

7th - 50449
8th - 49543
9th - 49858

STATE OF MINNESOTA
IN SUPREME COURT

HEARING ON REDISTRICTING
PLANS FOR THE EIGHTH AND NINTH
JUDICIAL DISTRICTS AND PART OF
THE SEVENTH JUDICIAL DISTRICT

O R D E R

50449 and 49543 and 49858

WHEREAS, the Judges of the Seventh, Eighth, and Ninth Judicial Districts have submitted to the Supreme Court plans to realign the courts of the districts,

WHEREAS, the Supreme Court wishes to allow public testimony on the redistricting plans,

NOW, THEREFORE, IT IS HEREBY ORDERED that a hearing on the redistricting plans with respect to the Eighth and Ninth Judicial Districts and Clay, Becker, Otter Tail, Wadena, Douglas, and Todd Counties of the Seventh Judicial District shall be held in the Supreme Court Chambers in the State Capitol, Saint Paul, Minnesota, at 9:30 a. m. on Thursday, October 4, 1979.

IT IS FURTHER ORDERED, that advance notice of the hearing be given by the publication of this order once in the Supreme Court edition of FINANCE AND COMMERCE, ST. PAUL LEGAL LEDGER, and BENCH AND BAR.

IT IS FURTHER ORDERED that interested persons show cause, if any they have, why the proposed redistricting plans should not be adopted. All persons desiring to be heard shall file briefs or petitions setting forth their objections, and shall also notify the Clerk of the Supreme Court, in writing, on or before September 27, 1979 of their desire to be heard on the matter.

DATED: August 6, 1979.

SUPREME COURT
FILED

AUG 17 1979

JOHN McCARTHY
CLERK

BY THE COURT

Robert J. Nelson
Chief Justice

Wilkin County, Minnesota

WILLIAM E. McCULLOUGH, AUDITOR
DELORES M. WESSELS, DEPUTY

TELEPHONE (218) 643-4981
P.O. BOX 409
BRECKENRIDGE, MINNESOTA 56520



September 20, 1979

Minnesota Supreme Court
State Capitol
St. Paul, MN 55101

49543

Dear Sir:

I am herewith enclosing a copy of the Resolution adopted by the Wilkin County Board of Commissioners on September 18th, 1979 opposing any modifications of the Eight Judicial District redistricting plan already approved.

Yours very truly,

William E. McCullough
County Auditor

WEM/dw
Encl.

9-24 -- copy to each justice

W.T.

RESOLUTION 24-79

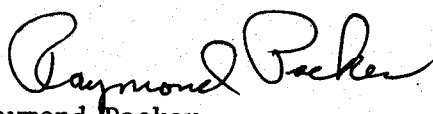
Whereas, the Eighth Judicial District of Minnesota was redistricted effective January 1, 1979, despite objections from private parties and governmental bodies therein, but after a public hearing and opportunity to be heard thereon, and

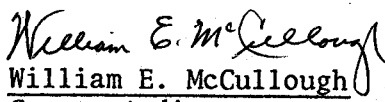
Whereas, it has now come to this Board's attention that a modification of that redistricting plan which was earlier approved by the Minnesota Supreme Court is now being considered, and without hearing thereon within said Eighth Judicial District, which modifications are understood to deal with judicial residency requirements deemed necessary for the protection and continued adequate judicial services of smaller counties such as this,

NOW THEREFORE, BE IT RESOLVED, that this Board of County Commissioners of Wilkin County, Minnesota, opposes any modifications of the Eighth Judicial District redistricting plan already approved and made operative and requests a hearing within such district on proper notice before any such modifications be considered, and

BE IT FURTHER RESOLVED, that the Wilkin County Auditor forward to the Minnesota Supreme Court, State Capitol, Saint Paul, Minnesota, forthwith, a copy hereof.

Adopted this 18th day of September, 1979.


Raymond Packer
Chairperson

Attest: 
William E. McCullough
County Auditor

(Seal)

Staples Police Department

Staples, Minnesota 56479

DAVID M. WARNEKE, POLICE CHIEF

September 25, 1979

Mr. John C. McCarthy
Clerk of Court
Capitol Building
Aurora Avenue
St. Paul, MN 55155

49543

Dear Mr. McCarthy

I would like to write this letter in support of the Tri County Court System in Todd, Wadena, and Douglas Counties.

