

STATE OF MINNESOTA

IN SUPREME COURT

O R D E R

WHEREAS, the Judges of the Eighth Judicial District have submitted to the Supreme Court a plan to redistrict the County Courts of the Eighth District, and

WHEREAS, the Supreme Court has ordered that a hearing on the redistricting plan of the Eighth Judicial District be held in the Supreme Court Chambers in the State Capitol in Saint Paul, Minnesota at 10 o'clock a.m. on Tuesday, December 19, 1978, and

WHEREAS, the Supreme Court has ordered that advance notice of the hearing be given by the publication of its Order of November 20, 1978 in the Supreme Court edition of Finance & Commerce, the St. Paul Legal Ledger and the legal Newspapers in each county in the Eighth Judicial District, and

WHEREAS, the above orders have been complied with, and a hearing on the redistricting plan of the Eighth Judicial District has been held on December 19, 1978, Mr. George E. Hulstrand, State Senator Wayne Olhoft and Judges John J. Wayrens, John C. Lindstrom and DePaul D. Willette making presentations regarding the redistricting plan, and

WHEREAS, the Supreme Court recognizes and accepts the responsibility conferred upon the Court by Minnesota Statutes 1978, Section 487.01 subdivision 6, and by promulgating this Order intends to discharge its obligations,

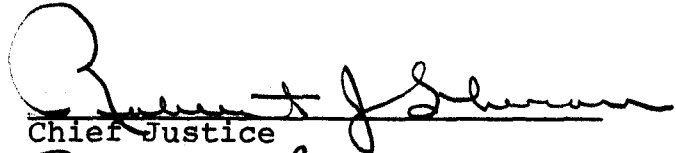
NOW, THEREFORE, IT IS HEREBY ORDERED that the redistricting plan of the Eighth Judicial District, adopted by District and County Court Judges of the Eighth Judicial District on April 21, 1978, a copy of which is attached hereto and incorporated herein by reference is approved, adopted and ratified by the Supreme Court in all respects except as hereinafter provided.

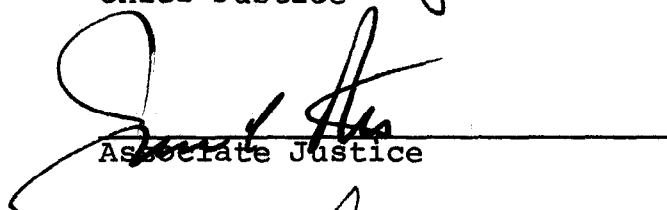
IT IS FURTHER ORDERED that the two County Court Judges serving Grant County be, and they hereby are, assigned indefinitely to the Seventh Judicial District, to be elected from a County Court District in the Seventh Judicial District upon the expiration of their present terms.

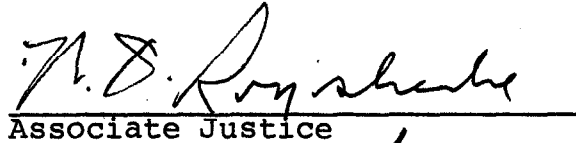
IT IS FURTHER ORDERED that the position of Judge of County Court in Kandiyohi County which is currently held by the Honorable M. A. Wahlstrand be, and the same hereby is, terminated upon the resignation or retirement of Judge Wahlstrand, on the grounds and for the reason that the term of a judge expires at the time of his resignation or retirement.

