

THE SUPREME COURT OF MINNESOTA
SAINT PAUL

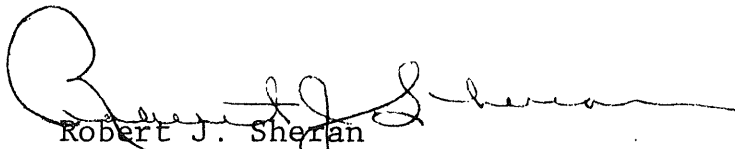
ROBERT J. SHERAN, CHIEF JUSTICE
JAMES C. OTIS
WALTER F. ROGOSHESKE
C. DONALD PETERSON
FALLON KELLY
JOHN J. TODD
LAWRENCE R. YETKA
GEORGE M. SCOTT
ROSALIE E. WAHL
ASSOCIATE JUSTICES

TO: MEMBERS OF THE SENATE, STATE OF MINNESOTA

Enclosed you will find a copy of the State of
the Judiciary Message delivered to the Minnesota
State Bar Association on June 21, 1979.

Any comments and suggestions for a similar
statement for 1980 will be appreciated.

Yours very truly,


Robert J. Sheran

enclosure

STATE OF THE JUDICIARY MESSAGE

BY

CHIEF JUSTICE ROBERT J. SHERAN

JUNE 21, 1979

MINNESOTA STATE BAR ASSOCIATION CONVENTION
RADISSON SOUTH
MINNEAPOLIS, MINNESOTA

Once again I am indebted to the Bar Association for the opportunity to report about the status of Minnesota's judicial system.

The objective of our effort, once again, is to resolve the disputes and controversies within the jurisdictions of the courts of this state as expeditiously, economically and fairly as we possibly can, and to keep the public we serve adequately informed about our effort to achieve these ends.

ADMINISTRATION OF STATE TRIAL COURTS

Since the passage of the Court Reorganization Act of 1977, significant progress has been made in meeting the objectives of the legislation to better utilize judicial manpower. Chief judges in all judicial districts are assigning judges throughout the district to both county and district court matters in response to caseload requirements. In addition, some inter-district assignments of judges are made in exceptional circumstances. The process of assigning judges is being facilitated by district administrators. In at least one of our judicial districts, the district administrator has assumed the central calendaring function for all district court cases.

This interchange of judges among courts and between counties has the effect of eliminating backlogs of cases and allows judges a broader range of experience. Another beneficial consequence has been the exchange of ideas between counties and the development of uniform procedures in a district. In addition, some districts have been able to train court employees so that they will be familiar with tasks in both county and district courts.

In Hennepin County, municipal courtrooms are being converted to twelve-person jury courtrooms to provide complete flexibility for the assignment of civil and criminal cases.

Other tasks toward improving judicial services are underway. Of particular interest to some of you will be the results of a jury utilization and facilities study which the Ramsey County judges have initiated. This study, being conducted by the National Center for State Courts, is expected to be completed and implemented by mid-summer 1979.

An innovation regarding juror usage is being used in three counties of the Fifth Judicial District. A code-a-phone arrangement allows jurors to call the clerk's office for assignments during times when the clerk's office is closed. This is a time-saving arrangement for both jurors and court personnel.

In the Eighth Judicial District the number of county court districts has been reduced from twelve to three since the Court Reorganization Act. This has greatly increased the efficient use of judicial manpower and the movement of judges between counties.

The assessment of the Court Reorganization Act today is that it has provided an opportunity to local judges and administrators to develop judicial administration systems that are most appropriate for their localities. Our experience to date indicates that our preference for decentralized management, which places significant responsibility in the hands of chief judges, assistant chief judges and district administrators, is successful.

SUPREME COURT CASELOAD

The Supreme Court caseload continues to increase. In 1978, 1,203 matters were filed with the Supreme court, a 15 percent increase over the previous year, while the number of matters disposed of during 1978 was 892, a 4 percent increase since 1977.

The number of special matters, writs, and motions continue to increase, but at the same time settlements obtained at prehearing conferences and summary affirmance have also increased.

In this forum last year, I set a goal of reducing the processing time for appellate cases in which decisions were filed to 13 months or less. The average

time in 1978 was slightly less than 13 months, and we shall continue our efforts to reduce delay.