Being a police officer, I have found that unless you are a very unique person, personal relations, in regards to friends, relatives, etc. tend to reflect in your job performance. This is especially true if you work in your home community. I feel, and believe that Court records would show, this is what is happening in the Court hearings held in Staples.

Therefore, I feel that it would be a benefit to both this community and the other communities concerned and also for the integrity of the Court system that a Tri County switch be incorporated.

Sincerely,



David M. Warneke
Police Chief

DMW/jmp

9-27 -- copy to each Justice

JOHN J. WEYRENS
JUDGE OF COUNTY COURT
LAC QUI PARLE COUNTY
MADISON, MINNESOTA 56256
PHONE 612-598-3915

September 26, 1979

John McCarthy
Clerk of Supreme Court
State Capitol
St. Paul, MN 55101

49543

RE: Redistricting Hearing - October 4th, 1979

Dear Mr. McCarthy:

As Assistant Chief Judge of the Eighth Judicial District I desire to be heard at the hearing on October 4th, 1979, with regard to any proposed change in the redistricting plan already approved for the Eighth Judicial District.

It is my understanding that the proposed change in the redistricting plan of the Eighth District involves the removal of the residency requirement. It is the position of the County Court Judges in the Eighth Judicial District that while the requirement that a judge reside in a district for six months before he can be elected a county court judge in that district may be unconstitutional, we do believe that the Supreme Court can establish residency requirements that would take affect after the election.

Our redistricting plan includes the following provision: "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." This particular clause is very important to our plan because it gives some protection to the smaller counties within the district. Without this provision we do not believe that our plan would have been approved by County Commissioners, state legislators, and others who considered it prior to its submission to the Supreme Court. We believe that provision to be constitutional.

It is our further understanding that any changes that are made in the redistricting plan in the Eighth Judicial District will not take affect until after the elections in 1980.

The above represents the material I intend to present on October 4th.

Yours very truly,


John J. Weyrens

cc Laurence O. Harmon
cc Gerald W. Kalina

9-27 -- copy to each justice.
WJW

Jon Stafsholt
Grant County Attorney
ELBOW LAKE, MINNESOTA 56531
(218) 685-4452



DENNIS J. HELSETH
ASSISTANT COUNTY ATTORNEY

September 19, 1979

Chief Justice Robert J. Sheran
Minnesota Supreme Court
State Capitol
St. Paul, MN 55155

RE: Hearing on Eighth District Redistricting Plan

Enclosed herewith is a petition of the Grant County Bar Association concerning the upcoming hearing on a redistricting plan concerning the Eighth Judicial District.

Jon Stafsholt

JS/mp

Enclosure

9-25 - 1 to each judge

Re: Hearing, 10-4-79.

STATE OF MINNESOTA
IN SUPREME COURT

In Re:
HEARING ON REDISTRICTING PLAN
FOR THE 8TH JUDICIAL DISTRICT

PETITION
OF GRANT COUNTY
BAR ASSOCIATION

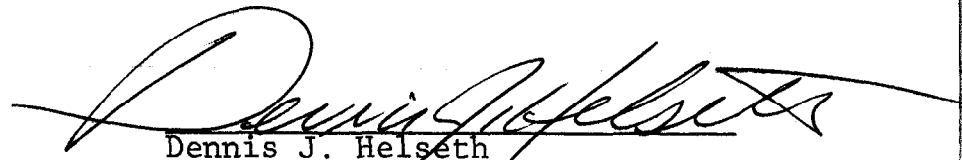
49543

We, the undersigned, constituting all duly licensed attorneys who are residents of Grant County, Minnesota, hereby petition the Supreme Court to retain paragraph 1.b. of the Eighth Judicial District Redistricting Proposal which requires that not more than one county court judge may reside in any one county in any county court district and which requires that any candidate for election as county judge must reside in a county in which he would be eligible to serve as judge.

We believe it is essential in this rural area to have easy access to county judges and that it is in the best interests of the public and practicing bar that judges be located throughout the county court district and not clustered in one or two cities.

Dated: September 18, 1979


Jon Stafsholt


Dennis J. Helseth


Lyndon L. Kratochwill

SUPREME COURT
FILED

SEP 25 1979

JOHN McCARTHY,
CLERK