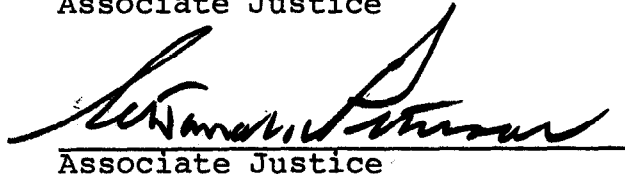
Dated: December 21, 1978

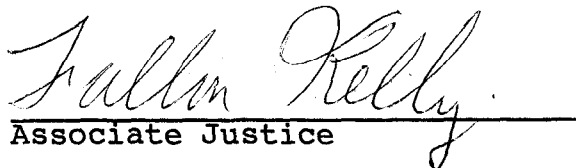
MINNESOTA SUPREME COURT

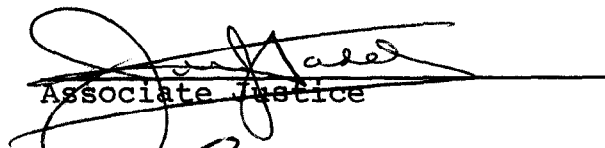
  
Chief Justice

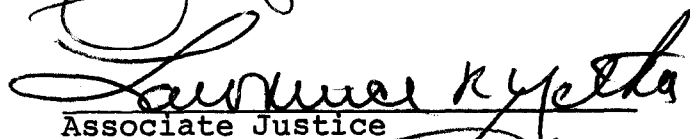
  
Associate Justice

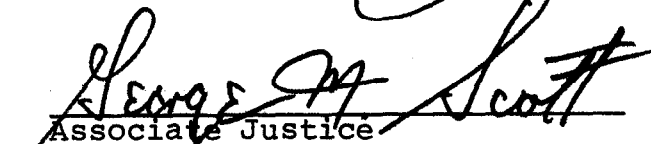
  
Associate Justice

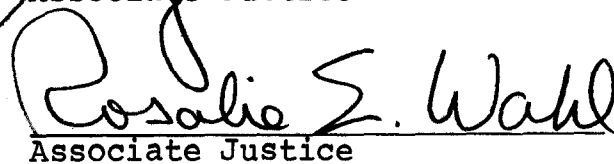
  
Associate Justice

  
Associate Justice

  
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**SUPREME COURT  
FILED**

DEC 21 1978

EIGHTH JUDICIAL DISTRICT

STATE OF MINNESOTA

REDISTRICTING PROPOSAL  
(Adopted by District  
and County Court  
Judges on April 21,  
1978, at a joint  
meeting)

## EIGHTH JUDICIAL DISTRICT

Pursuant to the provisions of the 1977 Court Reorganization Act set forth in Chapter 432 of the Laws of Minnesota, 1977, sub. 2, enabling the Supreme Court to reorganize County Court districts and redraw judicial district boundaries. The Supreme Court has set up a Committee, composed largely of persons from the metropolitan area, (since expanded), to draw up a plan to redistrict the county courts of the State. In order to get our view considered, the Eighth Judicial District Judges established a committee consisting of Judge Weyrens, Chairman; Judge Zeug; Judge Davison; Judge Buchanan; and Judge Lindstrom. The purpose of the committee was to formulate a judicial redistricting plan for the present Eighth Judicial District. The Committee has met on several occasions and representatives from the committee have also met with representatives of the Supreme Court. The committee has made a proposal to the Judges of the Eighth Judicial District which they adopted on April 21, 1978.

After evaluation of a number of different proposals the Judges of the Eighth Judicial District submit the following plan for your consideration.

This plan represents the opinion of the Judges involved. Input and approval has not been received from County Commissioners, Law Enforcement officials, local Bar Association and other interested persons. We believe their input and opinions should not be overlooked.

The Judges suggest that the Eighth Judicial District (presently consisting of thirteen counties in western and central Minnesota) be divided into the following County Court Districts:

- DISTRICT 8A consisting of Lac Qui Parle, Yellow Medicine, Chippewa and Renville Counties, total population 61,935;
- DISTRICT 8B consisting of Swift, Kandiyohi and Meeker Counties, total population 62,500;
- DISTRICT 8C consisting of Wilkin, Traverse, Big Stone, Grant, Stevens, and Pope, total population, 53,371.

See attached exhibits 1 through 5.

We understand that the two County Court Judges presently serving Grant County but who reside in the Seventh Judicial District will be assigned, by the Supreme Court, to the Seventh Judicial District to be elected in the future from a County Court District in the Seventh Judicial District. We understand that the population of the Seventh Judicial District is such that they can absorb all of the County Court Judges residing within that District and our plan is based on that understanding.

The principal and over-riding rule the Judges considered in formulating this plan was providing effective and efficient judicial services to the residents of the Eighth Judicial District in a manner that would not result in a decrease in present judicial services. Consequently in evaluating the guidelines as set forth by the State Supreme Court Committee we felt that a population base of 20,000 - 25,000 is not feasible for a rural judicial district where the population base is spread over a wide geographic area and distance between county seats is a major factor to consider.

In the County Court District as proposed herein, a County Court Judge will always be available within one hours driving time.

