 | |

Upon the premise that a law enforcement staff within a county that is adequate in number, well trained and backed by assistance of volunteer reserves will be more active in law enforcement with resulting impact upon the court system the following information as to law enforcement staff in the counties of the Fifth Judicial District follows:

| County | trained law enforcement staff | volunteers or reserves |
|------------|-------------------------------------|---------------------------|
| Blue Earth | 74 | 44 |
| Brown | 38 | 10 |
| Cottonwood | 14 | 0 |
| Faribault | 21 | 3 |
| Jackson | 18 | 10 |
| Lincoln | 9 | 3 |
| Lyon | 44 | 18 |
| Martin | 29 | 26 |
| Murray | 13 | 2 |
| Nicollet | 21 | 28 |
| Nobles | 20 | 1 |
| Pipestone | 18 | 5 |
| Redwood | 15 | 4 |
| Rock | 8 | 0 |
| Watsonwan | 16 | 29 |

FIFTH JUDICIAL DISTRICT
STATE OF MINNESOTA

LEGEND: HP Highway Patrol Officers-Number shown
* Game Wardens

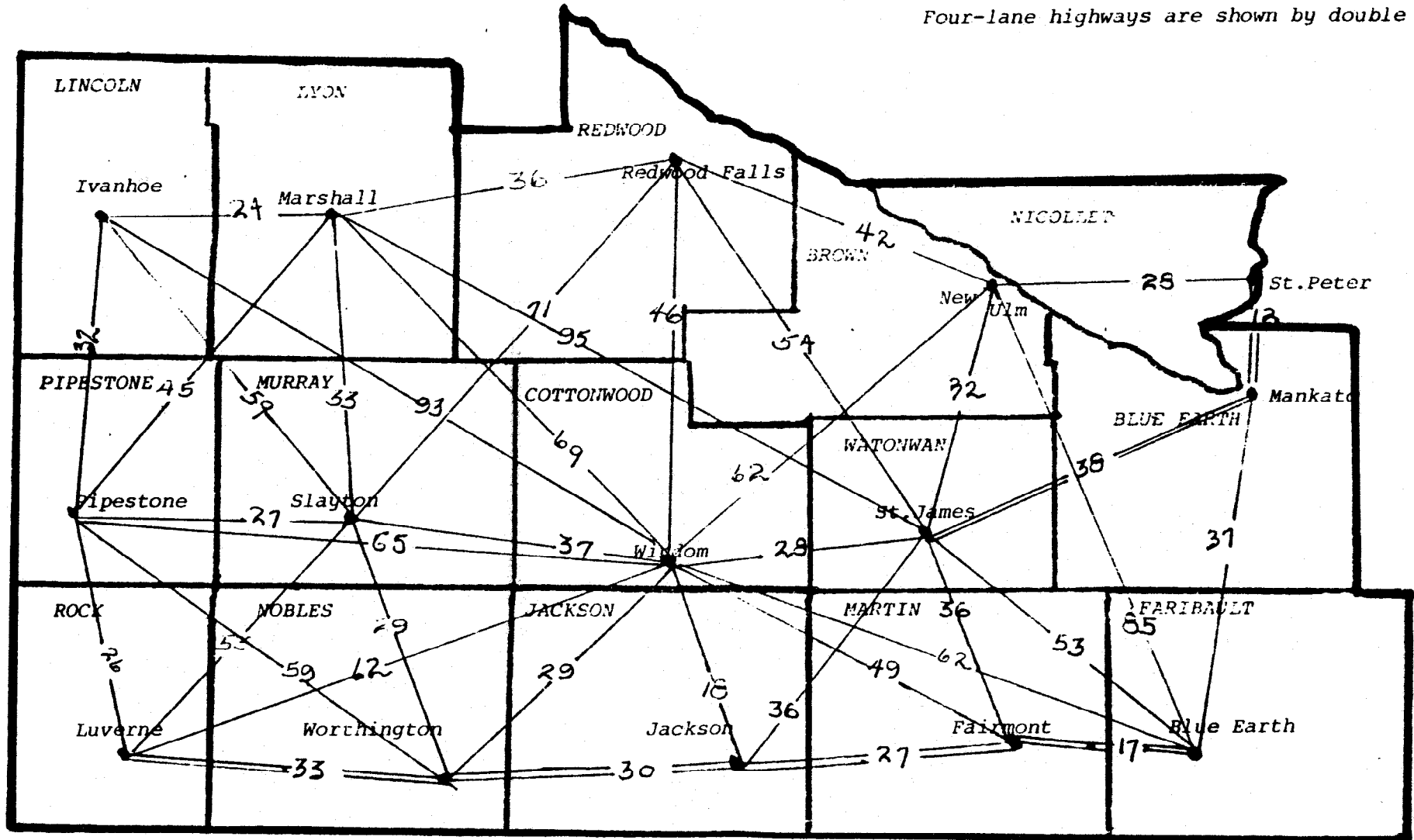


COUNTIES IN THE FIFTH JUDICIAL DISTRICT

FIFTH JUDICIAL DISTRICT
STATE OF MINNESOTA

Mileage from County Seats

Four-lane highways are shown by double lines



COUNTIES IN THE FIFTH JUDICIAL DISTRICT
figures established by S.W. State University, Marshall, Minn.