This past year in an effort to reduce delays occasioned by pre-trial appeals by the state in criminal prosecutions—delays which could interfere with a defendant's right to a speedy trial—we adopted new policies governing our handling of such appeals. Specifically, we have (a) encouraged the prompt preparation of transcripts in such cases, (b) generally refused to grant extensions of time in the briefing schedules, (c) expedited the consideration of these cases once the briefs have been filed, and (d) expedited the process during which an opinion is circulated and edited in these cases. As a result, we have dramatically reduced the time involved so that these appeals are normally considered by the court within six weeks after the order appealed from is filed and this court's decision is usually filed about three weeks thereafter.

We are concerned that the changes in our sentencing system may have considerable impact on the caseload in our courts. The Sentencing Guidelines Commission is promulgating guidelines which will go into effect on May 1, 1980. In all felony convictions, either the defendant or the state will be entitled to a sentencing hearing, and after the trial court acts, either may appeal to the Supreme Court. This new right of appeal could have an effect on our court's already heavy caseload, a matter which we intend to monitor carefully.

JUDICIAL PLANNING COMMITTEE

The Judicial Planning Committee, created in 1976, has been expanded from the original 17 members to 23 members and claims six legislators as ex-officio members. This advisory body has been charged with the responsibility of identifying problem areas in the judiciary and making recommendations for improvement.

At the request of the Legislature, the Judicial Planning Committee has studied the position of referees in the trial courts to determine if existing judicial manpower can handle the referee caseload. In addition, the Legislature has also requested that the Judicial Planning Committee study the feasibility of establishing a unified family court within the Hennepin and Ramsey County courts. A final report will be presented to the Legislature by October 1, 1980.

The Judicial Council, which is responsible for the administration of the rural public defense system in Minnesota, requested the Judicial Planning Committee to analyze the delivery of defense services to indigents in the state. The Judicial Planning Committee held public hearings and solicited the testimony of judges, defenders, prosecutors, and the private bar to determine the deficiencies in the system and to consider the recommendations for improvements. Draft legislation has been prepared and will be presented to legislators next year.

The Supreme Court has asked the Judicial Planning Committee to make recommendations concerning county court redistricting. A subcommittee chaired by Judge Gerald W. Kalina has been assigned this task. The subcommittee will study the configuration of the judicial districts, the particular problems of each district and the plans which have been developed locally to change district boundaries.

Budgetary and personnel issues will also be studied by the Judicial Planning Committee. This task originates from the Court Reorganization Act of 1977 which required the State Court Administrator to prepare uniform personnel standards for non-judicial court employees and to administer uniform requirements for court budgets. With the assistance of the National Center for State Courts, the State Court Administrator prepared a report which recommended that a state-funded and

statewide personnel system administered by the judiciary assume responsibility for all non-judicial personnel, their salaries, and benefits. Further, the report proposed that, in the absence of state funding, the State Court Administrator develop uniform personnel records, promulgate personnel selection and performance evaluation procedures, and standardize the qualifications, classifications and salaries of court personnel.

As a consequence of these recommendations, a subcommittee of the Judicial Planning Committee, chaired by Judge Harold Krieger, is currently analyzing budgetary and personnel issues for the trial courts in this state. The subcommittee will decide whether to recommend that the state fund the entire court system or a particular segment in an effort to improve the delivery of justice.

In addition, the Judicial Planning Committee has initiated a comprehensive survey of trial court facilities which will enable the committee to identify the specific structural and equipment needs of the trial courts. The study, which will be completed this year, will provide recommended minimum guidelines for trial court facility needs. Technical assistance as well as alternate funding sources for improving these facilities will be investigated.

Long range court planning, development of a trial judges' bench book, study of court reporting technology and intermediate appellate court structure are other major tasks that the Judicial Planning Committee is currently undertaking. We anticipate that the Judicial Planning Committee will continue to be the catalyst for accomplishing needed improvements in judicial administration in Minnesota.

Justice Lawrence R. Yetka will continue to serve as Chairman of the Judicial Planning Committee.

INFORMATION SYSTEMS OFFICE

I reported to you last year that we were in the process of implementing the State Judicial Information System (SJIS) to provide accurate, timely and comprehensive information regarding the flow of cases through the Minnesota trial courts. SJIS has now been operational for the past ten months, which enables us to monitor the movement of every civil, probate and family case filed in every court in the state. Tracking of individual cases allows us to identify and dispose of matters that get excessively old. SJIS produces comparable statistics that will contribute to our ability to deploy judicial manpower throughout the state and to make sound recommendations to the Legislature regarding the need for new judicial positions. In sum, SJIS is an indispensable tool which will ensure the movement of cases.