We believe that no strict guidelines can be established state-wide but that we must consider the availability of the judge to the citizens that will be served, including reasonable access of those who are involved in the criminal justice system. In addition, we believe that the administration and functioning of a rural court is substantially different from that of a metropolitan court. In addition to the factors of distance and greater geographic area we believe that a rural court does not have the supportive staff services, that many of the metropolitan courts have available to them. For example, in juvenile matters, all of the initial intake proceedings are conducted by a juvenile judge in a rural area, whereas in the metropolitan area this function is done by supportive staff. It is also important to note that in the Eighth Judicial District there are no judicial officers or referees available to hear matters assigned to them by the judges. For these reasons, we believe that a population base of approximately 15,000 is feasible for the Eighth Judicial District.

This plan is being proposed subject to the following conditions:

1. a. The public interest requires that judges be available at all hours for consideration of requests for search warrants, appearances of persons who are arrested, and for other functions, and therefore, the place of residence of judges in the rural areas is important. It is appropriate to make judicial services available in all portions of the judicial district.

b. In order to make judicial services available to the widest geographical area, no more than one county court judge may reside in any one county in any county court district, unless there is a resident judge in each county in that county court district. Any candidate for election as county judge must have been a resident for six months prior to the election in a county in which he would be eligible to reside, under the above stated rule.

c. In County Court District 8B there shall be one resident Judge in Swift County; one resident Judge in Meeker County and two resident Judges in Kandiyohi County.

2. We propose that the plan be in effect for the county court judges election in November, 1980.
3. The plan proposed herein is a tentative plan subject to hearings to be held in each of the proposed county court districts and it is anticipated that legislators, county commissioners, law enforcement officials, members of the Bar and interested citizen organizations would be invited to these hearings and their comments and proposals taken into consideration before the adoption of a final plan.
4. We recognize that the features of the judicial reorganization act providing for central administration of the judicial district would be maintained and that the assignment powers of the chief judge would remain, so that a judge could be assigned anywhere within the judicial district in an effort to maximize the efficiency of our judicial personnel.