**Population figures used are

MILEAGE CHART - COUNTY SEAT CITIES IN THE FIFTH JUDICIAL DISTRICT

| | | | | | | | | | | | | | | |
|---------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|----|----|-----|----|----|
| | 17 | 146 | 44 | 109 | 37 | 135 | 85 | 131 | 108 | 53 | 80 | 103 | 62 | 78 |
| BLUE EARTH | 129 | 27 | 92 | 51 | 118 | 68 | 114 | 91 | 36 | 63 | 87 | 49 | 61 | |
| FAIRMONT | 102 | 58 | 135 | 24 | 101 | 32 | 62 | 114 | 129 | 59 | 93 | 87 | | |
| IVANHOE | 61 | 72 | 93 | 95 | 129 | 64 | 36 | 90 | 49 | 18 | 30 | | | |
| JACKSON | 128 | 80 | 160 | 26 | 105 | 97 | 139 | 53 | 62 | 33 | | | | |
| LIVERNE | 105 | 28 | 131 | 70 | 38 | 12 | 114 | 66 | 96 | | | | | |
| MANKATO | 77 | 45 | 36 | 95 | 105 | 33 | 69 | 63 | | | | | | |
| MARSHALL | 124 | 42 | 32 | 28 | 97 | 62 | 92 | | | | | | | |
| NEW ULM | 79 | 94 | 132 | 27 | 65 | 59 | | | | | | | | |
| PIPESTONE | 54 | 70 | 71 | 46 | 77 | | | | | | | | | |
| REDWOOD FALLS | 50 | 52 | 28 | 66 | | | | | | | | | | |
| ST. JAMES | 105 | 77 | 108 | | | | | | | | | | | |
| ST. PETER | 37 | 29 | | | | | | | | | | | | |
| SLAYTON | 31 | | | | | | | | | | | | | |
| WINDOM | | | | | | | | | | | | | | |
| WORTHINGTON | | | | | | | | | | | | | | |

The location of a county, in addition to population, influences activity in the Courts, and especially in the traffic courts, juvenile courts, petty misdemeanors, etc.

The counties in the Fifth District which are bordering on statelines are:

IOWA BORDER:

Faribault

Martin

Jackson

Nobles

Rock

SOUTH DAKOTA:

Rock

Pipestone

Lincoln

Four-lane interstate highways cross the following counties within the district:

Interstate 90:

Faribault

Martin

Jackson

Nobles

Rock

Highways 60-169 (fourlane from Twin City area southwest)

Blue Earth

Nicollet

Watonwan

U. S. Highways Nos. 75, 59 and 71 carry north and south traffic across this district and highway 23 in the western part of the district is a heavily traveled highway from the southwest corner of the state cutting northeast across the state to the resort and lake areas in central and northern Minnesota.

The number of attorneys practicing in a county is a link to the court activity or caseload for a particular county. There is much exchange of attorneys representing clients across county lines in a rural district but resident attorneys have day to day association with the county court of their own county.

The practicing attorneys in the respective counties of the Fifth Judicial District are:

| | |
|------------|----|
| Blue Earth | 80 |
| Brown | 40 |
| Cottonwood | 11 |
| Faribault | 19 |
| Jackson | 15 |
| Lincoln | 9 |
| Lyon | 30 |
| Martin | 22 |
| Murray | 5 |
| Nicollet | 11 |
| Nobles | 22 |
| Pipestone | 8 |
| Redwood | 15 |
| Rock | 8 |
| Watsonwan | 11 |

The presence of colleges, universities and vocation schools within a county has a direct influence on the courts via the traffic courts and petty misdemeanor cases. Because students retain their home residence for driver licensing purposes and also maintain a school-year residence in the college town, there is additional activity in many instances. The following counties have institutions of higher education located within their boundaries:

| | |
|------------|-----------------------------------------------------------------------------------|
| Blue Earth | Mankato State University, Bethany College, Mankato Commercial College, Vo-Tech |
| Brown | Martin Luther High School and College Hanska Vo-Tech |
| Jackson | Jackson Vo-Tech |
| Lyon | Southwest State University |
| Nicollet | Gustavus Adolphus College (also has a State Hospital) |
| Nobles | Worthington Community College Community Corrections |
| Pipestone | Vo-Tech |

COLLEGES, UNIVERSITIES AND VOCATIONAL SCHOOLS
IN THE FIFTH JUDICIAL DISTRICT, MINNESOTA