Given our success with case tracking thus far, we look forward to expanding the capacity of SJIS to include case tracking of all criminal and juvenile cases. This increased capacity will afford us a complete picture of the state of judicial business in Minnesota. The Supreme Court itself will soon be participating in SJIS and similar projects to track the progress of our own cases. Reliable management information is essential to the equitable administration of justice; SJIS is responding to this need.

A companion effort to SJIS has recently been initiated in the office of the State Court Administrator. The Trial Court Information System project (TCIS) is designed to improve the detailed operational aspects of recordkeeping and caseload management on the trial court level. We have selected several model counties for intensive developmental activity aimed at modernizing administrative procedures and forms. The successful implementation of administrative systems in these

model counties will provide us with standards that then may be promulgated statewide. In contrast to SJIS, which is designed to give us a comprehensive measure of how well the judiciary is performing, TCIS is geared to assisting trial court administration in the discharge of their day-to-day operations management responsibilities.

These systems are essential tools to ensuring expeditious and orderly case management. It is only through such modern means of collecting and analyzing information that we can utilize our available judicial manpower effectively and assess the need for additional judges.

I wish to applaud the efforts of the clerks and administrative staff of the Minnesota courts whose enthusiastic support has been a crucial determinant in our efforts to introduce modern management techniques into the Minnesota courts.

BOARD ON JUDICIAL STANDARDS

The Board on Judicial Standards is a statutory agency created to deal with complaints about judges. During 1978, the board received 71 complaints, two less than in 1977. This is the first time that the number of complaints has decreased since the Board was created in 1971.

Of the 71 complaints, 58 were from litigants, five from attorneys, three from judges, and five from third parties. A substantial number of the complaints related to dissatisfaction with judges' decisions and alleged irregularities in procedure or slowness in orders.

The Board disposed of 89 complaints during 1978. Of this number, the Board determined that 34 were properly matters to be handled through the appellate process and that 31 were unfounded or frivolous. In the other cases, eight

complaints were resolved by the judge correcting the problem, eight by admonition, one by private reprimand, and in one case the judge retired while the case was open. In two cases, the judge is being monitored.

In two cases, the Board recommended to the Supreme Court that judges be retired or removed. In one case, the Supreme Court ordered disbarment and removal; in the other case disciplinary action was imposed.

The Board conducted 22 inquiries and five full scale investigations. Thirty-two judges were requested to respond in writing to the Board for explanation of their conduct. Of the five full scale investigations, two related to courtroom demeanor; one alleged an alcohol problem; one concerned a conflict of interest and one claimed a mental problem.

The legislature in 1977 adopted legislation requiring the Board on Judicial Standards to review annually the compliance of every trial judge with a statute requiring that all matters submitted to a judge for his decision shall be disposed of within 90 days after submission. All judges were requested to inform the Board whether they were in compliance with the statute; every judge responded. It may be that this inquiry prompted some judges to issue orders regarding old cases before responding to the Board. In one flagrant situation, the Board used its statutory authority to request the Commissioner of Finance not to pay the salary of a judge who was not in compliance with the statute.

We are fortunate that Mr. Justice John J. Todd, as a member of the American Bar Association committee charged with the responsibility of developing standards in this area, serves as a member of our court and is particularly well-informed about problems in this area.

SELECTION OF JUDGES

On May 10 of this year, Governor Quie announced that he would name non-partisan committees to assist him in filling vacancies in the county and district courts. Each judicial district will have a permanent committee consisting of eight members, which will screen candidates and furnish the Governor with a list of qualified persons for judicial appointments.

We have previously stated that the appointment of able, industrious judges with broad legal experience and good character is essential to a sound court system, and we applaud the Governor's endeavors to insure such appointments by means of these selection committees. Furthermore, we urge that such a system be utilized as vacancies may occur on the Supreme Court.

The old methods of judicial selection may have served well enough in the past. They were suitable to other times. But now it is absolutely imperative that we institutionalize a program of judicial merit selection.

The Minnesota State Bar Association deserves great credit for the leadership it has given in bringing about this important movement toward merit selection of judges. It is assumed that you will take steps to propose and support the necessary legislation and constitutional changes needed to make these reforms a permanent part of our governmental system.