EXHIBIT I

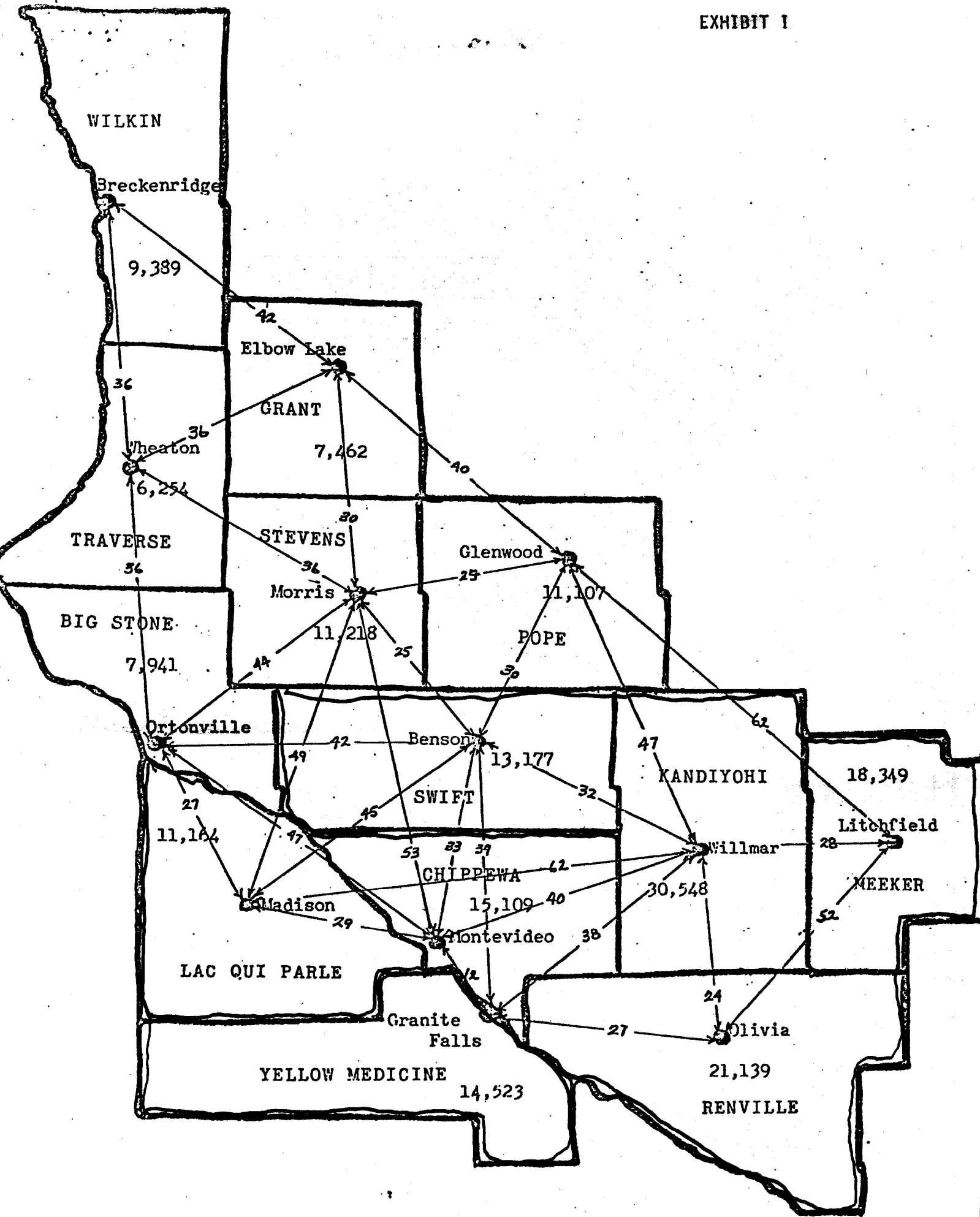
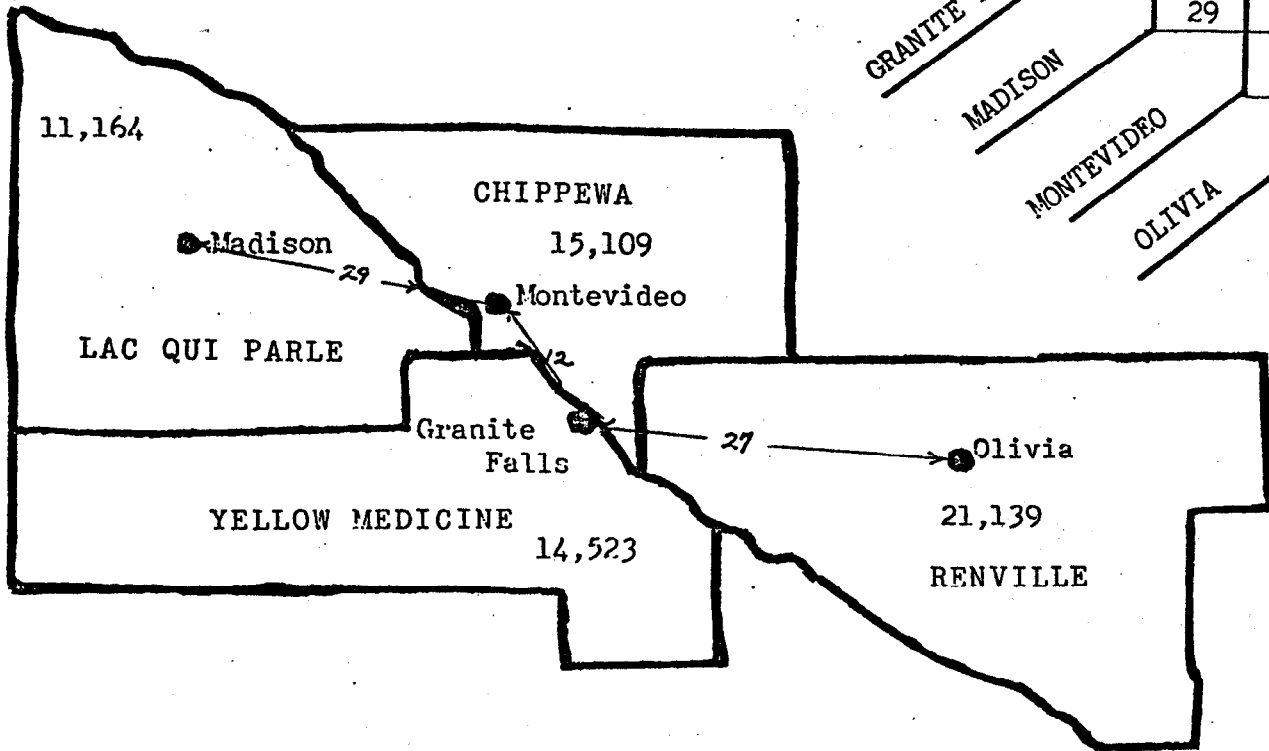




