

STATE OF MINNESOTA  
IN SUPREME COURT

ORDER SETTING HEARING DATE  
FOR NINTH JUDICIAL DISTRICT  
REDISTRICTING PLAN

WHEREAS the Judges of the Ninth Judicial District have submitted to the Supreme Court a plan to realign the courts of the district,

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

NOW THEREFORE IT IS HEREBY ORDERED that a hearing on the redistricting plan of the Ninth Judicial District shall be held in the Supreme Court Chambers in the State Capitol, St. Paul, at 10:00 a.m. on Friday, April 6, 1979.

IT IS FURTHER ORDERED that true and correct copies of the redistricting plan be made available upon request at the office of the Clerk of District Court in each county in the Ninth Judicial District.

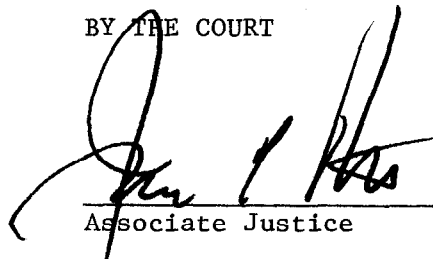
IT IS FURTHER ORDERED that advance notice of the hearing be given by the publication of this order once in the Supreme Court edition of Finance & Commerce and the St. Paul Legal Ledger and by publication in the legal newspaper in each county in the Ninth Judicial District.

IT IS FURTHER ORDERED that interested persons show cause, if any they have, why the proposed redistricting plan 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 March 30, 1979 of their desire to be heard on the matter.

Dated: February 20, 1979

SUPREME COURT  
FILED  
FEB 22 1979  
JOHN McCARTHY  
CLERK

BY THE COURT



Associate Justice

20

49858

STATE OF MINNESOTA  
DISTRICT COURT, NINTH JUDICIAL DISTRICT  
THIEF RIVER FALLS 56701

WARREN A. SAETRE  
JUDGE

April 6, 1979

To: Supreme Court  
From: Warren A. Saetre, Chief Judge, Ninth Judicial District  
Subject: County Court Redistricting.

If it please the court, I would take this means of offering my suggestions and recommendations in the matter of redistricting the County Courts for the Ninth Judicial District.

First, I should state that I do not feel that there is any demand by anyone, bench, bar or the public to redistrict the county court election districts. In fact, I have the feeling that the people in northwest Minnesota would prefer to keep things pretty much as they are. However, I do feel some modification or change is indicated in order to provide a minimum of three judges in each election district. (Some of you will recall this was the reason the old fourteenth and fifteenth judicial districts were merged about twenty years ago).

Really, the only issue is: Should County Court Judges be elected on a district wide, at large basis or, from smaller, multi-county divisions of the seventeen counties. Regardless, there will still be the same amount of work and, depending upon what your decision is, more or less miles for the judges to travel. But whether a judge of this district is elected from one county or seventeen, the chief judge can assign him to work in any one or more of the counties comprising the Ninth Judicial District.

It is my recommendation that this district be sub-divided into three or four (or more) County Court election districts. I personally prefer three divisions, for reasons that I will explain, but I recognize that there are many possibilities and the exact alignment is not all that critical. Much of the work of the county courts is quite different from the work of the district court. I have heard the county court referred to as the "People's Court" which seems quite appropriate. The county court deals with family matters much of the time and in doing this work, it is important for a judge to be familiar with the mores and expectations of the community. The Ninth Judicial District includes approximately one-third of the geographical State of Minnesota. It varies greatly in customs, nationalities and occupations. The western eight counties are essentially agricultural and are inhabited by people who's ancestors migrated from northern Europe. There are few lakes and the landscape is

## 2. Supreme Court

is prairie. The eastern nine counties has few farms but thousands of lakes, large forests, mining and other industry. It is populated with many descendants of people from southern as well as northern Europe. Notwithstanding the fact that since 1977 County Court judges have been on the state payroll, the county judge enjoys the benefits of daily contact with essentially the same people who have business with his court. County attorneys, police, County Boards, public defenders and the public still consider him to be "our judge". These people get to know his rules and practices thus, usually expediting the work of the court. The county court generally schedules hearings months in advance and some of their business extends over a period of a year or more. Having the same judge handling the work month in and month out generates a feeling of dependability which the public likes. The judge is better able to plan and schedule and follow his cases.

If the county court judges were required to run at large in this district, I would expect their travel expense would substantially increase since it would seem only fair that they have the opportunity to work in all of the counties from which they are elected, thus gaining exposure to the electorate.

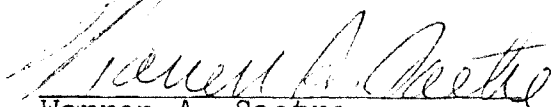
I would suggest the county court election districts be determined as follows:

Division I : Kittson, Roseau, Marshall, Pennington, Polk, Red Lake, Norman and Mahnomen Counties, five county court judges with chambers at Roseau, Warren, Thief River Falls, Crookston and Ada.

Division II: Clearwater, Beltrami, Hubbard, Cass, Crow Wing, and Aitkin, seven judges with chambers at Bemidji, Walker, Park Rapids, Brainerd and Aitkin.

Division III: Itasca, Koochiching and Lake of the Woods, three judges, two at Grand Rapids and one at International Falls. (Presently there is only one judge at Grand Rapids but legislation pending to add one judge).

If the court prefers the formal plan previously submitted, I would ask that they consider changing it so that Division I as set forth above could be provided for as all of the judges in the western eight counties agree that this is a workable arrangement.

  
Warren A. Saetre  
Chief Judge  
Thief River Falls, Minn.

MEMORANDUM

Re: Comments of J. A. Harren, Assistant Chief Judge, 9th Judicial District, to be presented at the hearing before the Supreme Court of Minnesota on April 6, 1979, on the proposed plan for the re-districting of the County Courts in the 9th Judicial District.

\* \* \* \* \*

The proposed plan before the Court to re-district the County Courts in the Ninth District is the result of the work of a committee appointed by Judge Saetre, the Chief Judge of the District.

The narratives in the proposal describe the committees and the matters considered by the committees.

The proposal was submitted to a vote at a meeting of the Judges of the Ninth District in June, 1978, and the proposal was approved by a 12 to 1 vote.

The public hearing contemplated in the proposal which was to be similiar to the one held at Benson, Minnesota, for the Eighth Judicial District was not held.

We did have a meeting in an attempt to afford such a hearing in Bemidji, Minnesota. Notices were sent to all Judges, County Auditors, Clerks of Court, Officers of the Bar Associations and a request was made for the posting of the notices to call the meeting to the attention of as many people as possible. I am informed that a report describing the attendance, the participation and the discussion will be filed with this Court or will be presented orally by someone else.

Those who attended the meeting favored the smallest election district possible.

The proposal submitted to this Court was drafted about one year ago.

While this critical day was approaching, interest and discussion increased and from it more knowledge has been acquired.

The proposed plan has merit and deserves consideration. HOWEVER knowledge acquired in recent discussions indicates that the plan, may now have less support in the Eastern area of the Ninth District and that

amendments will be proposed. Concern has also been expressed that two additional Judges would not be authorized. It may then be appropriate to suggest amendment.

To preface the amendment we recognize some differences within the District, particularly the Eastern area and the Western area as such areas are defined in the rules of the District Court.

It is noted that the East consists of single county court districts with only one exception. The West is all multi-county districts with only one exception, that is Polk County - but Polk has court sittings in Crookston and East Grand Forks and is in reality similiar to a multi county district. Travel is a necessity and usual in the west but not so general in the east. These facts probably explain why the eastern Judges have Court reporters and the western Judges do not. It may also explain why the western Judges are more receptive to multi-county districts.

At the present time there are 5 Judges in the west, all are lawyers and none are near retirement age. At the present there are 10 Judges in the east, however 1 is a judicial officer, 2 are non-lawyers and 2 are nearing retirement.

I have presided in most of the Courts in the West and acquired some personal knowledge of the work and the people. I do not have this experience in or knowledge of the East.

For the reasons expressed the amendment I propose concerns only the Western division. I propose that the Western area be designated as 1 County Court District for both election and administrative purposes. That it be staffed by the present 5 Judges.

The present five Judges have divided the work in the West since December 1, 1978 and it appears to be going well. The Judges will have sufficient exposure in this proposed District to give validity to the election process. There should be no serious objection to this proposed amendment.

**NINTH JUDICIAL DISTRICT  
STATE OF MINNESOTA**

**REDISTRICTING PROPOSAL FOR THE  
COUNTY COURTS OF THE NINTH  
JUDICIAL DISTRICT**

**(This is a proposal to be considered by the  
Judges of the Ninth Judicial District)**

This proposal adopted by the County and District Judges of the Ninth Judicial District, State of Minnesota, June 20, 1978. The following condition was approved as an addition to this report.

"Be it recommended by the Inter-Court Committee of the Minnesota District Judges Association and the Inter-Court Committee of the County Court Judges Association that county court administrative districts be created by January 1, 1979, and that these administrative districts be within the existing judicial districts, and that a survey of the judicial districts be made in order to re-evaluate whether or not the boundaries of the existing judicial districts should be changed or maintained, and that a report on this re-evaluation be made by July 1, 1982."

## EXPLANATION

This page is not a part of the proposal and is intended to be an explanation of the work of the re-districting committee up to the present time; an explanation for the need to approach the subject of re-districting, both past and present; and finally the procedure suggested to obtain the consensus approval of the Judges for a report to the re-districting committee.

### 1. THE COMMITTEE

The first committee appointed by Chief Judge Saetre consisted of:  
Judge Harren - to meet with the Judges of the Western Division of the  
Ninth District

Judge Haas - to meet with the Judges of the Eastern Division of the  
Ninth District

This first committee made contacts with all the Judges and generally discussed the problems with the Judges and obtained some input from each of them. The problems were identified, and opinions were solicited from all Judges.

The second committee appointed by Chief Judge Saetre consisted of:

Judge Harren	Judge Preece	Administrator Howard
Judge Haas	Judge Nelson	
Judge Reed	Judge Graff	

This second Committee met in Bemidji on February 22, 1978, and all members were present except Judge Haas. A report of this meeting was mailed to each of you.

Another committee concerned with re-districting is described as the Statewide Re-districting Committee chaired by Supreme Court Justice Yetka. This committee originally consisted of membership

mainly from the metropolitan area. It was originally later expanded to include the Assistant Chief Judges of each of the Districts all of whom were County Court Judges. Since the expansion, only one meeting was held.

## 2. WORK OF THE COMMITTEES

Chapter 432 of Laws 1977 commonly referred to as a Court re-organization act abolished referees as of July 31, 1978. As much of the judicial work was handled by referees or Judicial Officers, a crises was apparent. This act also empowered the Chief Justice to combine County Court Districts and to assign Judges.

The committee headed by Justice Yetka after a few meetings apparently came to a conclusion that re-districting was a problem that was difficult to fit into a specific pattern applicable to the entire state. It is our belief that this committee is now soliciting proposals from each of the ten Judicial Districts and will give consideration to adopting such proposals in its report if they are reasonable.

It is therefore necessary that the Judges of the Ninth Judicial District agree or at least come to a consensus agreement on a re-districting plan to submit to the committee. The alternative is that the plan will be made without our input.

## 3. THE INITIAL CONSIDERATION OF THE COMMITTEES

The abolishment of the referees and Judicial Officers on July 31, 1978.

(Chapter 750 of the Laws of 1978 has changed this initial consideration and eliminated the urgency. The relief however is



temporary. Section 8 of this law requires the Chief Justice to report to the legislature regarding re-organization which obviously implies that the need for a re-districting plan still exists.)

In the initial consideration the threatened abolishment of referees required a study as to the judicial compliment required to handle the business of our district.

The District Court apparently had no problems. The County Courts were staffed by 15 County Court Judges and two Judicial Officers. The district was then threatened with the loss of the Judicial Officers on July 31st, 1978 and one County Court Judge in April, 1979. A reduction in judicial personnel from 17 to 14, and obvious trouble.

After consideration, it was believed that the minimum requirement would be 16 County Court Judges. This is outlined in the report of the 7 member committee mailed to each of you on or about March 1, 1978.

Since the passage of Chapter 750 Laws 1978 we are assured of a full compliment of 17 Judges or Judicial Officers until April, 1979. After April, 1979 we will be reduced to 16 which the committee believes is sufficient provided work assignments are changed. The future of Judicial Officers is uncertain. Any plan adopted should provide for 2 regular judgeships to replace the Judicial Officers.

#### 4. THE PRESENT CONSIDERATION OF THE COMMITTEES

Since the passage of Chapter 750, Laws 1978, the extreme urgency is no longer present however the committees working on the problem have learned that the problems are difficult to resolve and that the work of re-districting should proceed as though an emergency still

exists to insure an end result that will be of maximum benefit to the people of the State and to the Judiciary.

The Statewide Committee on Re-districting has requested that each Judicial District submit its preliminary proposal to the committee by July 4, 1978.

The proposal which is submitted has been constructed from the deliberations of the committee, meetings of Judges, conferences with Judges, and everything gathered up to this point.

Each of you are requested to study this proposal, be prepared to make recommendations or if none be prepared to endorse the proposal as the one to submit to the Statewide Committee.

It is desired that this proposal be taken up at a meeting of all the Judges of the Ninth Judicial District at the State Bar Association meeting in June. It is desired that we come to as many agreements as possible so that a recommendation or proposal can be submitted to the State Re-districting Committee as our proposal.

At least one of the other districts have already submitted their proposal.

If you cannot attend this meeting you are requested to send your comments to either Assistant Chief Judge Harren or to Dennis Howard, the Administrator.

The end result of our proposed plan would be submitted to the Statewide Committee with an understanding that it is the recommendation of Judges only on those aspects of re-districting on which they agree.

The Statewide Committee has indicated a desire to hold hearings on the proposed plans in each Judicial District (possibly in a number of sittings - such as in each County Court District) and invite legislators, County Commissioners, Law Enforcement Officials, members of the Bar and interested citizens organizations to participate in these hearings, before a final plan is adopted.

(The first known hearing of this type is scheduled for the Eighth Judicial District plan at Benson, Minnesota on June 9, 1978.)

The initial proposed plan submitted is set out in the following pages.

INVENTORY OF THE PRESENT COUNTY COURT DISTRICT STRUCTURE

<u>Name of District</u>	<u>Number of Judges</u>	<u>1970 Population</u>	<u>Chambers</u>
Aitkin	1	11,403	Aitkin
Itasca	1	35,530	Grand Rapids
Koochiching	1	17,131	Int. Falls
Crow Wing	2	34,826	Brainard
Beltrami	1 & JO	26,373	Bemidji
Clearwater	1	8,013	Bagley
Polk	1 & JO	34,435	Crookston
Cass & Hubbard	2	27,916	Walker & Park Rapids
Norman & Mahnomen	2	15,646	Ada & Mahnomen
Marshall, • Pennington & Red Lake	2	32,714	Warren & Red Lake Falls
Kittson, Roseau & Lake of Woods	1	22,516	Roseau
(Total of 11 Districts)	(Total 15 Judges & 2 JO)	(Total of 266,503)	(3 counties without chambered Judges)

OBSERVATIONS FROM THE FOREGOING INVENTORY

Population per Judge varies from 1 Judge per 35,530 people to a low of 1 Judge per 8,013 people.

By dividing the number of Judges and Judicial Officers into the population total (266,503 divided by 17) the result is 15,677.

\* District Judge Chambers

## CONCLUSION

There is an obvious need for some re-districting.

### OTHER FACTORS WHICH MUST BE CONSIDERED IN A RE-DISTRICTING PROPOSAL WHICH ARE PECULIAR TO THE NINTH JUDICIAL DISTRICT

The Ninth District covers a wide geographic area with irregular population concentrations. Some Judges will have one sitting and no travel, while other Judges will have more than one sitting and substantial travel time.

A large part of the area experiences a summer tourist and vacation population increase.

A surface conclusion might lead one to believe that adjustments should be made in the population per Judge to compensate for the seasonal population boom. This conclusion however may not be valid.

A Judge having one sitting with little travel can spend more time on the bench and theoretically handle more cases. The seasonal population increase can be absorbed by him.

A Judge having more than one sitting and considerable travel may be able to handle the same number of year around residents. His travel time may equal the time spent on the seasonal residents.

For the purpose of this proposal it is believed that travel time, seasonal population increases, population densities and multi-court sittings balance and tend to equalize. Therefore the most practical and simple approach is still valid. That is to divide the population by the number of Judges to obtain the ideal ratio. Then re-district to come as close as practical to this ideal ratio.

### NUMBER OF JUDGES

The committees studying re-districting for the County Courts in the Ninth Judicial District have generally agreed that at least 16 County Court Judges are required to serve the people.

This conclusion is founded upon the known fact that the work of the district is current at the present time. That with more equalized assignments the present compliment of 17 (15 Judges and 2 Judicial Officers) can be reduced to 16.

Assuming that 16 Judges served in the District the population ratio per Judge would be

16 divided into 266,503 equals 16,656

### NUMBER OF JUDGES IN EACH DISTRICT

One primary consideration should be to abolish single Judge districts. This consideration needs no explanation.

It is almost impossible to come close to the ideal ratio of 16,656 by using 2 Judge Districts as a standard because of the population distribution and the geographic boundaries of the counties in the district.

If the standard is set at a minimum of three Judges per district we can come close to the ideal ratio. Much can be said of the advantages of a 3 Judge minimum standard. The population distribution, the geographic boundaries of the counties, travel time, multi-court sittings and seasonal population increases make a three Judge minimum standard ideal for the present Ninth Judicial District.

THE SPECIFIC RE-DISTRICTING PROPOSAL

Reduce the number of County Court Districts from 11 as at present to 5, in the following manner:

District #1 - Beltrami, Cass, Clearwater & Hubbard

4 Judges - Chambers in each county seat in the district

Total population of District (1970 census) 62,292 - 15,573 people per Judge

District #2 - Aitkin and Crow Wing

3 Judges - 2 Judges chambered in Brainard & 1 chambered in Aitkin - Total population of District (1970 census) 46,232 - 15,408 people per Judge.

District #3 - Itasca & Koochiching

3 Judges - 2 Judges chambered in Grand Rapids & 1 chambered in International Falls - Total population of District (1970 census) 52,661 - 17,553 people per Judge .

