

STATE OF MINNESOTA

IN SUPREME COURT

C1-84-2140

Order Correcting Errors in the Order  
Adopting Rules on Lawyers Professional  
Responsibility dated April 27, 1987,  
effective July 1, 1987.

**ORDER**

WHEREAS, this court by Order dated April 27, 1987, adopted revised Rules on Lawyers Professional Responsibility which became effective on July 1, 1987, and

WHEREAS, it has come to the court's attention that adopted Rule 9(h) contains an omission and that adopted Rule 27(a) likewise contains an omission, and

WHEREAS, neither Rule 9(h) nor Rule 27(a) were altered by the revised Rules on Lawyers Professional Responsibility,

NOW, THEREFORE, IT IS ORDERED Rule 9(h) of the revised Rules on Lawyers Professional Responsibility dated April 27, 1987, and effective July 1, 1987, is hereby amended nunc pro tunc to July 1, 1987 to read as follows:

(h) **Form of evidence at Panel hearing.** The Panel shall receive evidence only in the form of affidavits, depositions or other documents except for testimony by:

- (1) The lawyer;
- (2) A complainant who affirmatively desires to attend; and
- (3) A witness whose testimony the Panel chairman or vice-chairman authorized for good cause.

If testimony is authorized, it shall be subject to cross-examination and the Rules of Evidence and a party may compel attendance of a witness or production of documentary or tangible evidence as provided in the Rules of Civil Procedure for the District Courts. The District Court of Ramsey County shall have jurisdiction over issuance

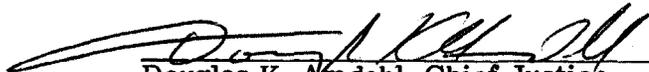
of subpoenas, motions respecting subpoenas, motions to compel witnesses to testify or give evidence, and determinations of claims of privilege. The lawyer shall be denominated by number or randomly selected initials in any district court proceeding.

IT IS FURTHER ORDERED that Rule 27(a) of the revised Rules on Lawyers Professional Responsibility dated April 27, 1987, and effective July 1, 1987, is hereby amended nunc pro tunc to July 1, 1987 to read as follows:

(a) **Appointment of trustee.** Upon a showing that a lawyer is unable to properly discharge responsibilities to clients due to disability, disappearance or death, or that a suspended, disbarred or resigned lawyer has not complied with Rule 26, and that no arrangement has been made for another lawyer to discharge such responsibilities, this Court may appoint a lawyer to serve as the trustee to inventory the files of the disabled, disappeared, deceased, suspended, disbarred or resigned lawyer and to take whatever other action seems indicated to protect the interests of the clients and other affected parties.

Dated this 14 day of January, 1988.

BY THE COURT:

  
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Douglas K. Amdahl, Chief Justice

OFFICE OF  
APPELLATE COURTS

JAN 14 1988

**FILED**