EXHIBIT 3

COUNTY COURT DISTRICT A



LAND AREA	COUNTY	POPULATION
492,699	Lac Qui Parle	11,164
370,270	Chippewa	15,109
481,687	Yellow Medicine	14,523
<u>621,129</u>	Renville	<u>21,139</u>
1,965,785		61,935

Average population density: 21 people per square mile (1970)

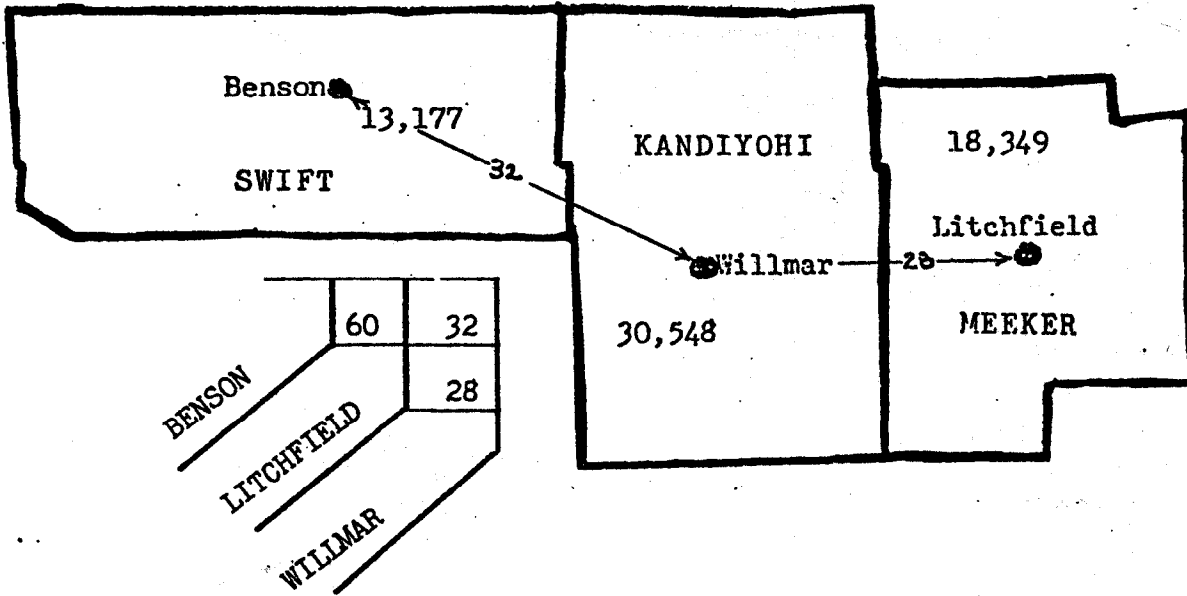
The four counties are served by the following Judges:

- The Hon. John J. Weyrens
- The Hon. Marquis L. Ward
- The Hon. F. M. Ostensoe
- The Hon. J. Zeug

Based on the 1970 population each Judge will serve 15,484 people.

EXHIBIT 4

COUNTY COURT DISTRICT B



LAND AREA	COUNTY	POPULATION
382,892	Meeker	18,800
497,293	Kandiyohi	30,500
<u>475,593</u>	Swift	<u>13,200</u>
1,355,778		62,500

Average population density: 30 people per square mile (1970)