LAWYERS PROFESSIONAL RESPONSIBILITY BOARD

The Lawyers Professional Responsibility Board is an agency of the Minnesota Supreme Court which supervises the conduct of Minnesota attorneys. During 1978, the Board received 634 complaints, most of which were investigated initially by one of the twenty District Bar Association Ethics Committees. The vast majority of

the complaints received allege neglect of legal matters entrusted to attorneys and failure to communicate with clients.

The Rules on Lawyers Professional Responsibility require that the Board investigate promptly and thoroughly all complaints of unethical conduct lodged against Minnesota lawyers. The majority of complaints received are now fully investigated and concluded within 60 days after receipt.

The Board is also responsible for conducting hearings before Board panels in cases in which discipline appears to be warranted and presenting the most serious cases to the Minnesota Supreme Court in public disciplinary proceedings. Panels of the Board imposed private discipline in 29 matters and referred matters involving 16 attorneys to the court for public proceedings. During 1978, final decisions involving 24 attorneys were rendered by the court.

During 1978, the Director also issued 81 letters of private warning pursuant to the Rules on Lawyers Professional Responsibility. While the warnings do not constitute formal discipline under the Rules on Lawyers Professional Responsibility, they do notify the attorney that his or her conduct has not met prescribed standards. A summary of warnings has also been published in Bench & Bar in order to promote adherence to high ethical standards by members of the practicing bar.

The Board's director and staff continued to render informal opinions to attorneys and members of the public who raised specific problems of legal ethics. During 1978, over 1,000 inquiries from the bar and the public were considered by the Board's director and staff.

More than one year ago, the Supreme Court promulgated an order amending the provisions for the Code of Professional Responsibility concerning attorney advertising. The amended Rules permitted any form of public communication

which is not false, fraudulent, misleading, or deceptive. The court will soon consider the petition of the Minnesota State Bar Association to adopt permanent rules concerning attorney advertising. Most attorneys who have elected to advertise have done so in a responsible and accurate manner.

Mr. Justice James C. Otis is the member of our court who is principally concerned with the functions of the Lawyers Professional Responsibility Board.

BOARD OF LAW EXAMINERS

In 1978, 959 applicants were examined for admission to the bar and 719, or 75 percent, were successful.

In addition to applicants for examination, 37 lawyers from other jurisdictions applied for admission in Minnesota without examination, pursuant to the provisions of Rules VIII and IX. Thirty-four were recommended for regular admission to the bar and seven were recommended for limited licenses as set forth in Rule IX. Subsequently, one of the limited licensees was recommended for regular admission.

A computerized data processing system has been installed to assist the Board in processing applications and calculating the average scores of the applicants. This system has substantially reduced the period of time between examination and admission.

The Board has met with the State Advisory Council and will soon be submitting recommendations for changes in the Rules for Admission. Among the changes to be recommended will be utilization of the National Conference of Bar Examiners Multi-State and Professional Responsibility Examinations commencing in July 1980.

Justice Fallon Kelly is the member of our court charged with the responsibility of working with the Board of Law Examiners.

CONTINUING LEGAL EDUCATION

In 1975, Minnesota was the first state to adopt a program of mandatory continuing legal education for attorneys and judges. We have been joined by seven other states, the latest being Colorado and Idaho in the past year.

During the year, a total of 7,871 hours of approved courses have been offered on a variety of subjects. The hours are roughly distributed as follows:

<u>Subject Area</u>	<u>No. of Hours</u>
Corporate & Securities	374
Criminal Law	904
Estate Planning	876
Family Law	286
Law Office Management	214
Probate	188
Professional Responsibility	220
Real Estate	884
Taxation	1,341
Trial Practice	2,584

Notices of courses held in Minnesota are listed from time to time in Bench & Bar.

Compliance with the CLE requirement has been exceptional. Only about one percent of the lawyers who hold active licenses fail to comply with CLE requirements. Of these, many have discontinued active practice but have not bothered to request restricted status.

I see three major areas of concern about our mandatory program.

1. We have no real control over course quality. When we receive complaints from lawyers who have attended a course which they feel has been

poorly presented we pass those complaints on to the sponsor, sometimes with an admonition. Thus, we can exert some influence on local sponsors, but not as much as we might like. Any attempt to monitor courses on a regular basis would probably be quite costly. Furthermore, national sponsors are almost totally unaffected by any criticisms that we might make. Perhaps we can get some useful information and some helpful ideas from the national study of quality CLE courses now being conducted by the American Law Institute—American Bar Association.