District #4 - Kittson, Lake of the Woods, Roseau, Marshall, Red Lake & Pennington

3 Judges - Chambers Optional with Judges with these limitations - only 1 Judge chambered in a county seat - No chambers in Lake of the Woods (reason being it would involve excess travel to work in other counties of the District and the local caseload is comparatively light) Total population of District (1970 census) 55,230 - 18,410 people per Judge

District #5 - Mahnomen, Norman & Polk

3 Judges - Chambers (2 Judges in the City of  
Crookston & 1 Judge optional Mahnomen or Ada  
Total population of District (1970 census)  
50,081 - 16,693 people per Judge

EXPLANATIONS AND FURTHER COMMENTS IN SUPPORT OF THE PROPOSAL

From a collection of information obtained in committee deliberations, conversations with Judges, and considering how things are presently handled the following comments by district appear to be appropriate.

District #1 - Travel in this District is at a minimum. At present 4 Judges and a Judicial Officer handle the business of the proposed district. It is contemplated that the Judicial Officer would be eliminated reducing the staff to 4 Judges. Judge Haas however works with some regularity in Itasca County and it would appear that the Judge in Clearwater County could be assigned to more work outside of the County. Two of the present Judges are non-lawyers however they have many years of judicial experience and consideration should be given to this factor to justify equal pay and at least some expansion in their jurisdiction.

District #2 - Travel at a minimum and no change in Judicial staff over the present. Things seem to be going well now. Accordingly there should be no concerns about this district.

District #3 - Travel in this District is a factor. The second



Judge in Grand Rapids should remedy the present problems. No problems have been noted in International Falls other than those associated with a single Judge District. It would seem that this District could have business as usual with the second Judge solving the problem in Grand Rapids and also many of the one Judge problems when they arise in International Falls.

District #4 - Travel in this District is a factor and always will be. Here again it would be business as usual excepting that the one Judge District problems would be resolved and some of the travel problems of Judge Shannahan would be reduced.

District #5 - Two Judges chambered in Crookston would compensate for the loss of the Judicial Officer. The present Mahnomen-Norman District was slated to lose a Judge anyway. It looks like a workable District.

#### COMMENTS ON ADMINISTRATIVE DISTRICTS AND ELECTION DISTRICTS

The committee deliberations and the input from all the Judges have pointed out very specifically that it will be substantially easier to come to an agreement on Administrative Districts than to come to agreement on election districts.

Why should a Judge endorse a proposal which he might believe certain to have the ultimate effect of removing him from the bench at the next election? It is also difficult for a Judge to endorse a proposal which might not effect his continued tenure on the bench but which might affect the tenure of one of his colleagues. A Judicial officer tends to be a cloistered position and the goodwill and friendship of those in a similar position is always valued.

The Ninth Judicial District is unique because of the vast area, population differentials, caseload activity differentials, and similar factors.

TO PUT IT VERY BLUNTLY - It appears to be an impossible task to work out an efficient administrative workload district, have it coincide with election districts, and obtain every Judge's approval.

It appears possible however to obtain approval of an administrative district.

The committee proposes that the Judges proposal to re-district should be limited to a jurisdictional or administrative district, and submitted for that limited purpose only. Obviously the Judges are the best informed to make this decision.

That the election district is more probably a decision that should be made by the people served by the Judges.

#### A RECOMMENDED TIME TABLE AND THE PROCEDURE TO EFFECT RE-DISTRICTING

The committee recommends that we set a goal to have our re-districting proposal completed and endorsed by the Judges or a substantial majority of them by July 1, 1978, and submitted to the State Committee which is chaired by Justice Yetka by July 5th.

We make this recommendation on the belief that the Statewide Committee will be holding hearings on the proposals in each of the Judicial Districts, and possibly in major cities of each district or in each of the proposed County Court Districts. It is our belief that the following persons will be invited to these hearings:

- State Legislators
- County Commissioners
- Members of the Bar
- Law Enforcement Officials
- Any other concerned citizens

That the Statewide Committee will consider our proposal and the sentiments expressed at these hearings in making its final recommendation to the Chief Justice. That the Chief Justice will consider this final recommendation in his report to the Legislature that is mandated by Laws 1978, Chapter 750, Section 8, to be made on or before October 1, 1980.

It is our belief that the final re-districting will be considered at the 1981 session of the legislature. If the Court system has put its house in acceptable order no legislation at this session will be considered approval.

It is our belief that local officials have indicated some disapproval of expanded regionalization. An attempt by the Judges to propose election districts is not only ill advised because agreement appears to be impossible, but also from the standpoint that it could be interpreted as another attempt to expand regionalism.

It is best that the ultimate decision on election districts be a matter to be decided at these hearings or by the committee conducting the hearings after input from the people participating at the hearings.

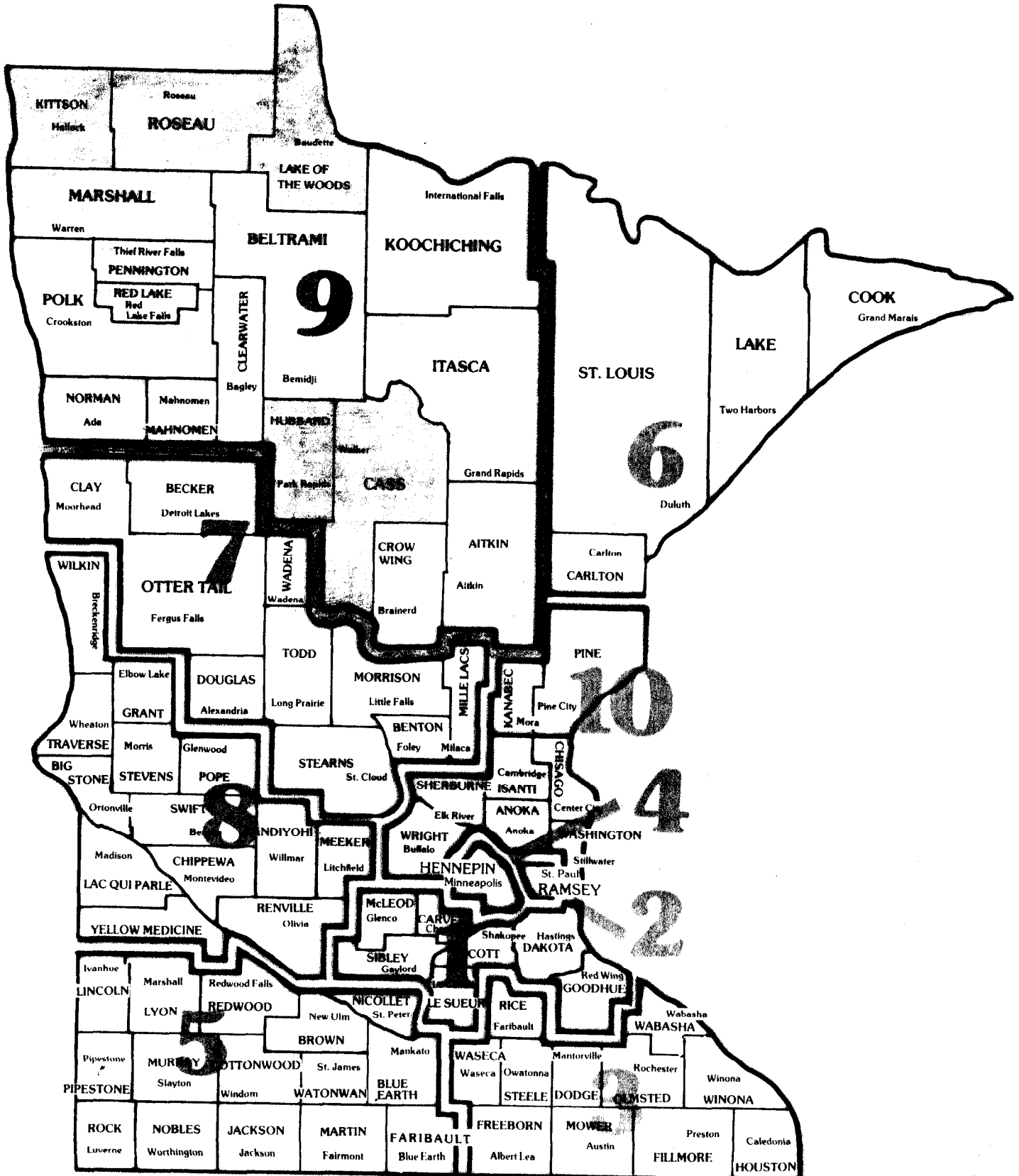
The following then is a brief summary of the timetable and procedure.

1. Judges approve administrative districts, chamber recommendations, and number of Judges by July 1, 1978.
2. Report delivered to State Committee by July 5th.
3. As soon as practical after July 1, 1978, all proposed districts arrange to put the proposed district into operation on an experimental basis to test the proposal.

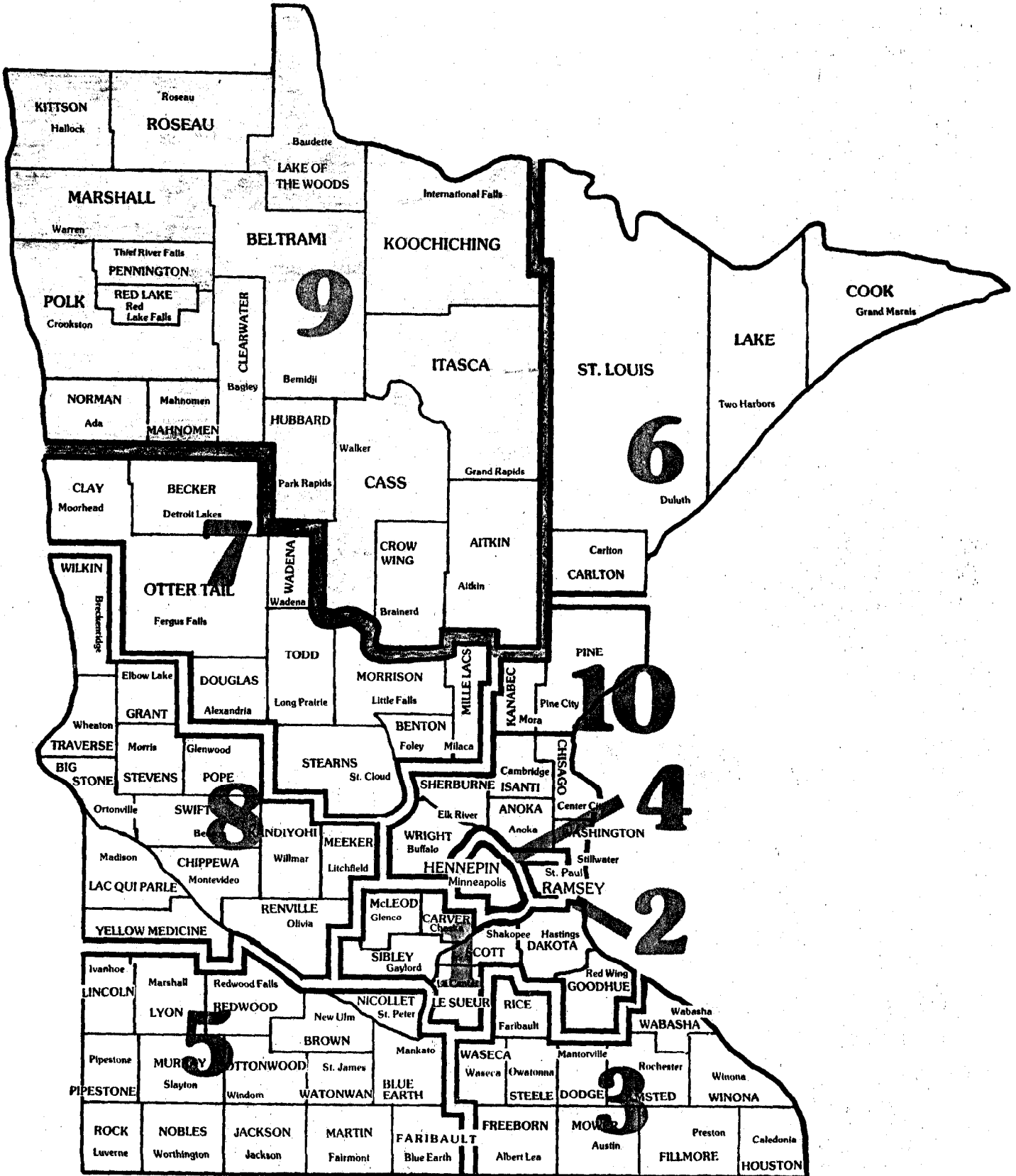
4. Hearings be held during the remainder of 1978.