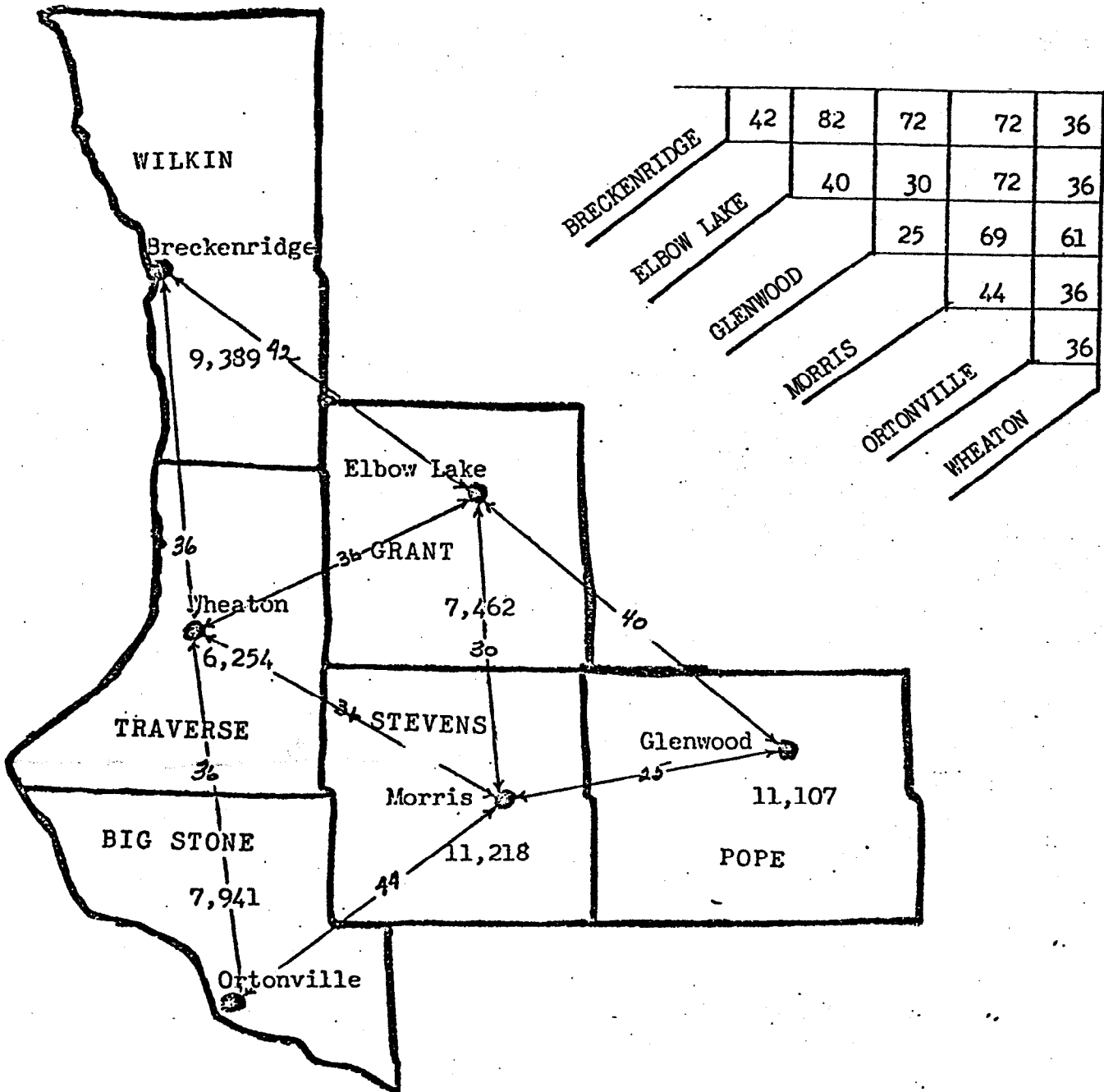
The three counties are served by the following Judges:

- The Hon. M. A. Wahlstrand
- The Hon. Allan D. Buchanan
- The Hon. Cedric Williams
- The Hon. Richard Bodger

Based on the 1970 population each Judge will serve 15,625 people.

EXHIBIT 5

COUNTY COURT DISTRICT C



BRECKENRIDGE	42	82	72	72	36
ELBOW LAKE		40	30	72	36
GLENWOOD			25	69	61
MORRIS				44	36
ORTONVILLE					36
WHEATON					

COUNTY COURT DISTRICT C

LAND AREA	COUNTY	POPULATION
476,389	Wilkin	9,389
363,462	Traverse	6,254
316,501	Big Stone	7,941
348,226	Grant	7,462
335,336	Stevens	11,218
<u>426,102</u>	Pope	<u>11,107</u>
2,266.016		53,371

Average population density: 15 people per square mile (1970)

The six counties are served by the following Judges:

The Hon. Bruce Reuther  
 The Hon. Keith Davison  
 The Hon. Donald Giberson  
 The Hon. John Claeson

Based on the 1970 population each Judge will serve 13,342 people.