5. Legislation proposed for additional Judges in Itasca and Polk counties at 1979 session.

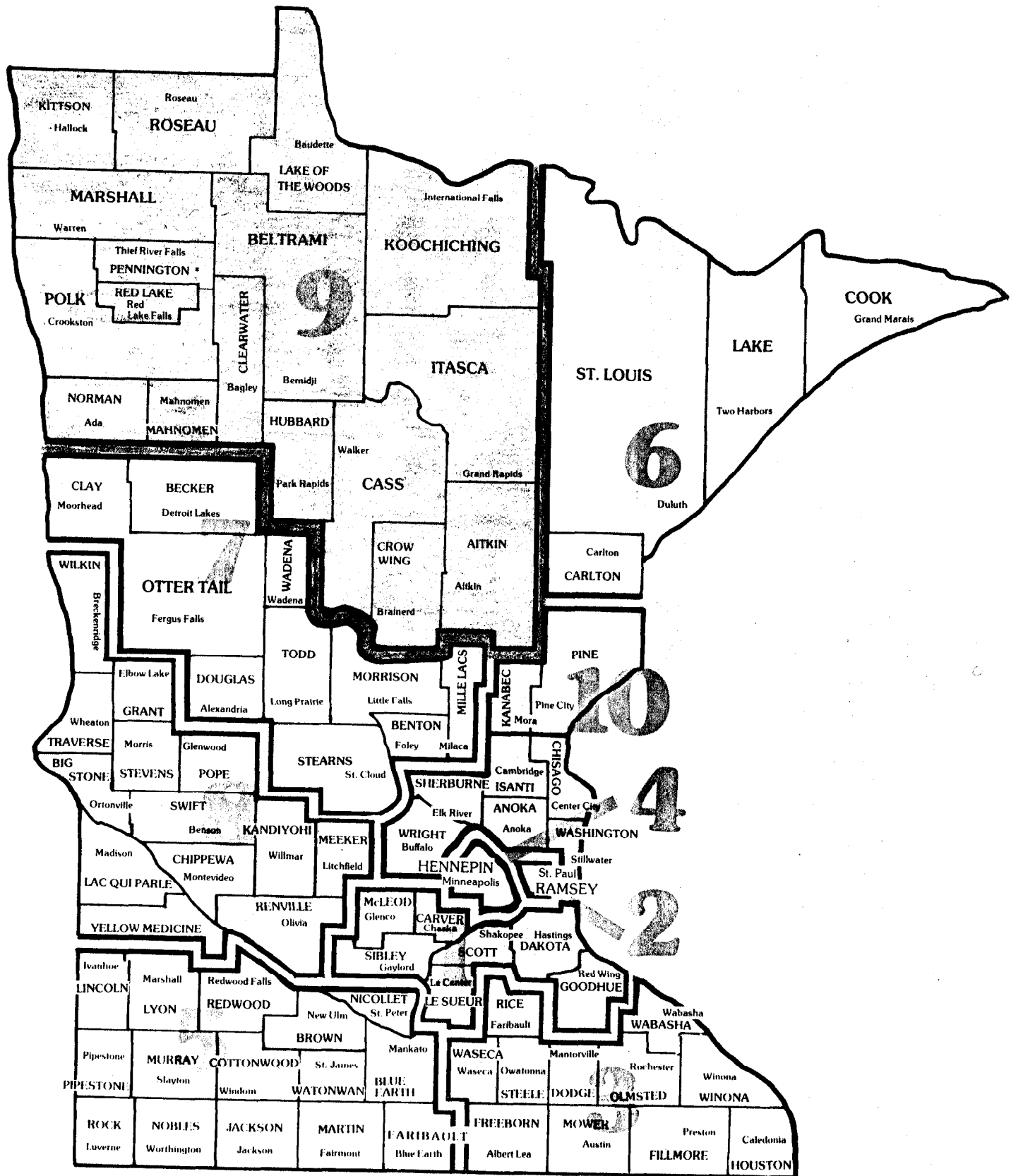
# Minnesota Judicial Districts



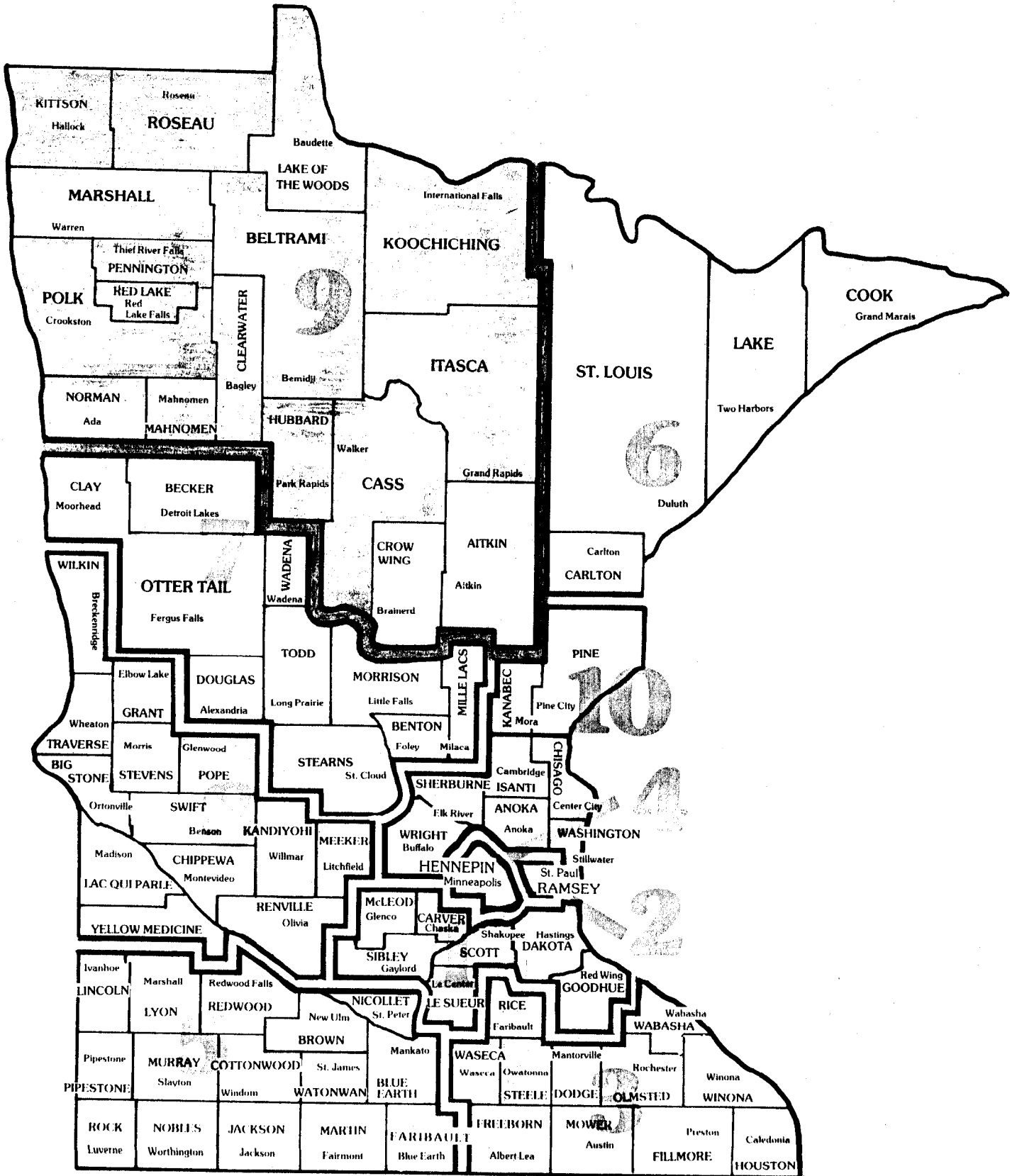
# Minnesota Judicial Districts



# Minnesota Judicial Districts

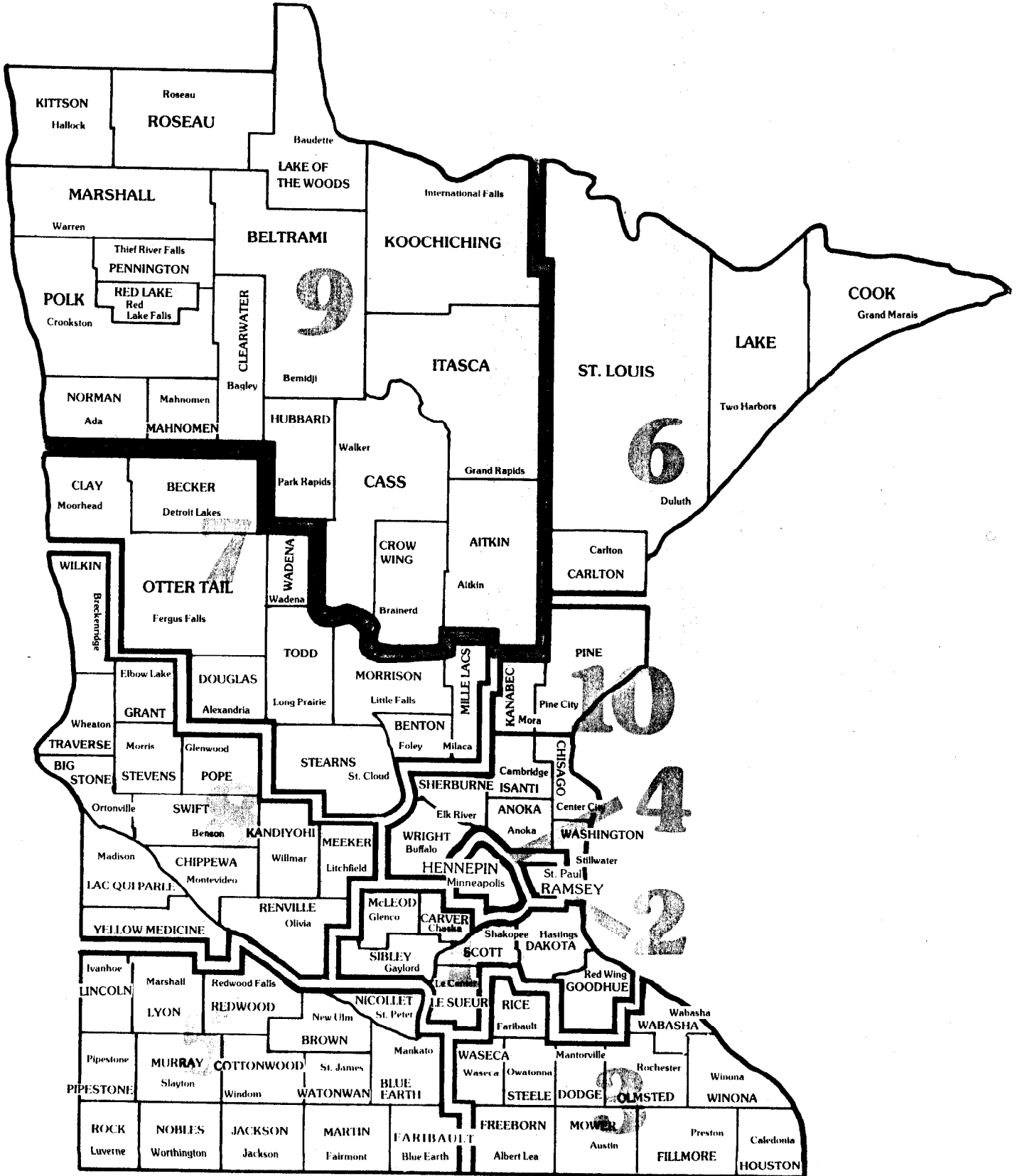


# Minnesota Judicial Districts





# Minnesota Judicial Districts



PRESENT

<u>County</u>	<u>Judges</u>	<u>Total Population</u>	<u>Ratio</u>
Aitkin	1	11,403	1 : 11,403
Beltrami	1	27,373	1 : 27,373
Clearwater	1	8,013	1 : 8,013
Crow Wing	2	34,826	1 : 17,413
Hubbard Cass	2	27,906	1 : 13,953
Itasca	1	35,530	1 : 35,530
Koochiching	1	17,130	1 : 17,130
Lake of the Woods Kittson Roseau	1	22,409	1 : 22,409
Mahnomen Norman	1	15,646	1 : 15,646
Polk	1	34,435	1 : 34,435
Marshall Pennington Red Lake	2	31,714	1 : 15,857

PLAN 1

<u>County</u>	<u>Judges</u>	<u>Total Population</u>	<u>Ratio</u>
Beltrami	1	63,292	1 : 15,823
Clearwater	1		
Hubbard	1		
Cass	1		
Aitkin	3	46,229	1 : 15,409
Crow Wing			
Koochiching	2	52,660	1 : 26,330
Itasca			
Kittson	3	54,123	1 : 18,041
Roseau			
Lake of the Woods			
Marshall			
Pennington			
Red Lake			
Polk	2	50,081	1 : 25,040
Mahnomen			
Norman			

PLAN 2

<u>County</u>	<u>Judges</u>	<u>Total Population</u>	<u>Ratio</u>
Kittson Roseau Marshall Pennington Red Lake Polk Mahnomen Norman	5	100,217	1 : 20,043
Beltrami Clearwater Hubbard Cass Crow Wing Aitkin	7	109,521	1 : 15,646
Lake of the Woods Koochiching Itasca	2	56,647	1 : 28,324

PLAN 3

<u>County</u>	<u>Judges</u>	<u>Total Population</u>	<u>Ratio</u>
Lake of the Woods Koochiching	1	21,117	1 : 21,117
Kittson Roseau Marshall Pennington Red Lake Polk Mahnomon Norman	5	100,217	1 : 20.043
Beltrami Clearwater	2	35,386	1 : 17,693
Hubbard Cass Itasca	3	63,436	1 : 21,145
Aitkin Crow Wing	3	46,229	1 : 15,410

PLAN 4

<u>County</u>	<u>Judges</u>	<u>Total Population</u>	<u>Ratio</u>
	(14)	266,385	1 : 19,028
Aitkin	1		
Beltrami	1		
Clearwater	1		
Crow Wing	2		
Hubbard	1		
Cass	1		
Itasca	1		
Koochiching	1		
Lake of the Woods			
Kittson			
Roseau	1		
Mahnomen			
Norman	1		
Polk	1		
Marshall	1		
Pennington			
Red Lake	1		

ADDITIONAL JUDGE IN ITASCA

Changes to the plan:

	<u>Judges</u>	<u>Total Population</u>	<u>Ratio</u>
<u>Present</u>			
Itasca	2	35,530	1 : 17,765) (1 : 35,530)
<u>Plan 1</u>			
Koochiching Itasca	3	52,660	1 : 17,553 (1 : 26,330)
<u>Plan 2</u>			
Lake of the Woods Koochiching Itasca	3	56,647	1 : 18,882 (1 : 28,324)
<u>Plan 3</u>			
Hubbard Cass Itasca	4	63,436	1 : 15,859 (1 : 21,145)
<u>Plan 4</u>			
All counties	15	266,385	1 : 17,759 (1 : 19,028)





DECEMBER, 1978

County	Judges Population		DECEMBER, 1978										JANUARY, 1979	DECEMBER, 1978										
			Supervised Administration (Probate)	Guardianships	Commitments	Dissolution	Support	Misdemeanors	Traffic	Game, Fish	All other	Juvenile		Conciliation	Supervised Administration (Probate)	Guardianships	Commitments	Dissolution	Support	Misdemeanors	Traffic	Game, Fish	All other	Juvenile
Aitkin	( 1	11,403 )	14	0	0	2	0	19	150	21	0	23		18	2	2	4	7	23	168	27	0	12	24
Beltrami	( 1+JO	27,373 )	21	2	3	4	3	35	296	18	24	34		24	3	2	3	3	29	205	19	0	42	34
Clearwater	( 1	8,013 )	19	4	3	0	0	12	65	13	0	23		19	0	0	0	0	38	49	7	0	21	12
Crow Wing	( 2	34,826 )	83	0	4	14	12	77	113	37	0	31		106	2	5	22	20	38	134	47	14	35	80
Hubbard	( 2	10,583 )	19	1	0	1	7	10	46	7	0	8		28	2	1	4	4	27	48	3	1	8	35
Cass	( "	17,323 )	45	6	6	5	3	53	171	15	11	42		47	3	1	8	4	75	141	49	20	28	41
Itasca	( 1	35,530 )	61	3	1	10	6	36	155	19	28	40		71	2	4	12	8	57	171	13	32	55	90
Koochiching	( 1	17,130 )	24	0	1	6	0	11	46	8	0	13		11	0	0	3	1	6	38	11	2	10	54
Lake of the Woods	( 1	3,987 )	3	0	0	1	0	3	43	20	0	11		5	0	1	3	0	13	28	10	0	7	12
Kittson	( "	6,853 )	14	3	1	2	0	8	79	6	1	13		13	1	7	0	1	11	42	0	0	2	6
Roseau	( "	11,569 )	21	0	1	2	2	9	119	5	0	26		23	0	0	4	1	6	87	4	0	10	58
Mahnomen	( 1	5,638 )	10	0	0	1	1	7	25	2	0	8		15	1	2	1	0	7	23	1	0	16	20



FEBRUARY, 1979

County	Judges	Population	Supervised Administration (Probate)	Guardianships	Commitments	Dissolution	Support	Misdemeanors	Traffic	Game, Fish	All other	Juvenile	Conciliation
Koochiching	( 1	17,130)	29	1	2	1	4	4	53	7	1	7	88
Lake of the Woods	( 1	3,987)	1	0	1	1	2	11	71	40	0	13	11
Kittson	( "	6,853)	16	0	0	1	0	5	44	1	0	6	7
Roseau	( "	11,569)	25	2	1	2	3	1	74	3	0	18	19
Mahnomen	( 1	5,638)	19	0	1	2	0	6	35	7	0	20	7
Norman	( "	10,008)	50	0	0	0	1	5	98	4	1	5	19
Polk	( 1	34,435)	197	1	0	7	8	41	277	2	2	18	52
Marshall	( 2	13,060)	44	2	0	1	1	0	47	7	2	8	30
Permnington	( "	13,266)	60	1	1	5	2	12	95	3	13	11	25
Red Lake	( "	5,388)	23	0	0	1	2	2	24	2	0	7	9

PUBLIC HEARING ON COUNTY COURT REDISTRICTING  
FOR THE NINTH JUDICIAL DISTRICT

March 16, 1979

Commenced at 9:30 A.M.  
Concluded at 11:30 A.M.

Redistricting Hearing

Chief Judge Saetre presided over meeting stating the purpose of the meeting. Meeting was turned over to Judge Harren to review plan that was submitted to the Supreme Court (Plan I).

Judge Harren

When plan 1 was first adopted, eight county court judges were in favor, four county court judges were indifferent and two county court judges opposed. The main issue has to do with the election districts that county court judges will have to run on. There is a problem in Itasca County. They are always needing help and definitely need another judge. Polk also needs help because of the loss of the judicial officer. All one judge districts should be eliminated since there is always a problem if a judge takes vacation, an affidavit is filed against him or if he is ill. The workload of judges could also be more equalized. There are presently 11 districts and plan 1 shows a reduction to five districts. There would be a problem with traveling in Koochiching and Itasca and also a traveling problem regarding Baudette, Roseau and Hallock. There should not be a chambers set up in Baudette. The workload would equalize if a two judge district becomes a three judge district. Election districts will have to coincide with administrative districts. Plan 2 may be the most feasible way if Itasca does not get an additional county court judge.

Chief Judge Saetre opened up the meeting for discussion, comments and questions.

Judge Graff

He feels that the main concern is the election district, not the administrative district. Plan 1 is ideal for administrative districts. In regard to election, he prefers to run out of one county. If run district wide, would have to expose yourself more.

Judge Haas

He proposes that Lake of the Woods be separated from Koochiching County. Crow Wing and Aitkin should be together. Crow Wing could handle that and feel the two counties would work well together. Election wise Aitkin has objections. Crow Wing is not necessarily affected because of population. Hubbard, Cass and Itasca should be grouped together and that is supported by the county boards, attorneys and judges in the area. Beltrami and Clearwater would be put together. Beltrami and Clearwater have a workable situation at present and it would appear to be reasonable for the future (the Beltrami and Clearwater judges have no strong opposition to that). The northern part of the district is a problem area no matter what you do with it. Koochiching and Lake of the Woods want to be by themselves for election purposes and administrative purposes. There should be more judges in the area, geography definitely being a problem. He feels that the Supreme Court should be able to see that the northern area of the ninth district is different from the rest of the ninth district as well as Minnesota. He mentioned that the Supreme Court indicated their support for an extra judge in Grand Rapids (Itasca). The courthouse is under construction to facilitate another judge. He indicated that the Cass

County workload is 20% under Itasca County and they have 40,000 people whereas Cass only has 20,000. He was making the point that there is a difference of about 20,000 people and Cass is only 20% under Itasca. The percentage should be more according to the population difference. He feels there would be a problem with just Cass and Hubbard being together because of the lay judge in Park Rapids. If Judge Haas is gone for any reason, there is no one to handle civil matters in Hubbard.

Judge Shanahan

Judge Haas' plan is acceptable to him, but not the county board. If he is to join another area, he would like to join Marshall, Pennington and Red Lake. He would hope to have enough free time to help Judges Harren and Jorgenson. County Boards should consider when going into a county court district consisting of five or six counties instead of three, the cost is going to be increased for the small counties. Judges Harren and Sears feel that the cost factor isn't that important.

Judge Sears

Crow Wing and Aitkin have been working well together. He also feels a great need for another judge in Itasca. Election districts should coincide with county court districts. It will not work to have an election district larger than a county court district. Judge Sears sent a letter to Justice Yetka and received a response. He said letters sent to Justice Yetka would be read.

Mark Thomason, Attorney  
Park Rapids

He was present on behalf of the Hubbard County Attorneys and County Board. They are happy with the present situation and are opposed to any changes. With respect to Plan 1, there is a problem in Beltrami, Clearwater, Hubbard and Cass. It is a four county district with two lay judges. He feels Plan 2 would probably be more workable. He said the major concern is the election district. Election districts should be as small as possible. Hubbard County will do everything possible to keep the election district small and will go to the Supreme Court or even the Governor, if need be.

Ed Rasmussen, Attorney  
Bagley

He is in agreement with Plan 1. The intent was for a county court system and he feels that a regional court system is being created.

Mahlon Swentkofske  
Cass County Commissioner

The Board favors Judge Haas' plan, putting Itasca, Cass and Hubbard together. He said there is good operation between Cass and Hubbard.

Judge Spooner

He agrees with the plan of Judge Haas. He feels election districts should be small. Problems in Grand Rapids would be minimized by a second judge. No objection to being with Koochiching County.

Robert Kautz, Attorney  
Brainerd

Crow Wing and Aitkin together is acceptable. He is in favor of small election district also.

Carl Baer, Attorney  
Bemidji

He will submit the Beltrami County Bar's position after a meeting which is coming up. It will be submitted to Dennis Howard. They feel strongly about keeping election district as small as possible.

Neil McEwen, Attorney  
Thief River Falls

Plan 1 is favored but they are happy with the present system. He does feel there should be one more judge between Crookston and Thief River Falls. He would like to elect a judge in a small district to serve that district.

Judge Preece

He feels election districts should be left as is. Plan 1 is the most practical as far as workload and traveling. He also feels the need for a judge in Itasca County. If Itasca cannot get another full-time judge they should have at least a part-time judge.

Judge Nelson

He does not agree with a single county election district. He said people in Norman and Mahnomen Counties should be able to have some thing to say about the judge that comes from Crookston to handle any affairs. If Grand Rapids does not get another judge and Mahnomen and Norman lose a judge, Plan 1 will not work.

Don McCollum  
Clearwater County Commissioner

Clearwater County was told that the 1977 Court Reorganization Act would not take judges away from counties.

Chief Judge Saetre asked for a show of hands as to who would be in favor of a district wide election district. There was no response. He then asked for a show of hands as to a small election district and the response was unanimous in favor of the small district.

Judge Harren

He was on a state wide committee for redistricting and it was mentioned at one of their meetings that the Chief Justice would go along with any plan that the districts developed that they were in favor of.

Judge Reed

Plan 1 is workable and more flexible in assigning judges. As far as an election district Judge Haas' plan would be the best.

Judges Present:

County Court

Assistant Chief Judge Harren  
Judge Shanahan  
Judge Spooner  
Judge Graff  
Judge Haas  
Judge Anderson  
Judge Sears  
Judge Nelson

District Court

Chief Judge Saetre  
Judge McRae  
Judge Peterson  
Judge Wyant  
Judge Preece

OFFICE OF THE CLERK

Supreme Court of Minnesota

St. Paul, Minn.

JOHN MCCARTHY  
CLERK  
WAYNE TSCHIMPERLE  
DEPUTY

2 April 1979

Hon. Robert Graff  
Judge of County Court  
Courthouse  
Aitkin, MN

Mr. Michael Milligan  
County Attorney  
Walker, MN 56484

Mr. Mark Thomason, County Commissioner  
Mr. Daniel Bresnahan, County Attorney  
% Mr. Roland Vik, County Auditor  
Park Rapids, MN 56470

Mr. H. Carl Baer III  
P. O. Box 844  
207 4th St.  
Bemidji, MN

Mr. Ted Lundrigan  
Lundrigan Bldg.  
Pine River, MN

Hon. Peter Hemstad  
Judge of County Court  
Courthouse  
International Falls, MN 56649

Hon. Michael Haas  
Judge of County Court  
Courthouse  
Walker, MN 56484

Re: Redistricting Plan, Ninth  
Judicial District, No. 49858

Gentlemen:

Thanks for your expressions of interest and notices of intention to appear. Please, if possible, limit your oral presentations to ten minutes. If you need additional time, please make application directly to Chief Justice Sheran. The hearing is scheduled for Friday, April 6th, at 10:00 a. m.

Sincerely,

*John McCarthy*  
John McCarthy, Clerk

cc: Chief Justice Sheran



# COUNTY COURT

COUNTY OF ROSEAU

Phone 218-463-2541

Roseau, Minnesota 56751

**JUDGE**

Donald E. Shanahan

September 25, 1979

Clerk of the Supreme Court  
230 State Capitol  
St. Paul, Minnesota 55155

Attn: Mr. John McCarthy

Re: Redistricting Plan for the  
Eighth and Ninth Judicial  
Districts and part of the  
Seventh Judicial District.

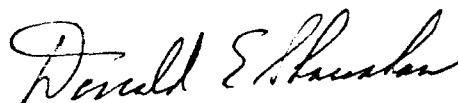
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49858

Dear Mr. McCarthy:

Pursuant to the Supreme Court's order in the above matter, I am enclosing herewith original and nine copies of my petition in objecting to the proposed plan for the Ninth District. It is requested that the petition be filed and it is my desire to present my views to the Court.

Very truly yours,



Donald E. Shanahan

DES:sb  
enclosures

*Judge Shanahan :*

*Received and distributed*

*See you on 4 October*

*John McCarthy*

236  
3

49858

MICHAEL T. MILLIGAN  
County Attorney - Cass County  
WALKER, MN 56484  
March 16, 1979

TELEPHONE  
218/547-3300

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

49858

Dear Mr. McCarthy:

As Cass County Attorney, I would like an opportunity to appear before the Supreme Court at the hearing being held on April 6, 1979, concerning the redistricting of the county courts in the Ninth Judicial District. I would appreciate you putting me on the schedule to appear before the court on that date.

Sincerely,  
*Michael T. Milligan*  
Michael T. Milligan

MTM:dmh

See you on 4-6-79, 10:00 a.m.  
You are first to register  
an appearance.

*John Mc*

4 236

49858

In re Hearing on Redistricting Plan of Ninth Judicial District  
COUNTY COURT OF AITKIN COUNTY

ROBERT S. GRAFF, JUDGE

COURT HOUSE  
AITKIN, MINN. 56431  
PHONE 218-927-2102  
EXT. 43

ROBERT E. HAAS  
CLERK OF COURTS  
PHONE 218-927-2102  
EXT. 38

March 19, 1979

FLORENCE A. TARR  
CHIEF DEPUTY  
DISTRICT-COUNTY COURTS  
PHONE 218-927-2102  
EXT. 37

Mr. John McCarthy, Clerk  
Minnesota Supreme Court  
230 State Capitol  
St. Paul, Minnesota 55155

RE: Ninth Judicial District Redistricting

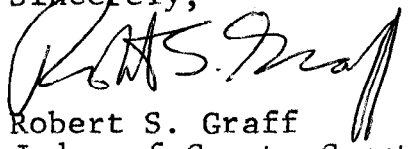
Dear John:

Pursuant to the Order regarding the hearing on April 6, 1979, in the above-captioned matter, I wish to reserve the right to be heard as per the enclosed letter pertaining to redistricting, in the event that I feel it becomes necessary for me to address the Supreme Court relative to this matter.

As indicated by the letter, I will not need much time, but merely wish to make the point as I have outlined.

Thank you.

Sincerely,

  
Robert S. Graff  
Judge of County Court

RSG/tmc

Enclosure

Judge Graff :

You are the second party to note an appearance.

We will see you on 4-6-79 at 10:00 a.m.



**COUNTY COURT OF AITKIN COUNTY**

**ROBERT S. GRAFF, JUDGE**

COURT HOUSE  
AITKIN, MINN. 56431  
PHONE 218-927-2102  
EXT. 43

ROBERT E. HAAS  
CLERK OF COURTS  
PHONE 218-927-2102  
EXT. 38

March 19, 1979

FLORENCE A. TARR  
CHIEF DEPUTY  
DISTRICT-COUNTY COURTS  
PHONE 218-927-2102  
EXT. 37

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

RE: Ninth Judicial District Redistricting

Dear Justice Sheran:

It is my understanding that at your request the Ninth Judicial District is submitting a Redistricting Plan as per the attached Plan I. This plan contemplates leaving the election districts as they now stand; i.e., for the most part, on an individual county basis, and the districts to be aligned as per the plan, for administrative purposes.

To begin with, I feel that the plan as proposed is ideal in that it aligns the counties for working purposes that seem to be best suited for each other, both geographically and in close enough proximity to make a shared workload realistic. By leaving the election districts in local counties, it also allows for "accountability" to the local electorate.

I do want the record to reflect, however, that in the event for any reason the Supreme Court chooses not to adopt a redistricting plan leaving the election districts intact, I would then fully support an election district to run coterminous with the boundaries of the entire Ninth Judicial District, in accord with the election districts of the present Ninth Judicial District Judges.

I would be vehemently opposed, for example, as may be proposed, to election districts that would attempt to coincide with the administrative districts as per the attached plan. In my particular case, I would oppose a proposed election district to be made up of Aitkin and Crow Wing Counties, since as you can see, by sheer numbers it would be impossible for smaller counties such as mine to compete in an election contest with a county with a population in excess of 300 percent of my county. I feel that I speak for all the small counties who would be threatened by absorption by larger counties in this state, and I think the statistics will bear out that this would be quite a large number.

Honorable Justice Sheran  
March 19, 1979  
Page 2

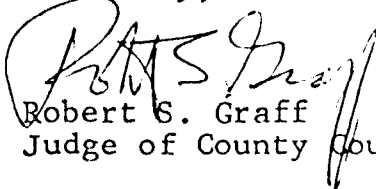
I am in full accord with the proposition that judicial manpower should be distributed evenly, and I would feel comfortable being accountable to the populace of the Ninth Judicial District if I were to be assigned on occasion outside my county. In addition, I would have no fears running in that large election district, where my odds are as even as any other individual choosing to run against me.

To recapitulate then, I do support the plan as proposed by our committee, keeping the present election districts. However, in the event that that would not be adopted by the Supreme Court, then my alternate support is as outlined above.

Pursuant to your recent Order, I am submitting a copy of this letter to John McCarthy, Clerk of the Supreme Court. In the event that the election districts become an issue in the adoption of this plan, I would like to reserve the right to be heard in this matter at the hearing on the Ninth Judicial Redistricting Plan on April 6, 1979, at 10:00 a.m., in the Supreme Court Chambers.

Thank you for your consideration in this matter.

Sincerely,

  
Robert S. Graff  
Judge of County Court

RSG/tmc

Enclosure

cc: Honorable James C. Otis, Associate Justice  
Honorable Walter F. Rogosheske, Associate Justice  
Honorable C. Donald Peterson, Associate Justice  
Honorable Fallon Kelly, Associate Justice  
Honorable John J. Todd, Associate Justice  
Honorable Lawrence R. Yetka, Associate Justice  
Honorable, George M. Scott, Associate Justice  
Honorable Rosalie Wahl, Associate Justice  
Mr. John McCarthy, Clerk of Supreme Court ✓  
Mr. Dennis E. Howard, Ninth Judicial District Administrator

PLAN 1

<u>County</u>	<u>Judges</u>	<u>Total Population</u>	<u>Ratio</u>
Beltrami	1	63,292	1 : 15,823
Clearwater	1		
Hubbard	1		
Cass	1		
Aitkin	3	46,229	1 : 15,409
Crow Wing			
Koochiching	2	52,660	1 : 26,330
Itasca			
Kittson	3	54,123	1 : 18,041
Roseau			
Lake of the Woods			
Marshall			
Pennington			
Red Lake			
Polk	2	50,081	1 : 25,040
Mahnomen			
Norman			

PRESENT

<u>County</u>	<u>Judges</u>	<u>Total Population</u>	<u>Ratio</u>
Aitkin	1	<u>11,403</u>	1 : 11,403
Beltrami	1	27,373	1 : 27,373
Clearwater	1	8,013	1 : 8,013
Crow Wing	2	<u>34,826</u>	1 : 17,413
Hubbard Cass	2	27,906	1 : 13,953
Itasca	1	35,530	1 : 35,530
Koochiching	1	17,130	1 : 17,130
Lake of the Woods Kittson Roseau	1	22,409	1 : 22,409
Mahnomen Norman	1	15,646	1 : 15,646
Polk	1	34,435	1 : 34,435
Marshall Pennington Red Lake	2	31,714	1 : 15,857

## RESOLUTION

A motion was made by Commissioner Nesbitt, seconded by Commissioner Kjemperud to support a resolution of a judicial district comprising Koochiching County and Lake of the Woods County and opposed to a judicial district aligning Koochiching County with Itasca County or any other County except Lake of the Woods County. Carried.

Be it hereby resolved by the County Board of Commissioners for the County of Koochiching, Minnesota that:

WHEREAS the Supreme Court has decreed that the county courts within the State of Minnesota shall be redistricted

WHEREAS the judges of the Ninth Judicial District had formulated a redistricting proposal for the county courts of said district and

WHEREAS said plan aligned Koochiching County with Itasca County and

WHEREAS said alignment was reconsidered and Koochiching County was to be aligned with Lake of the Woods County as a County Court Judicial District,

NOW THEREFORE BE IT HEREBY RESOLVED that the Koochiching County Board of Commissioners fully supports a judicial district comprising Koochiching County and Lake of the Woods County

BE IT FURTHER RESOLVED by the Koochiching County Board of Commissioners that they are hereby opposed to aligning Koochiching County in a County Court Judicial District with Itasca County or any other county except Lake of the Woods County.

BE IT FURTHER RESOLVED by the Koochiching County Board of Commissioners that they support an election district for the election of county judges to be the same as the administrative district above supported.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Supreme Court of the State of Minnesota, the Court Administrator for the Ninth Judicial District and all of the county and district judges within said district.




CERTIFICATE

STATE OF MINNESOTA )  
COUNTY OF KOOCHICHING ) ss.

I, Joseph A. Gust, County Auditor in and for the County of Koochiching, State of Minnesota, do hereby certify that the records of my office show that the attached is a true and correct copy of a resolution adopted by the County Board of Koochiching County at their meeting held March 12, 1979.

Dated this 13th day of March, 1979.

  
\_\_\_\_\_  
Joseph A. Gust, Auditor  
Koochiching County  
State of Minnesota

seal:

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49858

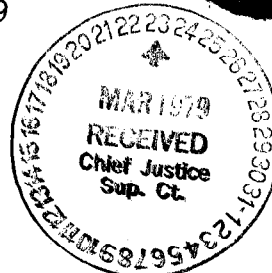
# District Court of Minnesota

NINTH JUDICIAL DISTRICT

CHAMBERS OF JUDGE JOHN A. SPELLACY/COURTHOUSE/P. O. BOX 237/GRAND RAPIDS, MINN. 55744



March 20, 1979



Honorable Robert J. Sheran  
Chief Justice of the Supreme Court  
State Capitol  
St. Paul, Minnesota 55155

Re: County Court Redistricting, Ninth Judicial District

Dear Chief Justice Sheran:

I cannot possibly be present for the hearing on the Ninth District County Redistricting Plan on April 6th, as I will be taking my annual vacation at that time.

Until now I have deferred entirely to the County Judges of our District, because it is really their problem, not the problem of the District Judges. That some form of redistricting is required can hardly be doubted by any fair-minded person. There is a marked disparity of work load as among the various County Judges.

As you know, the District Court is divided into six divisions, with each Division Judge being responsible for counties other than his own. For example, my counties are Itasca and Cass. On the surface, it would seem that there could probably be some correlation between the six divisions and the proposed new County Districts.

I voted in favor of the plan last summer, even though neither of my County Judges was particularly happy with it. I did this solely because they also voted for the plan.

Since that time there has been some rumor floating around to the effect that the Supreme Court is insisting upon one County Court District embracing the confines of the Ninth Judicial District. I find it hard to take any such rumor seriously because the concept is so completely unacceptable as to defy imagination. I don't think all of the Judges are completely adverse to running District-wide, although with the number of candidates, this could prove to be a problem. I understand that at the meeting last Friday which I was unable to attend, due to a meeting of my own Penal Administration Committee in the Twin Cities, everyone present, without exception, was against the concept of one County Court District in the entire Ninth District. I also understand that a number of County Commissioners were particularly disturbed about it.

Honorable Robert J. Sheran

Page 2

March 20, 1979

I have been in close touch with the Judges that I work with, Judge Spooner, Judge Haas, and Judge Kraft of Itasca, Cass, and Hubbard Counties. It is my understanding that they strongly support a re-districting plan which would put these three counties into the same District. I also support this idea, and, in fact, when Judge Haas was appointed, that was my first choice. Unfortunately, at that time Hubbard County did not want to join a District with Itasca.

As far as the eastern part of our District is concerned, it would seem to me that Clearwater and Beltrami Counties would make a convenient District, as would Crow Wing and Aitkin Counties. I also understand that Lake of the Woods and Koochiching Counties desire to be one District, and I can find no fault whatever in that. I have no opinions whatsoever relative to the western section of our District.

While Judge Preece's Division contains Hubbard County, as well as Clearwater and Beltrami County, because there are lay Judges in Clearwater and Hubbard Counties, it would seem to be a better idea, as suggested by Judge Haas, to place Hubbard County in a District with Itasca and Cass.

I am in full agreement with Judges Spooner, Haas and Kraft, and I hope that the final plan will contain Districts which are workable, both from the standpoint of running for election, and administratively. It would be strange if everyone interested agreed upon the same plan, but that should not be a reason for scrapping all the plans and taking the easy way out, making one District out of by far the largest judicial District, geographically, in the state.

I sincerely appreciate your willingness to accept this letter as my position on Ninth Judicial District redistricting for the County Courts.

Very truly yours,



John A. Spellacy

cc: Honorable William Spooner  
Honorable Michael Haas  
Honorable Keith Kraft  
Honorable Warren Saetre

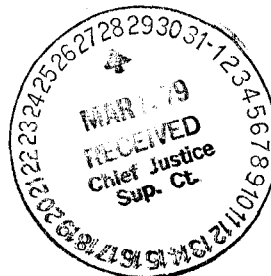
# County Court of Cass County

COURT HOUSE  
WALKER, MINN. 56484  
PHONE 218-547-3300

**MICHAEL J. HAAS**  
JUDGE

**KEITH L. KRAFT**  
JUDGE

**ANONA RIVIERE**  
CLERK OF COURT  
Civil Division  
**MARY H. CYR**  
CHIEF DEPUTY CLERK  
Traffic Division  
**LORRAINE LOEFFLER**  
DEPUTY CLERK  
Family Division  
**BOBBI J. ROSSER**  
DEPUTY CLERK  
Probate Division  
Conciliation Division  
**LOIS A. BENOIT**  
DEPUTY CLERK  
Criminal Division



March 27, 1979

Honorable Robert J. Sheran  
Chief Justice of the Supreme Court  
State Capitol  
St. Paul, Mn. 55155

Re: County Court Redistricting, Ninth Judicial District

Dear Chief Justice Sheran:

Pursuant to the order of the Minnesota Supreme Court concerning redistricting in the Ninth Judicial District, I would wish to speak at the hearing scheduled for April 6, 1979, concerning the redistricting of county court districts in the Ninth Judicial District.

Sincerely,

Michael J. Haas  
County Court Judge

MJH:lab

CC to Dennis Howard, Ninth District Court Administrator

ERICKSON, CASEY AND ERICKSON

LAW OFFICES

319 SOUTH SIXTH STREET

P. O. BOX 571

BRAINERD, MINNESOTA 56401

TEL. 218-829-9228

218-829-5766

CARL E. ERICKSON  
FREDERICK J. CASEY  
JOHN H. ERICKSON

19 March 1979

Mr. John McCarthy  
Clerk of Minnesota Supreme Court  
Minnesota Supreme Court  
State Capitol  
St. Paul, Minnesota 55155

Dear Mr. McCarthy:

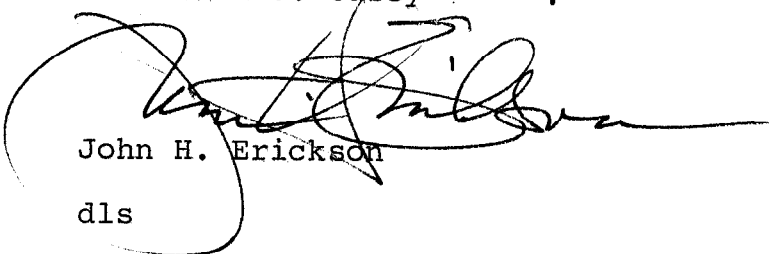
COUNTY COURT REDISTRICTING/NINTH JUDICIAL DISTRICT

49858

In our capacities as Assistant District Public Defenders we wish to voice our support for a program of redistricting which would combine Crow Wing and Aitkin Counties into a single County Court District. Based on our experience in working in this area we feel that any attempt to combine Crow Wing County or Aitkin with any other county or counties would create serious logistical problems from the standpoint of distance and time obligations.

Your consideration of this input is greatly appreciated.

  
Frederick J. Casey

  
John H. Erickson

dls

cc: Mr. Dennis Howard  
District Court Administrator  
Beltrami County Courthouse  
Bemidji, Minnesota 56601

49858

**OFFICE OF THE COUNTY AUDITOR**  
**HUBBARD COUNTY**  
**PARK RAPIDS, MINNESOTA 56470**

**ROLAND VIK**  
**Auditor**

March 20, 1979

Clerk of the Supreme Court  
State Capitol Building  
St. Paul, MN 55155

Dear Sir:

This is to inform you that Hubbard County Commissioner Mark Thomason and Hubbard County Attorney Daniel Bresnahan will be present at the Redistricting Hearing on Friday, April 6, 1979.

Acting as representatives for the County of Hubbard, they would appreciate the opportunity to testify in behalf of the county.

Thank you.

Sincerely,



Roland Vik  
Hubbard County Auditor

RV:cf

A motion was made by Commissioner Kahlstorf, seconded by Commissioner Gauldin and carried, to support a Resolution in reference to the re-aligning of the County Court Districts.

RESOLUTION

BE IT HEREBY RESOLVED by the Board of Commissioners for the County of Hubbard that:

WHEREAS, The Supreme Court of the State of Minnesota has decreed that the County Courts within the State of Minnesota shall be re-districted; and

WHEREAS, a plan was submitted to the Supreme Court by the Judges of the Ninth Judicial District; and

WHEREAS, the citizens and Board of Commissioners of Hubbard County had no opportunity to have input into said plan; and

WHEREAS, It is the belief of the Board of Commissioners that any redistricting of Cass and Hubbard counties is totally unnecessary and will in effect destroy the County Court System and make the judges not accountable to the citizens of Cass and Hubbard counties,

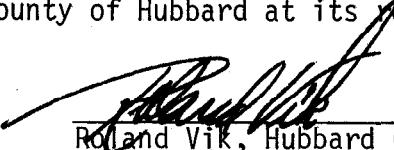
NOW, THEREFORE, BE IT HEREBY RESOLVED that the Hubbard County Board of Commissioners does oppose and will do all in their power to oppose any redistricting plan, but should their efforts fail, then said Board supports an administrative district composed of Cass, Hubbard, and Itasca counties, with each county electing its own judge.

BE IT FURTHER RESOLVED that a copy of the resolution be sent to the Supreme Court of the State of Minnesota, Court Administrator of the Ninth Judicial District, Senator Gerald L. Willet, Representatives John Ainley, and Glen Sherwood.

STATE OF MINNESOTA )  
County of Hubbard ) SS.

Office of the Auditor

I, Roland Vik, duly elected and qualified Auditor of the County of Hubbard, do hereby certify that the above is a full, true and correct copy of a Resolution duly adopted by the Board of County Commissioners of the County of Hubbard at its regular meeting held on March 20, 1979.

  
\_\_\_\_\_  
Roland Vik, Hubbard County Auditor

(SEAL)

8

# Kief, Duranske, Fuller, Baer & Wallner, Ltd.

ATTORNEYS AT LAW  
P.O. BOX 844  
207 FOURTH STREET  
BEMIDJI, MINNESOTA 56601

PAUL A. KIEF  
GEORGE L. DURANSKE III  
STEVEN M. FULLER  
H. CARL BAER, III  
ROBERT WALLNER

TELEPHONE 218 / 751-2221

March 19, 1979

Mr. John McCarthy  
Clerk of Supreme Court  
State of Minnesota  
State Capitol  
St. Paul, Minnesota

Dear Sir:

This will advise you that I intend to appear and to speak on behalf of the Beltrami County Bar Association at the hearing for County Court redistricting, Ninth Judicial District, which is set at 10:00 A.M. Friday, April 6, 1979.

Thank you.

Sincerely,

  
H. Carl Baer, III

HCB/tjs



9  
236

49858

Stephen C. Rathke  
Crow Wing County Attorney

Assistants:  
Charles P. Steinbauer  
Thomas R. Borden  
Richard A. Lind (829-1409)

Sixth and Laurel  
P.O. Box 411  
Brainerd, Minnesota 56401  
(218) 829-0502

In Reply Reference No. M115


March 23, 1979

John McCarthy  
Clerk of the Supreme Court  
State Capitol  
St. Paul, MN 55155

Dear Mr. McCarthy:

I understand that the Court is considering the redistricting of the County Court Districts within the Ninth Judicial District. I am writing this letter to indicate my support of a redistricting scheme which combines Crow Wing and Aitkin Counties. The two counties have always worked together on judicial matters. Our resident Judge, Clinton W. Wyant, is also the resident District Judge for Aitkin County. Our local Bar Association is the Crow Wing-Aitkin County Bar Association and is composed of attorneys from both Crow Wing and Aitkin Counties. County seats are only 30 miles apart. The next closest county seat within the Ninth Judicial District to the city of Brainerd would be Walker in Cass County, a distance of over 60 miles.

Thank you for your consideration.

Sincerely,  


Stephen C. Rathke

SCR/dlh

cc: Dennis Howard  
Court House  
Bemidji, MN 56601

3-27 -- Copy to all judges

Ryan, Ryan, Ebert & Ruttger

A Professional Association

217 South Fourth Street

Brainerd, Minnesota 56401

Telephone (218) 829-3523

M. E. Ryan (1873-1953)

Richard C. Ebert (1913-1973)

Donald J. Ryan

Robert J. Ryan

Thomas J. Ryan

Max J. Ruttger III

Cristen L. Drake

Elen Ryan  
of Counsel

March 26, 1979

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

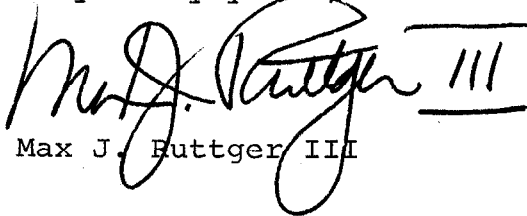
49858

Re: Ninth Judicial District County Court Redistricting

Dear Mr. McCarthy:

On behalf of our law firm, I would like to recommend to the Supreme Court that if any changes are made in the County Court Districting in our district, we would like to have Crow Wing County included with no other counties than Aitkin County. We believe that the operation of the County Courts in Aitkin and Crow Wing Counties has been successful as it has been run, and because of the distances between county seats, joining any more than these two counties in one County Court District would not be practicable.

Very truly yours,

  
Max J. Ruttger III

MJR/at

3-27 -- copy to each Justice  
W.T.



CHALUPSKY, NYBERG & HAWKINSON, LTD.

ATTORNEYS AT LAW

20 NORTHEAST 4TH STREET

GRAND RAPIDS, MINNESOTA 55744

H. R. CHALUPSKY  
KENT E. NYBERG  
JOHN R. HAWKINSON

218-326-9626

OFFICE AT REMER  
TUESDAY 1:00 P.M.  
THURSDAY 1:00 P.M.

March 26, 1979

Minnesota State Supreme Court  
State Capitol  
St. Paul, Minnesota

49858

RE: County Court Redistricting

Gentlemen:

Please be advised that I will be unable to appear personally at the Supreme Court hearing re above subject matter.

I would like by this letter to express my opinion to the Supreme Court and also to Mr. Lundrigan, President of the Cass/Hubbard Bar Association.

I strongly believe that the interests of the practicing attorney (now 27 years for me) would best be served by setting the county court districts in the same manner as the district court districts are set. That is that the Ninth Judicial District as presently constituted be the same for the county court as it is for the district court. I personally believe this works best for the practicing attorney and since our interests are being served when the people are so served, it has the joint effect of accomplishing that purpose.

A chief county court judge could be selected as well as an associate chief judge who could handle the administrative functions. We now have one judicial administrator who works in both areas and I believe that was an excellent step in the right direction. It would permit some allowance with the assignment of county court judges to other county courts when conflicts arise as they more frequently do now that a greater judicial load has been assigned to county court judges.

It also would permit the use of county court judges where their work history has provided them with their particular expertise.

It would seem to me that this would be in keeping with the concept of a three tier court system: (1) District judges; (2) District Appellate Division; and (3) Supreme Court.

Minnesota State Supreme Court  
Page Two  
March 26, 1979

In the event the Supreme Court will not consider a three tier system at this time, then I would suggest a district of Itasca, Cass and Hubbard Counties.

Should the Court wish that I appear or work on a panel in connection with the same, I do offer my services.

Yours truly,

CHALUPSKY, NYBERG & HAWKINSON, LTD.

  
H. R. Chalupsky

HRC sln

cc: Mr. Ted N. Lundrigan

*3-27 -- copy to each Justice*

*W.T.*

236 / 49858  
12

LAW OFFICES OF  
LUNDRIGAN, HENDRICKS AND LUNDRIGAN  
LUNDRIGAN BUILDING  
PINE RIVER, MINNESOTA 56474  
TELEPHONE 587-2350

DON D. LUNDRIGAN  
WILBERT E. HENDRICKS  
TED N. LUNDRIGAN

27 March 1979

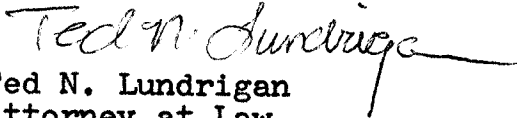
John McCarthy  
Clerk of Court  
Supreme Court  
State Capitol Building  
St. Paul, MN 55401

Re: Redistricting

Dear Mr. McCarthy:

Would you please reserve a time for me on April 6, 1979,  
in order to be heard on the issue of redistricting on  
behalf of the Cass/Hubbard Bar Association as their  
president.

Very truly yours,

  
Ted N. Lundrigan  
Attorney at Law  
President, Cass/Hubbard Bar Association

TNL:jg

FITZPATRICK, LARSON & FITZPATRICK  
 ATTORNEYS AT LAW  
 P.O. BOX 631 - LAUREL AT FIFTH  
 BRAINERD, MINNESOTA 56401

S. G. FITZPATRICK  
 D. A. LARSON  
 JOHN G. FITZPATRICK  
 THOMAS FITZPATRICK

TELEPHONE (218) 829-4717

March 27, 1979

Mr. John McCarthy  
 Clerk of Minnesota Supreme Court  
 State Capitol  
 St. Paul, Minnesota 55155

Re: County Court Redistricting/  
 Ninth Judicial District

Dear Mr. McCarthy:

I am writing on behalf of the members of the Crow Wing-Aitkin Counties Bar Association. These counties have had a long history of association, as is evidenced by the fact that they have a joint county bar association, and the members of the association would like to see this continued. We feel it would be facilitated by the creation of a common County Court district.

At the last meeting of the association, the redistricting of the Ninth Judicial District was discussed, and it is the consensus of the membership that the counties of Aitkin and Crow Wing should be united as a single County Court district, both for administrative purposes and election purposes.

Yours truly,



J. G. Fitzpatrick,  
 President of Crow Wing-  
 Aitkin Counties Bar Assoc.

JGF:jae

cc: Mr. Dennis Howard  
 District Court Administrator  
 Beltrami County Court House  
 Bemidji, Minnesota 56601

1 to each judge

14  
276  
49858  
**County Court**

KOOCHICHING COUNTY  
COURT HOUSE  
INTERNATIONAL FALLS, MINN. 56649

JUDGE  
Peter N. Hemstad  
COURT REPORTER  
Donald M. Undeland

CLERK OF COURT  
Terrence Carew  
DEPUTIES  
Aaron Carew  
Mary Mahle  
Dorothy Thomson

March 26, 1979

Mr. John McCarthy  
Clerk of the Supreme Court  
Supreme Court of Minnesota  
State Capital Building  
St. Paul, Minnesota 55101

In Re: Hearing Date for Ninth Judicial District Redistricting Plan.


Dear Mr. McCarthy:

Pursuant to Supreme Court order of February 20, 1979 please be advised that I intend to be present April 6th of this year at the above mentioned hearing.

Please find enclosed a resolution by the Koochiching County Board of Commissioners, a resolution by the Lake of the Woods County Board of Commissioners and a statement by myself indicating my position on the matter.

I do wish to be heard and would like to give you notice of my desire. Thank you.

Sincerely yours,

  
Peter N. Hemstad, County Court Judge

1 to each judge

**County Court**

KOOCHICHING COUNTY

COURT HOUSE

INTERNATIONAL FALLS, MINN. 56649

## JUDGE

Peter N. Hemstad

## COURT REPORTER

Donald M. Undeland

CLERK OF COURT  
Terrence Carew

## DEPUTIES

Aaron Carew

Mary Mahle

Dorothy Thomson

STATE OF MINNESOTA

IN THE SUPREME COURT

STATEMENT OF THE COUNTY COURT  
JUDGE OF KOOCHICHING COUNTY,  
MINNESOTA IN OPPOSITION TO PRO-  
POSED JUDICIAL REDISTRICTING PLAN.

The County Board of Commissioners for Lake of the Woods County and Koochiching County respectfully request that the Court consider forming a County Court Judicial District comprising Koochiching County and Lake of the Woods County with chambers at International Falls and Baudette, Minnesota. The County Court Judge for Koochiching County also joins in this request. We further feel that the election boundaries of this proposed district should be the same as its administrative boundaries and that said district would be served by one judge. The Boards of Commissioners and myself are opposed to any other plan without reservation for the following reasons:

1) Alignment of Koochiching County with any other county in a multi-county judicial district is going to be severely limited because of the distances separating the various county seats:

- a. International Falls to Grand Rapids(Itasca County)  
120 miles.
- b. International Falls to Bemidji(Beltrami County)  
111 miles.
- c. International Falls to Virginia(St. Louis County)  
100 miles.
- d. International Falls to Duluth(St. Louis County)  
160 miles.
- e. International Falls to Baudette(Lake of the Woods County)  
72 miles.

2) The disparity of populations between Koochiching County and Itasca County could unfairly influence an election of county judges, assuming the election were to be on a district-wide basis. Itasca County now has a population of approximately 41,000 people. Koochiching County has a population of approximately 17,300. If an election were to be held within the district boundaries of an administrative district comprising Koochiching County and Itasca County the citizens of Koochiching County would very likely as a practical matter be disenfranchised by the Itasca County vote. Furthermore it makes very little constitu-



# County Court

KOOCHICHING COUNTY

COURT HOUSE

INTERNATIONAL FALLS, MINN. 56649

JUDGE

Peter N. Hemstad

COURT REPORTER

Donald M. Undeland

CLERK OF COURT  
Terrence Carew

DEPUTIES

Aaron Carew

Mary Mahle

Dorothy Thomson

tional sense to elect the county judges at large within the Ninth Judicial District itself. To do this would again disenfranchise the voters of the County Court District wherein the judge sits. To have a county court judge elected at large within the Ninth Judicial District also makes poor administrative sense because that would eliminate a compelling reason for a county court judge to be responsive to the community wherein he sits. Lake of the Woods County is currently in a three county judicial district with Roseau and Kittson Counties. That district is served by Judge Shanahan from Roseau some sixty or so miles to the west. Lake of the Woods County has a population of about 4,500 people and because of their small population are as a practical matter a disenfranchised county for the purpose of electing a county judge. Lake of the Woods County feels it is less disenfranchised if it would be joined in a two county district with Koochiching County.

3) Alignment of Koochiching County with Lake of the Woods County would give the district a population of close to 22,000 people. This is an optimum population to insure a fair dispensation of justice and a fair workload for the judge. Itasca County with its population of 41,000 people will require more than one judge sitting in that county alone. This being the case there is no logical reason to align Koochiching County with Itasca County because the judge sitting in Koochiching County would not very likely spend any time in Itasca County.

4) The economy and the ethnic background of the people living in Koochiching County and Lake of the Woods County are very similar in makeup. While there are some similarities between Itasca County and Koochiching County with respect to forest industry, the differences in economic base and population makeup would seem too far apart to justify aligning the counties in a judicial district.

5) The County Boards by their enclosed resolutions are expressing their desire which under our democratic system becomes the desire of the inhabitants of these two counties. Obviously the Court can disregard the resolutions. I would respectfully hope that the local requests are not ignored by the Court. It would seem an abuse of good government to put a price on quality of justice. We in the North are of the opinion that court administration should be considered as an important factor in redistricting but must not be allowed to overshadow the constitutional administration of justice we are entitled to. I would sincerely hope that the Court would not be so insensitive and callous to our special problems in this part of the State to ignore that principal.

6) Since December 8, 1978 I have been sitting in Baudette as the Lake of the Woods County Judge and that experience has led me to believe that the formation of a two county district between Koochiching County and Lake of the Woods County is a very workable solution to the redist-

# County Court

KOOCHICHING COUNTY

COURT HOUSE

INTERNATIONAL FALLS, MINN. 56649

JUDGE

Peter N. Hemstad

COURT REPORTER

Donald M. Undeland

CLERK OF COURT  
Terrence Carew

DEPUTIES

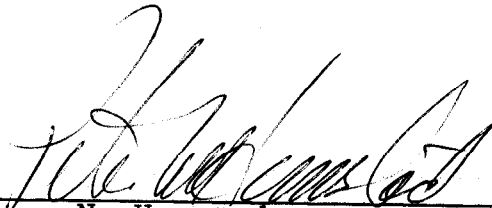
Aaron Carew

Mary Mahle

Dorothy Thomson

recting problem posed in this part of the state. It seems to me to be the only workable solution in view of the points that I have made in this statement and to align Koochiching County with any other county for whatever purpose would not be in the best interests of either county.

Thank you.



---

Peter N. Hemstad

Koochiching County Court Judge

Dated this 26<sup>th</sup> day of March, 1979 at International Falls, Minnesota.

236

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49858

W. J. Spooner

JUDGE OF COUNTY COURT  
ITASCA COUNTY  
GRAND RAPIDS, MINNESOTA 55744



- Family Division
- Probate Division
- Civil Division
- Criminal Division

March 26, 1979

The Honorable Robert J. Sheran  
Chief Justice of the Supreme Court  
State Capitol  
St. Paul, MN 55155

Re: County Court Redistricting, Ninth Judicial District

Dear Chief Justice Sheran:

Because of the press of business, I will be unable to be at the hearing on April 6th. If I were there, I would heartily endorse the redistricting plan presented by Judge Haas of Cass County, which combines into a district the Cass, Itasca and Hubbard counties.

It does appear that this plan is the most logical as far as the eastern portions of the Ninth Judicial District are concerned. Those counties combined in this plan are the counties in which the Judges are now, by experience, exchanging work. The only exception being that the Aitkin County Judge does assist me in Itasca County.

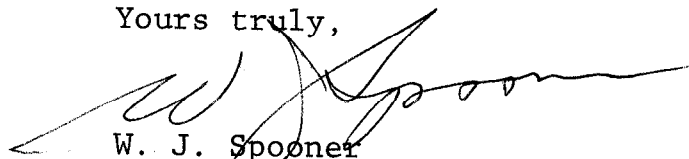
Assuming that the second Judgeship will be created by the legislature for Itasca County, it is the only plan that really makes sense and shortens the distances necessary to be travelled. And where past experience worked out amongst the Judges shows that we are able to give assistance to each other.

Obviously, as long as we are denominated as incumbents upon the ballot, none of us particularly cares if we run at large throughout the district. However, that is from a purely personal standpoint. I think it is unfair to have the Judges elected in a broader district than they actually serve. While it may be true that the proposition may be presented that by running at large in the district, that all people have a voice in the selection of a Judge who may, on rare occasions, be asked to serve in their county. Those situations are rare, and make no more sense then to ask all Judges to run state-wide at large because they may, on occasion, be assigned outside their district. In truth, the only fair and reasonable way, and the only way acceptable to the County Boards in the districts that I have contacted, is to ask that the election districts be limited to those areas where the Judges primarily serve. In my particular instance, basically, Cass, Itasca and Hubbard.

page 2

Thank you for considering the plan submitted by Judge Haas. I hope you find that it is appropriate. I urge you to adopt that plan.

Yours truly,

A handwritten signature in black ink, appearing to read 'W. J. Spooner', written over a horizontal line.

W. J. Spooner  
Judge of County Court

WJS/jb

CONRAD A. BYE ..... AUDITOR  
DOUG M. ANDERSON ..... TREASURER  
JAMES NIXON, M.D. .... CORONER  
H. W. LONGFELLOW ..... JUDGE, COUNTY COURT  
DARRELL M. SEARS ..... JUDGE, COUNTY COURT  
CHARLES WARNBERG ..... SHERIFF

STEPHEN C. RATHKE ..... COUNTY ATTORNEY  
SHARON L. PETERSON ..... COUNTY RECORDER  
SHARON L. PETERSON ..... REGISTRAR OF TITLES  
DEAN ANDERSON ..... COUNTY SURVEYOR  
MARGE WILLIAMS ..... CLERK OF COURT  
LANSIN HAMILTON ..... LAND COMMISSIONER

COUNTY COMMISSIONERS

MARV RAU, CHAIRMAN            ALVIN H. HAUGE  
ROSS KUNKEL            LEO "BUD" KOSTEK            FRANCIS MURPHY



CROW WING COUNTY

BRAINERD, MINNESOTA 56401

March 28, 1979

Minnesota Supreme Court  
230 State Capitol Building  
Aurora and Park Ave.  
St. Paul, Minnesota      55155

4 9858

In re: Redistricting proposal  
of County Courts

TO WHOM IT MAY CONCERN:

I am taking this opportunity to voice my support for a County Court Judicial District comprising Crow Wing County and Aitkin County and am opposed to aligning said counties in any other manner.

Due to location, distance, population and economy, Crow-Wing County should be aligned as a Judicial District With Aitkin County, for the convenience and benefit of all concerned.

I feel that the election boundries and administrative boundries of said district should remain the same.

Yours truly,

*Marge Williams*  
Marge Williams  
Clerk of District Court  
Crow Wing County, Minnesota

MMW:

4-2 -- copy to each justice



19

236

49858

**AITKIN COUNTY**

FRANKLIN O. DRAPER, AUDITOR

AITKIN, MINN. 56431

March 29, 1979

Mr. John McCarthy  
Clerk of the Supreme Court  
Room 317G, State Capitol  
St. Paul, Minnesota 55155

Dear Mr. McCarthy:

The Aitkin County Board of Commissioners fully support  
a County Court Judicial District comprising Aitkin County  
and Crow Wing County.

The Aitkin County Board respectfully requests that every  
consideration be given to this alignment when the matter  
of the County Court redistricting is heard.

By order of the Aitkin County Board,



Franklin O. Draper  
Aitkin County Auditor

49858

49858

CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF CASS COUNTY, MINNESOTA.

RESOLUTION NO. 641-79

ADOPTED March 20,

19 79

Commissioner Zaffke offered the following resolution and moved its adoption.

WHEREAS: The Supreme Court of the State of Minnesota, has decided that the County Courts within the State of Minnesota, shall be redistricted and

WHEREAS: The proposed redistricting plan has been submitted to the Supreme Court by the Judges of the 9th Judicial District, and

WHEREAS: said plan aline Cass County with Clearwater County, Beltrami County, and Hubbard County; for a County Court District, and

WHEREAS: said combination of counties were considered by the Cass County Board of Commissioners.

NOW THEREFORE BE IT RESOLVED: That the Cass County Board of Commissioners fully support a County Judicial District; composed of Cass County, Hubbard County, and Itasca County. And is opposed to alining Cass County with Clearwater County And Beltrami County.

BE IT FURTHER RESOLVED: By the Cass County Board of Commissioners, that they support an Election District for the election of County Judge to be the same as the Administrative District of Hubbard County, Cass County, and Itasca County.

BE IT FURTHER RESOLVED: That a copy of this resolution be sent to the Supreme Court of the State of Minnesota and the Court Administrator of the 9th Judicial District.

Commissioner Swentkofske

moved the adoption of the resolution and it was declared

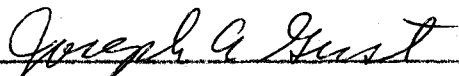
adopted upon the following vote:

CERTIFICATE

STATE OF MINNESOTA     )  
                                  ) ss.  
COUNTY OF KOOCHICHING )

I, Joseph A. Gust, County Auditor in and for the County of Koochiching, State of Minnesota, do hereby certify that the records of my office show that the attached is a true and correct copy of a resolution adopted by the County Board of Koochiching County at their meeting held March 12, 1979.

Dated this 13th day of March, 1979.

  
\_\_\_\_\_  
Joseph A. Gust, Auditor  
Koochiching County  
State of Minnesota

seal:



In re Hearing on Redistricting 49858  
 Plan of Ninth Judicial District

3-21-16 to each judge

RESOLUTION

A motion was made by Commissioner Nesbitt, seconded by Commissioner Kjemperud to support a resolution of a judicial district comprising Koochiching County and Lake of the Woods County and opposed to a judicial district aligning Koochiching County with Itasca County or any other County except Lake of the Woods County. Carried.

Be it hereby resolved by the County Board of Commissioners for the County of Koochiching, Minnesota that:

WHEREAS the Supreme Court has decreed that the county courts within the State of Minnesota shall be redistricted

WHEREAS the judges of the Ninth Judicial District had formulated a redistricting proposal for the county courts of said district and

WHEREAS said plan aligned Koochiching County with Itasca County and

WHEREAS said alignment was reconsidered and Koochiching County was to be aligned with Lake of the Woods County as a County Court Judicial District,

NOW THEREFORE BE IT HEREBY RESOLVED that the Koochiching County Board of Commissioners fully supports a judicial district comprising Koochiching County and Lake of the Woods County

BE IT FURTHER RESOLVED by the Koochiching County Board of Commissioners that they are hereby opposed to aligning Koochiching County in a County Court Judicial District with Itasca County or any other county except Lake of the Woods County.

BE IT FURTHER RESOLVED by the Koochiching County Board of Commissioners that they support an election district for the election of county judges to be the same as the administrative district above supported.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Supreme Court of the State of Minnesota, the Court Administrator for the Ninth Judicial District and all of the county and district judges within said district.

STATE OF MINNESOTA

COUNTY OF LAKE OF THE WOODS

RESOLUTION OF THE LAKE OF THE WOODS COUNTY BOARD OF COMMISSIONERS:

BE IT HEREBY RESOLVED by the County Board of Commissioners for Lake of the Woods County, Minnesota that:

WHEREAS the Supreme Court has deemed that the County Courts within the State of Minnesota shall be redistricted and:

WHEREAS due to location, distance, population and economy Lake of the Woods County should be aligned as a Judicial District with Koochiching County, Minnesota.

NOW THEREFORE, IT IS HEREBY RESOLVED by the County Board of Commissioners for Lake of the Woods County, Minnesota that they fully support a County Court Judicial District comprising Lake of the Woods County and Koochiching County and that they are opposed to aligning said counties in any other manner.

BE IT FURTHER RESOLVED that the election boundaries and administrative boundaries of said district be the same.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Supreme Court of the State of Minnesota, all of the County and District Judges in the 9th Judicial District and the Court Administrator for the 9th Judicial District.

DATED: March 12, 1979

I certify that this is a true and complete copy of the original hereof which is on file and of record in the office of County Auditor, Lake of the Woods County, Minnesota.

Dated at Baudette, Minn.

Mar. 16 1979

(Seal)

Deann E. Shbeck  
County Auditor

Stanley Cornelius  
Stanley Cornelius, Chairman

Hope Gulkingrud  
Hope Gulkingrud

Willis Mouw  
Willis Mouw

Hanlon Olson  
Hanlon Olson

Robert Sutherland  
Robert Sutherland

LAW OFFICE OF

# EKVALL & RASMUSSEN

BAGLEY, MINNESOTA 56621

March 13, 1979

TELEPHONE 694-6565  
AREA CODE 218

AUREL L. EKVALL  
EDWARD H. RASMUSSEN

ASSOCIATE  
JAMES R. WILSON

Mr. Dennis E. Howard  
Judicial District Administrator  
Beltrami County Court House  
Bemidji, Minnesota 56601

Re: County Court Redistricting Meeting

Dear Dennis:

I am in receipt of your letter of March 6, in respect to a meeting to be held in Bemidji on March 16, 1979. I am writing to you from our office as we do have a conflict in our office on that date and cannot be in attendance at the meeting although we are very much interested in the redistricting plan.

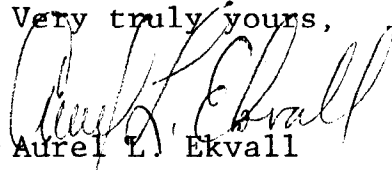
We have discussed the proposed plan in our office and are in agreement with aligning the four counties for District 1 which affects our county so long as there is a resident judge in each of the counties. We do have one concern with the proposed plan and that would be in the assignment of the judges to work in other counties so that at the time of any assignment of one judge to work in another county, consideration be given to the existing case loads. At the present, we do have a small population but we do have a high case load in Clearwater County and as a result, there may not be as much time available for assignment in other counties as one may be inclined to believe if you look only at population figures. As I do not know the case load of Cass and Hubbard counties, I do not know how much time would be available from judges in those counties to serve in Beltrami County which I would assume would have the greatest need for additional help. I do know that time from Clearwater County for this purpose would be limited.

I would appreciate, therefore, if consideration could be given to the case load in consideration of any assignment of judges to serve in other counties under the proposed plan.

Mr. Dennis E. Howard  
Page 2  
March 13, 1979

Therefore, please consider this letter the consensus of opinion of the attorneys from our office. Thanks.

Very truly yours,

  
Aurel L. Ekvall

ALE:js

P.S. I have just learned by way of communication from Judge Anderson that he had heard from you indicating there was a change in the proposed plan to place two judges in Beltrami County and eliminate the resident judge from Clearwater County. If this is true, all of us are strongly opposed to such a proposed plan. I do not believe it is at all realistic and I believe further study should be given to the actual case load in Clearwater County before even proposing or considering such a redistricting. I further should point out that the Legislature originally included Clearwater County with Mahnomen County and Norman County, and we held several meetings between the three counties for the reason that we did not feel that the court load in Clearwater County could adequately be handled by a resident judge sitting in one of the other counties. This is still the situation as far as Clearwater County is concerned and we would be much better off if this were being proposed to go back to the original alignment of Clearwater County, Mahnomen County and Norman County and hopefully have a resident Judge then in Clearwater County and Norman County that could service also Mahnomen County. There is no way that Clearwater County can get by with a County Court Judge only two days a week and three days a week would create a hardship on Clearwater County. I firmly believe it is more realistic to expect at least four days a week in Clearwater County as a minimum. Presently, juvenile hearings alone can occupy at least a minimum of one day a week and Thursday of each week is normally devoted to trials. This leaves Monday and Tuesday for commitment hearings and first appearances on all felony and misdemeanor matters to say nothing of traffic cases which admittedly could be handled, except for contests through a traffic bureau but this too has additional problems. In addition to these matters, there has to be concern for the handling of all probate matters, civil matters and conciliation court. To expect this to be adequately handled without a resident judge in Clearwater County is simply not realistic. I would hope that you would give this letter to the chairperson of this meeting so it can be properly recorded in the proceedings

Mr. Dennis E. Howard

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March 13, 1979

of the meeting. After hearing this, we have made arrangements in our office for one of us to be present and at this time, it appears that Jim Wilson will try to arrange his schedule accordingly. I personally cannot be there as I have a County Attorney Council Meeting scheduled in St. Paul for that date. The Board of County Commissioners also have requested that they, too, oppose very strongly any plan that would move a Judge's chambers and location from Clearwater County.

**ERICKSON AND CASEY**

**LAW OFFICES**

318 SOUTH SIXTH STREET

P. O. BOX 571

**BRAINERD, MINNESOTA 56401**

TEL. 218-829-9226

**CARL E. ERICKSON  
FREDERICK J. CASEY  
JOHN H. ERICKSON**

19 March 1979

Mr. John McCarthy  
Clerk of Minnesota Supreme Court  
Minnesota Supreme Court  
State Capitol  
St. Paul, Minnesota 55155

Dear Mr. McCarthy:

COUNTY COURT REDISTRICTING/NINTH JUDICIAL DISTRICT

In our capacities as Assistant District Public Defenders we wish to voice our support for a program of redistricting which would combine Crow Wing and Aitkin Counties into a single County Court District. Based on our experience in working in this area we feel that any attempt to combine Crow Wing County or Aitkin with any other county or counties would create serious logistical problems from the standpoint of distance and time obligations.

Your consideration of this input is greatly appreciated.

Frederick J. Casey

John H. Erickson

dls

cc: Mr. Dennis Howard  
District Court Administrator  
Beltrami County Courthouse  
Bemidji, Minnesota 56601

**FOR YOUR  
INFORMATION**

March 27, 1979

Justice Lawrence R. Yetka  
The Supreme Court of Minnesota  
State Capitol  
St. Paul, Minnesota 55100

Re: Ninth Judicial District Redistricting Plan

Dear Justice Yetka:

Thank you for your courtesy in corresponding with me on our redistricting problems. By this letter, I respectfully submit my final comments prior to the hearing of April 6.

You are likely aware of the meeting held on March 16, in Bemidji. In attendance were a number of county and district judges, some county board members, and local bar association representatives. Though some different opinions were voiced in discussing the issues, at the conclusion of the meeting most were in accord as to what should be given serious consideration by the Supreme Court.

Some time ago, a redistricting plan was submitted to your court. A second plan, submitted at our meeting by Judge Michael Haas of Cass County, will be presented on April 6. Each plan contemplates joining Crow Wing and Aitkin Counties into one district. If I were to promote my individual selfishness to its limit, I would argue strongly that Crow Wing County, having two full-time judges, should remain as a one-county district. But for the good of the judiciary as a whole, and in an effort to support Judge Haas' plan, I believe that Aitkin and Crow Wing should comprise one district. It is a natural joinder when one considers the combined population, the volume of work in Crow Wing, and the tremendous increase of the summer population. Also, the county seats are only thirty miles apart, and each judge feels comfortable with the personnel of the other's court. I do not pretend to speak for Judge Graff, but my impression is that he would prefer to be with Crow Wing County.

March 27, 1979

Looking at Judge Haas' plan in its entirety, I believe it is excellent. The geographical boundaries cut down windshield time. The judges are compatible, having worked with each other, and the population factor appears to be in close conformance to the guidelines. And if the court is considering, as it must, the eventual total establishment of a one-tier trial court throughout the entire state, I believe the districts set forth in the new plan are ready-made for such eventuality without any further redistricting. While a vote was not taken on this plan as a comparison with the plan previously submitted, every county judge I talked with, I'm sure in an effort to retain the harmony we have always had, feels that he can live with it.

I must digress for an instant and reiterate my support for the establishment of a second full-time county judge for Itasca County. It is desperately needed, and I cannot help but feel that, if this does not come about, the work in adjoining districts will be affected.

The extended discussion concerned election districts. For reasons I have stated in previous correspondence, I am convinced that the election district should be co-extensive with the administrative district, that only the people I basically serve should vote on my competence. And, if the election districts are large, each judge is certainly going to try to get frequent assignments in the entire area in order to obtain as much exposure possible before the voters comprising the election district. And the only result can be a reversion back to 'riding the circuit', more windshield time, and a loss of efficiency which, in turn, means that nothing has been gained by the people.

The opinion of those present at our meeting was, without visible opposition, that election districts should be small.

I would urge the court to accept Judge Haas' plan. I believe it best serves the people. It is one which our Ninth District judges can live with, and I believe that their wishes should be given precedence because they have been unselfish and have given much thought to the matter of redistricting. I have heard that the Ninth Judicial District judges - county and district - rank quite high with the Supreme Court in the amount and caliber of work processed through their courts. If this is true, I trust that you realize the dedication they have in serving the people. This dedication is, I believe, reflected in the plan to be presented.

Respectfully submitted,

DARRELL M. SEARS  
Judge of County Court

DMS:fp

cc: Dennis Howard, Court Administrator, Ninth Judicial District ✓



*Law Offices*  
**WITTER AND WENDLANDT, LTD.**  
BOX 187  
CROSBY, MINNESOTA 56441

F. CLARK WITTER  
PAUL WENDLANDT, JR.

PHONE  
218-546-5184

March 12, 1979

Mr. Dennis E. Howard  
Ninth Judicial District  
Administrator  
Beltrami County Courthouse  
Bemidji, MN 56601

RE: Re-districting of County Courts.

Dear Mr. Howard:

This will confirm our telephone conversation of this morning, whereby no one from this office will be able to attend the March 16 meeting in regard to the above captioned matter.

Please be advised that this office has no objections, and in fact would favor re-districting as set up in the plan. Obviously, there may be some problems with such re-districting, but its geographical boundaries are logical, and it is our belief the citizens of Aitkin and Crow Wing Counties, as well as the attorneys who practice in these counties will benefit from the re-districting.

Very sincerely yours,



F. Clark Witter

FCW:sw

STATE OF MINNESOTA

COUNTY OF CROW WING

RESOLUTION OF THE CROW WING COUNTY BOARD OF COMMISSIONERS:

BE IT HEREBY RESOLVED by the County Board of Commissioners for Crow Wing County, Minnesota that:

WHEREAS the Supreme Court has deemed that the County Courts within the State of Minnesota shall be redistricted and:

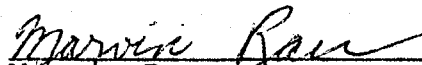
WHEREAS due to location, distance, population and economy Crow Wing County should be aligned as a Judicial District with Aitkin County, Minnesota.


NOW THEREFORE, IT IS HEREBY RESOLVED by the County Board of Commissioners for Crow Wing County, Minnesota that they fully support a County Court Judicial District comprising Crow Wing County and Aitkin County and that they are opposed to aligning said counties in any other manner.

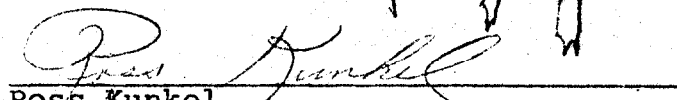
BE IT FURTHER RESOLVED that the election boundries and administrative boundries of said district be the same.

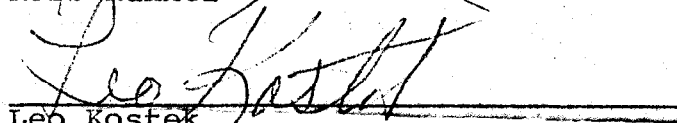
BE IT FURTHER RESOVED that a copy of this resolution shall be sent to the Supreme Court of the State of Minnesota, all of the County and District Judges in the Ninth Judicial District and the Court Administrator for the Ninth Judicial District.

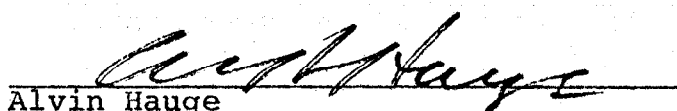
DATED: March 21, 1979

  
Marvin Rau

  
Francis Murphy

  
Ross Kunkel

  
Leo Kostek

  
Alvin Hauge

A motion was made by Commissioner Kahlstorf, seconded by Commissioner Gauldin and carried, to support a Resolution in reference to the re-aligning of the County Court Districts.

**RESOLUTION**

BE IT HEREBY RESOLVED by the Board of Commissioners for the County of Hubbard that:

WHEREAS, The Supreme Court of the State of Minnesota has decreed that the County Courts within the State of Minnesota shall be re-districted; and

WHEREAS, a plan was submitted to the Supreme Court by the Judges of the Ninth Judicial District; and

WHEREAS, the citizens and Board of Commissioners of Hubbard County had no opportunity to have input into said plan; and

WHEREAS, It is the belief of the Board of Commissioners that any redistricting of Cass and Hubbard counties is totally unnecessary and will in effect destroy the County Court System and make the judges not accountable to the citizens of Cass and Hubbard counties,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Hubbard County Board of Commissioners does oppose and will do all in their power to oppose any redistricting plan, but should their efforts fail, then said Board supports an administrative district composed of Cass, Hubbard, and Itasca counties, with each county electing its own judge.

BE IT FURTHER RESOLVED that a copy of the resolution be sent to the Supreme Court of the State of Minnesota, Court Administrator of the Ninth Judicial District, Senator Gerald L. Willet, Representatives John Ainley, and Glen Sherwood.

STATE OF MINNESOTA )  
County of Hubbard ) ss.

Office of the Auditor

I, Roland Vik, duly elected and qualified Auditor of the County of Hubbard, do hereby certify that the above is a full, true and correct copy of a Resolution duly adopted by the Board of County Commissioners of the County of Hubbard at its regular meeting held on March 20, 1979.

  
\_\_\_\_\_  
Roland Vik, Hubbard County Auditor

(SEAL)

# District Court of Minnesota

NINTH JUDICIAL DISTRICT

CHAMBERS OF JUDGE JOHN A. SPELLACY/COURTHOUSE, P. O. BOX 737//GRAND RAPIDS, MINN. 55744



March 5, 1979

Honorable Warren A. Saetre  
Judge of District Court  
Pennington County Court House  
Thief River Falls, Minnesota 56701

Mr. Dennis Howard  
Court Administrator  
Beltrami County Court House  
Bemidji, Minnesota 56601

Dear Judge Saetre and Mr. Howard:

I will not be able to attend either the meeting scheduled for March 16th or the hearing on April 6, 1979, concerning County Court redistricting. On March 16th my own Penal Administration Committee is meeting in the Twin Cities, and we are going to be visiting and inspecting the prisons at St. Cloud and Shakopee.

I have had numerous discussions with both Judge Haas and Judge Spooner regarding the proposed redistricting plan. While my own personal preference, and I believe theirs, would be the creation of one County Court District having the same limits as the Fifth Division of the Ninth District, Cass and Itasca Counties, with one Judge in Cass and two Judges in Itasca County, we understand that this is probably not feasible for various reasons at the present time.

I fully support any position taken by Judges Haas and Spooner, and my only concern at this time is that there be unanimity, if possible, among all of the Judges of the District by the time of the April 6th meeting. Otherwise I would fear that the bill for an additional Judge in Itasca County could become stalled. This would be the worst possible thing that could happen at this time. If it were a choice of getting the additional Judge now and final redistricting being postponed for any period of time, it is obvious to me that the additional Judgeship should have preference. Judge Spooner is really laboring beyond endurance, even with the excellent help that he gets from Judges Haas and Graff.

Sincerely yours,

  
John A. Spellacy

cc: Hon. William Spooner  
Hon. Michael Haas

Commissioner Orlovich moved the adoption of the following resolution:

Resolution No. ~~4-79-1~~

RE: REDISTRICTING OF NINTH JUDICIAL DISTRICT

WHEREAS the Supreme Court of the State of Minnesota has requested that the County Courts of the Ninth Judicial District be redistricted for the purpose of achieving maximum efficiency, and,

WHEREAS the Honorable William J. Spooner is now elected solely by the people of Itasca County, and performing all of the County Court work in and for Itasca County, except for help presently being given by the Honorable Michael Haas, County Judge, with Chambers in Walker; and the Honorable Robert Graff, County Judge, with Chambers in Aitkin, and,

WHEREAS it appears that the Legislature will probably create another County Judgeship for Itasca County, as requested by this Board of Commissioners in its recent Resolution No. 2-79-14, and,

WHEREAS Hubbard and Cass Counties now comprise a County Court District served by Judge Haas and the Honorable Keith Kraft, who has Chambers in Park Rapids, Minnesota, and,

WHEREAS it also appears that both Judge Spooner and Judge Haas, as well as Judge Kraft, all favor a new County Court District containing the counties of Cass, Hubbard and Itasca, with two Judges resideded in Itasca County, one Judge in Cass County, and one Judge in Hubbard County, and,

WHEREAS it appears to the Itasca County Board of Commissioners that such a County Court District would ideally suit the needs of the people of the three counties of Cass, Hubbard and Itasca, now,

THEREFORE BE IT RESOLVED by the Itasca County Board of Commissioners that they unanimously support a County Court Judicial District comprising Cass, Hubbard and Itasca Counties, and that they are, likewise, unanimously opposed to any redistricting plan which would not contain Cass, Hubbard and Itasca Counties as one County Court District in and for the Ninth Judicial District, and,

BE IT FURTHER RESOLVED that of all the plans suggested or rumored, by far the worst possible plan would be a single County Court District embracing the entire Ninth Judicial District. That such a plan would be impossible to administer effectively from a judicial standpoint and could result in Judges not resideded in the three counties of Cass, Hubbard and Itasca Counties serving the people of Itasca County, and,

BE IT STILL FURTHER RESOLVED that a copy of this Resolution be forthwith transmitted to the Honorable Robert Sheran, Chief Justice of the Minnesota Supreme Court; to the Honorable Warren Saetre, Chief Judge of the Ninth Judicial District; and Dennis Howard, Court Administrator for the Ninth District.

Commissioner Jokinen seconded the motion for the adoption of the resolution and it was declared adopted upon the following vote: Ayes: 5 Nays: 0

STATE OF MINNESOTA, }  
County of Itasca } ss.  
Office of County Administrator }

I, LLOYD E. NESSETH, ADMINISTRATOR OF THE COUNTY OF ITASCA, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the day of \_\_\_\_\_, A.D. 19\_\_\_\_, and that the same is a true and correct copy of the whole thereof.

WITNESS MY HAND AND SEAL OF OFFICE at Grand Rapids, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_  
April \_\_\_\_\_ 79. Lloyd Nesseth 3rd  
County Administrator

By \_\_\_\_\_ Deputy

**BRINK, SOBOLIK, SEVERSON & VROOM, P. A.**

ATTORNEYS AT LAW  
HALLOCK, MINNESOTA 56728

LYMAN A. BRINK (1909-1972)

PHONE 218-843-6911

March 14, 1979

DENNIS M. SOBOLIK  
ROBERT K. SEVERSON  
RONALD C. VROOM  
JOTHAM T. BLODGETT

Mr. Dennis E. Howard  
Ninth Judicial District Administrator  
Beltrami County Courthouse  
Bemidji, Minnesota 56601

Dear Mr. Howard:

We have your letter regarding the meeting to be held on March 16 at Bemidji regarding the County Court Redistricting Plan. Since it is impossible for me to be in attendance, on behalf of our firm I would like to express our thoughts and desires regarding the redistricting plan that will be considered at the meeting.

A proposal that our office would like to have considered would provide for the following:

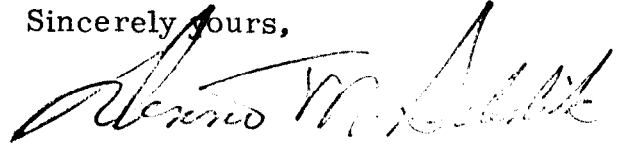
- 1) The Counties of Kittson, Roseau, Marshall, Pennington and Red Lake to be within one district.
- 2) An election district to consist of only the Counties of Kittson and Roseau.
- 3) Chambers for this district to be at Roseau.
- 4) Apportionment of costs of administration to be based on population within the Counties of Kittson and Roseau.

The above is somewhat within the framework of operation of our County Court system for the past few months and seems to be working well. Judge Shanahan is able to keep abreast of the workload even though he has considerable traveling to do. If Lake of the Woods County was added to Judge Shanahan's workload, so much useful time is wasted in traveling that it seems almost impossible for him to keep abreast of the workload.

Any consideration that you can give to this proposal would be greatly appreciated.

Thanking you, and with my kindest regards, I remain

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Dennis M. Sobolik". The signature is written in dark ink and is positioned above the printed name.

Dennis M. Sobolik

DMS:mh

# County Court

KOOCHICHING COUNTY  
COURT HOUSE  
INTERNATIONAL FALLS, MINN. 56649

JUDGE  
Peter N. Hemstad  
COURT REPORTER  
Donald M. Undeland

CLERK OF COURT  
Terrence Carew.  
DEPUTIES  
Aaron Carew  
Mary Mahle  
Dorothy Thomson

March 8, 1979

Dennis E. Howard  
Judicial District Administrator  
Ninth Judicial District  
Beltrami County Courthouse  
Bemidji, Minnesota 56601

Dear Mr. Howard:

Please find enclosed the resolution passed by our County Board of Commissioners. As you might know by reading the resolution our Board is adamantly opposed to any other district other than Koochiching County/Lake of the Woods and to any other method of electing a county judge except within his district boundaries. The Board and myself are opposed to any other plan without reservation for the following reasons:

- 1) Alignment of Koochiching County with any other county in a multi-county judicial district is going to be severely limited because of the distances separating the various county seats:
  - a. International Falls to Grand Rapids(Itaska County)  
120 miles.
  - b. International Falls to Bemidji(Beltrami County)  
111 miles.
  - c. International Falls to Virginia(St. Louis County)  
100 miles.
  - d. International Falls to Duluth(St. Louis County)  
160 miles.
  - e. International Falls to Baudette(Lake of the Woods County)  
72 miles.
- 2) The disparity of populations between Koochiching County and Itaska County could unfairly influence an election of county judges, assuming the election were to be on a district-wide basis. Itaska County now has a population of approximately 41,000 people. Koochiching County has a population of approximately 17,300. If an election were to be held within the district boundaries of an administrative district comprising Koochiching County and Itaska County the citizens of Koochiching County would very likely as a practical matter be disenfranchised by the Itaska County vote. Furthermore it makes very little constitutional sense to elect the county judges at large within the Ninth Judicial



# County Court

KOOCHICHING COUNTY

COURT HOUSE

INTERNATIONAL FALLS, MINN. 56649

JUDGE

Peter N. Hemstad

COURT REPORTER

Donald M. Undeland

CLERK OF COURT

Terrence Carew

DEPUTIES

Aaron Carew

Mary Mahle

Dorothy Thomson

District itself. To do this would again disenfranchise the voters of the County Court District wherein the judge sits. To have a county court judge elected at large within the Ninth Judicial District also makes poor administrative sense because that would eliminate a compelling reason for a county court judge to be responsive to the community wherein he sits.

3) Alignment of Koochiching County with Lake of the Woods County would give the district a population of close to 22,000 people. This is an optimum population to insure a fair dispensation of justice and a fair workload for the judge. Itaska County with its population of 41,000 people will require more than one judge sitting in that county alone. This being the case there is no logical reason to align Koochiching County with Itaska County because the judge sitting in Koochiching County would very likely spend any time in Itaska County.

4) The economy and the ethnic background of the people living in Koochiching County and Lake of the Woods County are very similar in makeup. While there are some similarities between Itaska County and Koochiching County with respect to forest industry, the differences in economic base and population makeup would seem too far apart to justify aligning the counties in a judicial district.

5) Since December 8, 1978 I have been sitting in Baudette as the Lake of the Woods County Judge and that experience has led me to believe that the formation of a two county district between Koochiching County and Lake of the Woods County is a very workable solution to the redistricting problem posed in this part of the state. It seems to me to be the only workable solution in view of the points that I have made in this letter and to align Koochiching County with any other county for whatever purpose would not be in the best interests of either county.

On Monday, March 5th we discussed several alternative plans over the telephone and after careful consideration of the various plans we have discussed I feel that I cannot in the public interest of Lake of the Woods County and Koochiching County support any plan for redistricting except one that would align Koochiching County with Lake of the Woods County and have the election district the same as the administrative district.

I cannot attend the meeting on March 16th and I trust that you will distribute copies of my letter to the judges in attendance in order that my views may be made known to them and that they may also know my reasons for my position.

Thank you.

LAW OFFICE OF

**EKVALL & RASMUSSEN**

BAGLEY, MINNESOTA 56621

March 13, 1979

TELEPHONE 694-6565  
AREA CODE 218

AUREL L. EKVALL  
EDWARD H. RASMUSSEN

ASSOCIATE  
JAMES R. WILSON

Mr. Dennis E. Howard  
Judicial District Administrator  
Beltrami County Court House  
Bemidji, Minnesota 56601

Re: County Court Redistricting Meeting

Dear Dennis:

I am in receipt of your letter of March 6, in respect to a meeting to be held in Bemidji on March 16, 1979. I am writing to you from our office as we do have a conflict in our office on that date and cannot be in attendance at the meeting although we are very much interested in the redistricting plan.

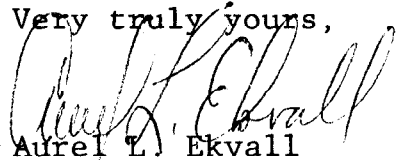
We have discussed the proposed plan in our office and are in agreement with aligning the four counties for District 1 which affects our county so long as there is a resident judge in each of the counties. We do have one concern with the proposed plan and that would be in the assignment of the judges to work in other counties so that at the time of any assignment of one judge to work in another county, consideration be given to the existing case loads. At the present, we do have a small population but we do have a high case load in Clearwater County and as a result, there may not be as much time available for assignment in other counties as one may be inclined to believe if you look only at population figures. As I do not know the case load of Cass and Hubbard counties, I do not know how much time would be available from judges in those counties to serve in Beltrami County which I would assume would have the greatest need for additional help. I do know that time from Clearwater County for this purpose would be limited.

I would appreciate, therefore, if consideration could be given to the case load in consideration of any assignment of judges to serve in other counties under the proposed plan.

Mr. Dennis E. Howard  
Page 2  
March 13, 1979

Therefore, please consider this letter the consensus of opinion of the attorneys from our office. Thanks.

Very truly yours,

  
Aurel L. Ekvall

ALE:js

P.S. I have just learned by way of communication from Judge Anderson that he had heard from you indicating there was a change in the proposed plan to place two judges in Beltrami County and eliminate the resident judge from Clearwater County. If this is true, all of us are strongly opposed to such a proposed plan. I do not believe it is at all realistic and I believe further study should be given to the actual case load in Clearwater County before even proposing or considering such a redistricting. I further should point out that the Legislature originally included Clearwater County with Mahnomen County and Norman County, and we held several meetings between the three counties for the reason that we did not feel that the court load in Clearwater County could adequately be handled by a resident judge sitting in one of the other counties. This is still the situation as far as Clearwater County is concerned and we would be much better off if this were being proposed to go back to the original alignment of Clearwater County, Mahnomen County and Norman County and hopefully have a resident Judge then in Clearwater County and Norman County that could service also Mahnomen County. There is no way that Clearwater County can get by with a County Court Judge only two days a week and three days a week would create a hardship on Clearwater County. I firmly believe it is more realistic to expect at least four days a week in Clearwater County as a minimum. Presently, juvenile hearings alone can occupy at least a minimum of one day a week and Thursday of each week is normally devoted to trials. This leaves Monday and Tuesday for committment hearings and first appearances on all felony and misdemeanor matters to say nothing of traffic cases which admittedly could be handled, except for contests through a traffic bureau but this too has additional problems. In addition to these matters, there has to be concern for the handling of all probate matters, civil matters and conciliation court. To expect this to be adequately handled without a resident judge in Clearwater County is simply not realistic. I would hope that you would give this letter to the chairperson of this meeting so it can be properly recorded in the proceedings

RESOLUTION OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS

Be it hereby resolved by the County Board of Commissioners for the County of Koochiching, Minnesota that:

WHEREFORE the Supreme Court has decreed that the county courts within the State of Minnesota shall be redistricted

WHEREFORE the judges of the Ninth Judicial District had formulated a redistricting proposal for the county courts of said district and

WHEREFORE said plan aligned Koochiching County with Itaska County and

WHEREFORE said alignment was reconsidered and Koochiching County was to be aligned with Lake of the Woods County as a County Court Judicial District,

NOW THEREFORE BE IT HEREBY RESOLVED that the Koochiching County Board of Commissioners fully supports a judicial district comprising Koochiching County and Lake of the Woods County.

BE IT FURTHER RESOLVED by the Koochiching County Board of Commissioners that they are hereby opposed to aligning Koochiching County in a County Court Judicial District with Itaska County or any other county except Lake of the Woods County.

BE IT FURTHER RESOLVED by the Koochiching County Board of Commissioners that they support an election district for the election of county judges to be the same as the administrative district above supported.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Supreme Court of the State of Minnesota, the Court Administrator for the Ninth Judicial District and all of the county and district judges within said district.

---

Chairman of the Board

Dated this \_\_\_\_ day of March, 1979 at International Falls, Minnesota.

STATE OF M I N N E S O T A  
COUNTY OF LAKE OF THE WOODS

RESOLUTION OF THE LAKE OF THE WOODS COUNTY BOARD OF COMMISSIONERS:

BE IT HEREBY RESOLVED by the County Board of Commissioners for Lake of the Woods County, Minnesota that:

WHEREAS the Supreme Court has deemed that the County Courts within the State of Minnesota shall be redistricted and:

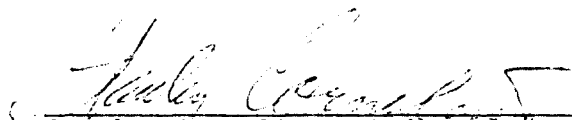
WHEREAS due to location, distance, population and economy Lake of the Woods County should be aligned as a Judicial District with Koochiching County, Minnesota.

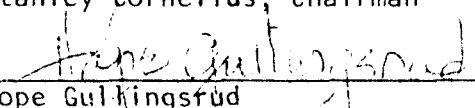
NOW THEREFORE, IT IS HEREBY RESOLVED by the County Board of Commissioners for Lake of the Woods County, Minnesota that they fully support a County Court Judicial District comprising Lake of the Woods County and Koochiching County and that they are opposed to aligning said counties in any other manner.

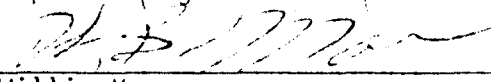
BE IT FURTHER RESOLVED that the election boundries and administrative boundries of said district be the same.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Supreme Court of the State of Minnesota, all of the County and District Judges in the 9th Judicial District and the Court Administrator for the 9th Judicial District.


DATED: March 12, 1979

  
\_\_\_\_\_  
Stanley Cornelius, Chairman

  
\_\_\_\_\_  
Hope Gulkingsrud

  
\_\_\_\_\_  
Willis Mouw

\_\_\_\_\_  
Hanlon Olson

  
\_\_\_\_\_  
Robert Sutherland

**ADLAI W. BRINK**  
Attorney at Law  
BOX 416  
BAUDETTE, MINNESOTA 56623

TELEPHONE  
(218) 634-1269

March 14, 1979

Dennis E. Howard  
Judicial Administrator  
Beltrami County Courthouse  
Bemidji, Minnesota 56601

RE: County Court Redistricting Plan

Dear Mr. Howard:

I will be unable to attend the March 16 redistricting meeting. It is my opinion that Lake of the Woods County would be better served if it would be joined with Koochiching County rather than left as the presently existing district or redistricted according to the proposed plan contained in your letter of March 6.

The plan to form a district comprising Lake of the Woods and Koochiching counties has been approved by the City Council of Baudette, The Lake of the Woods County Board and the City Council of Williams. Baudette and Williams being the only organized cities in Lake of the Woods County. This plan has also been approved by Judge Shanahan and Judge Hemstad.

I believe it would be in the best interest of all of the counties involved in proposed districts 3 and 4 to modify the plan to create a district containing only Lake of the Woods and Koochiching counties.

Sincerely Yours,

*Adlai W. Brink*  
ADLAI W. BRINK  
AWB:arb

STATE OF MINNESOTA

COUNTY OF LAKE OF THE WOODS

RESOLUTION OF THE LAKE OF THE WOODS COUNTY BOARD OF COMMISSIONERS:

BE IT HEREBY RESOLVED by the County Board of Commissioners for Lake of the Woods County, Minnesota that:

WHEREAS the Supreme Court has deemed that the County Courts within the State of Minnesota shall be redistricted and:

WHEREAS due to location, distance, population and economy Lake of the Woods County should be aligned as a Judicial District with Koochiching County, Minnesota.

NOW THEREFORE, IT IS HEREBY RESOLVED by the County Board of Commissioners for Lake of the Woods County, Minnesota that they fully support a County Court Judicial District comprising Lake of the Woods County and Koochiching County and that they are opposed to aligning said counties in any other manner.

BE IT FURTHER RESOLVED that the election boundries and administrative boundries of said district be the same.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Supreme Court of the State of Minnesota, all of the County and District Judges in the 9th Judicial District and the Court Administrator for the 9th Judicial District.

DATED: March 12, 1979

I certify that this is a true and complete copy of the original hereof which is on file and of record in the office of County Auditor, Lake of the Woods County, Minnesota.

Dated at Baudette, Minn.

Mar 16 1979

(Seal)

Dean E. Halbeck  
County Auditor

Stanley Cornelius, Chairman

Hope Gulkingrud

Willis Mouw

Hanlon Olson

Robert Sutherland



STATE OF MINNESOTA

COUNTY OF LAKE OF THE WOODS

RESOLUTION OF THE CITY COUNCIL OF BAUDETTE

BE IT HEREBY RESOLVED by the City Council of Baudette, Minnesota  
that:

WHEREAS the Supreme Court has deemed that the County Courts within  
the State of Minnesota shall be redistricted and:

WHEREAS due to location, distance, population and economy Lake of  
the Woods County should be aligned as a Judicial District with  
Koochiching County, Minnesota.

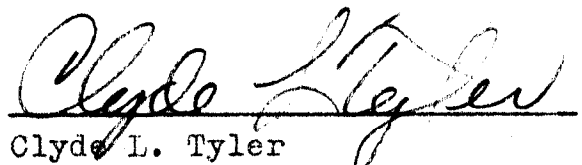
NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of Baudette,  
Minnesota that they fully support a County Court Judicial District  
comprising Lake of the Woods County and Koochiching County and  
that they are opposed to aligning said counties in any other manner.

BE IT FURTHER RESOLVED that the election boundries and administrative  
boundries of said district be the same.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent  
to the Supreme Court of the State of Minnesota, all of the County  
and District Judges in the 9th Judicial District and the Court  
Administrator for the 9th Judicial District.

DATED: March 12, 1979

SEAL

  
Clyde L. Tyler  
Acting Mayor

  
Peter M. Robinson  
City Clerk-Treasurer

**JOHN R. KROUSS**

ATTORNEY AT LAW

Box 637

Baudette, Minnesota 56623

Telephone (218) 634-1702

12 March 1979

Mr. Dennis E. Howard  
Judicial District Administrator  
Ninth Judicial District  
Beltrami County Courthouse  
Bemidji, MN 56601

Dear Mr. Howard:

I have reviewed the proposed plans for re-districting the county court system.

I note under the proposed plan that Lake of the Woods County would become part of a six-county district. I would expect that there would be some permanent assignment of chambers resulting in the judge sitting in Roseau County to also service Lake of the Woods County.

This system has worked out very well for us in the past, and I certainly have no objections to it; however, I am somewhat concerned about future elections in which three additional counties would be voting for a judge who doesn't regularly serve Lake of the Woods County.

I also am a little concerned about our clerk of court services being placed at increasingly larger distances from Lake of the Woods County.

I have discussed the matter with Attorney Bill Brink of Baudette and Honorable Peter Hemstad, Judge of County Court, now sitting in Koochiching County. I would prefer that if Lake of the Woods County is not lined with Roseau County, that we become a district with Koochiching County.

This would maximize the ability of our own electorate to vote for the judge who services us, and would keep our services as close to home as possible.

Very truly yours,

  
John R. Krouss  
County Attorney

JRK/mjb

STATE OF MINNESOTA  
DISTRICT COURT, NINTH JUDICIAL DISTRICT  
THIEF RIVER FALLS 56701

WARREN A. SAETRE  
JUDGE

January 31, 1979

The Honorable Robert J. Sheran  
Chief Justice Supreme Court  
State Capitol  
St. Paul, Minnesota

Dear Chief Justice Sheran:

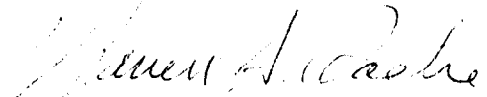
The Judges of the 9th Judicial District held their January meeting at Bemidji, Minnesota last Friday, January 26th. At this meeting we reviewed the report of the County Court Redistricting Committee which has been submitted to your court for consideration. The consensus of the judges at our meeting was that they would like the Supreme Court to act thereon. We realize that there are alternatives to our plan but it seems the plan is for the most part acceptable to nearly all the judges in this district.

We have one county court situation that is most urgent. Itasca County, perhaps the most populous county in our district having a 1970 population of over 35,000 is served by Judge William Spooner. By working very long hours and by not taking any vacation or time off and with the assistance of Judge Robert Graff of Aitkin and Judge Michael Haas of Walker who each give him one day a week, he has been able to just barely manage. We cannot expect Judge Spooner to maintain his present work schedule without some additional help and we really believe the only solution is to have two county judges in Grand Rapids. The workload of the resident district judge in Grand Rapids, John Spellacy is such that he is just unable to give Judge Spooner any assistance except in emergency stopgap situations. The 9th Judicial District Judges unanimously adopted a resolution recommending to the County Board of Itasca County, the Supreme Court and the Legislature, that an additional judgeship for Itasca County be created. As you probably are aware, under the Reorganization Act we are losing one county judge at Mahnomon, Minnesota when Judge Kersting retires March 1st.

Our other two counties having problems are Beltrami and Polk. Beltrami's problem is not critical at this time because we will have the use of a judicial officer until 1981. Hopefully at or about that time we will be able to consolidate Beltrami and Clearwater Counties and have two judges for the two counties. We have lost our judicial officer at Crookston and temporarily and for so long as we are able, we are having Judge Harren and Judge Jorgenson each work in Crookston one day a week.

I am enclosing a copy of a letter Judge Harren has written to me dated January 29th which is self-explanatory. I personally would recommend that we proceed with the redistricting order and we would welcome a review of our plan by your court.

Yours very truly,

  
WARREN A. SAETRE  
District Judge

WAS:llh

copy: Mr. Laurence Harmon  
Court Administrator, Supreme Court  
40 North Milton Street  
St. Paul, Minnesota

The Honorable Joseph A. Harren  
County Court Judge  
Red Lake Falls, Minnesota

The Honorable John Spellacy  
District Judge  
Grand Rapids, Minnesota

The Honorable William Spooner  
County Court Judge  
Grand Rapids, Minnesota

Mr. Dennis Howard  
Court Administrator  
Bemidji, Minnesota

COUNTY COURT DISTRICT

- of -

Pennington, Red Lake and Marshall Counties

J. A. Harren  
Larry G. Jorgenson  
Judges

Pennington County Division  
Box 578  
Thief River Falls, MN 56701

January 29, 1979

Judge Warren A. Saetre  
Chief Judge  
Ninth Judicial District  
Thief River Falls, MN 56701

Dear Judge Saetre:

At the conclusion of our semi-annual meeting of the Judges of the Ninth Judicial District on Friday it was suggested that I prepare a letter report to you to add to my comments at the meeting regarding the needs of the County Court. This letter is the report.

You recall that the Ninth District Judges adopted a proposal by a vote of 12 to 1 on June 20, 1978. At the time of adoption a condition was imposed which was set out on the first page of the proposal. It was believed that all district plans would have the same condition in view of the recommendation of the inter-court committee.

Our plan was nearly as inclusive as the 8th Judicial District Plan and we believed that our approach was superior in that it provided for actual implementation administratively to test it and modify it in accord with the inter-court committee recommendations.

The approval of the re-districting plan of the 8th Judicial District on December 26, 1978, was a substantial surprise in view of the inter-court committee recommendation and the discussions at the meetings of the committee chaired by Justice Yetka. We were led to believe that actual re-districting should be postponed.

The Ninth Judicial Districts has problems in the area of county courts far more urgent than that of the 8th district. They concern the extensive travel, seasonal case load fluctuations by summer residents, lay judges, two judicial officers and the impending loss of one judgeship.

Our situation has become more critical because we have lost a Judicial Officer who cannot be replaced and the retirement of Judge Kersting and the loss of that judgeship is now reality. For all practical purposes we have lost the equivalent of two Judges and still have not resolved our most severe problem which exists in Itasca County.

It is fortunate that we have Judges who are very willing to help outside their jurisdiction. This willingness and the slowdown which we attribute to the contested elections for the positions of sheriff and county attorney in parts of the district has enabled us to keep current.

It is unfortunate that we misinterpreted the redistricting schedule otherwise we certainly would have pursued the adoption of our plan as vigorously as the 8th District. Our problems should have merited some priority over the 8th District in consideration of our plan.

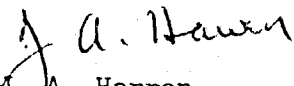
In conclusion it appears that our re-districting proposal is still subject to the condition that appears on the first page of the proposal and this condition has not matured.

It may be appropriate to inquire of the Chief Justice or the State Court Administrator if we should continue our experiment and wait for an evaluation or if we should renew our efforts to adopt a redistricting plan to submit to the Supreme Court at this time.

Irrespective of the redistricting proposals we should at this time make every effort to obtain a new judgeship for Itasca County. The County will soon have chambers and facilities for two judges. The Itasca District has more population than any other county court district in the 9th Judicial District and many other districts have 2 judges. Judge Spooner cannot be expected to continue under the present conditions.

It appears that we should make an immediate appeal to the Chief Justices for his assistance in obtaining another Judge for Itasca County as unanimously recommended by the Judges of the Ninth Judicial District at their semi-annual meeting on January 26, 1979.

Respectfully submitted,

  
J. A. Harren  
Assistant Chief Judge

STATE OF MINNESOTA

COUNTY OF BELTRAMI

RESOLUTION OF THE BELTRAMI COUNTY BOARD OF COMMISSIONERS:

BE IT HEREBY RESOLVED by the County Board of Commissioners for Beltrami County, Minnesota, that:

WHEREAS the Supreme Court has set a hearing for the purpose of considering the re-districting of the County Court in and for the Ninth Judicial District, and:

WHEREAS it is this board's information and belief, that the County Courts of this district are presently operating efficiently and are providing the necessary County Court services to the people of this district, and:

WHEREAS this board has been informed that the judges of the Ninth Judicial District have formulated at least two re-districting proposals to be considered by the Supreme Court, and:

WHEREAS one plan would align Beltrami County with Hubbard, Cass and Clearwater Counties, and:

WHEREAS another plan would align Beltrami County with Clearwater County,

NOW THEREFORE BE IT HEREBY RESOLVED that the Beltrami County Board of Commissioners are opposed to any change in the election district for the County Courts as they now exist in the Ninth Judicial District.

BE IT FURTHER RESOLVED that should the Supreme Court feel that re-districting is required, that this board would support an election district aligning Beltrami County with Clearwater County, or in the alternative, aligning Beltrami County with Hubbard, Cass and Clearwater Counties.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Court Administrator for the Ninth Judicial District for distribution to the Supreme Court of the State of Minnesota and





RESOLUTION OF THE BELTRAMI COUNTY BAR ASSOCIATION:

BE IT HEREBY RESOLVED by the BELTRAMI COUNTY BAR ASSOCIATION, that:

WHEREAS the Supreme Court has set a hearing for the purpose of considering the re-districting of the County Court in and for the Ninth Judicial District, and:

WHEREAS it is this Association's information and belief, that the County Courts of this district are presently operating efficiently and are providing the necessary County Court services to the people of this district, and:

WHEREAS this Association has been informed that the judges of the Ninth Judicial District have formulated at least two re-districting proposals to be considered by the Supreme Court, and:

WHEREAS one plan would align Beltrami County with Hubbard, Cass, and Clearwater Counties, and:

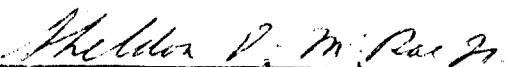
WHEREAS another plan would align Beltrami County with Clearwater County,

NOW THEREFORE BE IT HEREBY RESOLVED that the Beltrami County Bar Association is opposed to any change in the election district for the County Courts as they now exist in the Ninth Judicial District.

BE IT FURTHER RESOLVED that should the Supreme Court feel that re-districting is required, that this Association would support an election district aligning Beltrami County with Clearwater County, or in the alternative, aligning Beltrami County with Hubbard, Cass, and Clearwater Counties.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Court Administrator for the Ninth Judicial District for distribution to the Supreme Court of the State of Minnesota and the county and district judges of this district.

BE IT FURTHER RESOLVED that this Association is absolutely opposed to the concept of the election districts of the County Courts of this district be co-terminous with the boundaries of the Ninth Judicial District, and that said districts should be no larger than herein provided.

  
Sheldon D. McRae, Jr., Secretary  
Beltrami County Bar Association