2. We don't know whether the mandatory CLE program is accomplishing its goal of improving lawyer competence. We believe that it is helping and, for what it is worth, our lawyers seem to feel that it is helping. However, we have no way of knowing for sure and we have no means of examining the question in any reliable, objective way.

3. As the number of mandatory CLE states increased, the problems of approval increase for course sponsors. A sponsor who seeks approval in several different states must send several different pieces of correspondence, often supplying different information in a slightly different way to the various jurisdictions. Some states count hours differently from others; some have slightly different standards for approval. Thus, a course might be approved for 6 hours in one state, 5.5 hours in another, and be disapproved in other states.

It would be helpful to have a national agency, to which all course approval applications could be directed. The mandatory states might consider devoting some portion of their current budgets to the establishment of such a central agency.

OFFICE OF CONTINUING EDUCATION
FOR STATE COURT PERSONNEL

The Minnesota Supreme Court's Office of Continuing Education for State Court Personnel continues to provide quality education and training opportunities

for judicial and non-judicial court personnel. During this past year, judges had the opportunity to attend eight courses, including a basic school for new judges, courses on probate, juvenile and criminal law, products liability and judicial writing. These programs provided in excess of 91 CLE hours of instruction geared to the special needs of our judiciary.

We, as lawyers and judges, are most familiar with our own obligation to maintain our competency through continuing legal education coursework. However, we should also recognize a similar commitment made by our non-judicial court personnel. On January 19, 1979, the Conference of Chief Judges and Assistant Chief Judges adopted a policy requiring district administrators, court administrators and clerks of courts to complete fifteen credits of approved continuing education annually. This policy is designed to assist court personnel to meet the demands occasioned by changes and improvements in the operations of our courts. The rule will help assure the citizens of this state knowledgeable and competent court employees.

To meet the program needs of these court employees, Supreme Court Continuing Education (SCCE) has developed the Court Managers School which presents management topics in an intensive education format. This past year 100 court employees devoted four days to improving their supervisory knowledge and skills. For employees new to our courts, SCCE is presently developing a videotape orientation series to augment on-the-job training.

Looking ahead, noteworthy SCCE courses will include the Court Managers School on Records Management, as well as further development of the orientation module for new employees. For Minnesota's judges, who are faced with increasing interchangeability between the district and county benches and the concomitant need for an expansion of their substantive knowledge and judicial skills, future

SCCE programming will provide them with the needed coursework.

The Office of Continuing Education for State Court Personnel, in providing over 285 hours of instruction to over 1,200 public court employees in fiscal year 1978-9, has continued to make a significant contribution toward our objective of providing Minnesota's citizenry with an efficient and effective judicial system.

We are indebted to Mr. W. Paul Westphal for his leadership of this program.

MEDIA AND THE COURTS

Last year we reported that a joint committee of the Supreme Court and the Minnesota State Bar Association had prepared a set of guidelines to be used by the Supreme Court to experiment with camera, video and audio recordings of appellate proceedings. This experimentation in the Supreme Court has been a success and has continued with consent of counsel on a case-by-case basis. The Bar Association has been studying the issue of direct media coverage of court proceedings at the appellate and trial levels.

We will continue to observe the experiences of other states, such as Wisconsin, where trial courts have permitted the electronic media to record their proceedings.

COURT INFORMATION OFFICE

In September 1978, the Supreme Court established a court information office as a recognition of the important need for the judiciary to provide Minnesota citizens with education and information about the courts and the legal system.

The Court Information Office has five major goals: improving student knowledge about the courts; assisting the media to provide accurate reporting

about the courts and facilitating court-media communication; improving public understanding of the courts; promoting inter-court communication; and serving as a clearinghouse and coordinator for court educational efforts.

During its first year the office has undertaken a number of significant projects. One such effort was to develop "Teaching Law," a manual for educators with activities for law-related courses in schools. In addition, two national foundations have awarded grants to enable the program to conduct an intensive training program in law-related education for school teachers. The office has also coordinated education efforts by establishing a statewide advisory committee on law-related education.

The Court Information Office is preparing an educational booklet about the Minnesota courts, along with a slide program on the same topic. The office has prepared newspaper columns on various aspects of the court system, and is developing a brochure on the Supreme Court.

The office has also worked to facilitate informed reporting on the courts. A "Newsman's Guide to Legalese" has been published, along with materials for reporters on the courts, hearing notices for the Supreme Court, and information for court clerks regarding public access to files. Media requests for information are also regularly processed by the Court Information Office. The office co-sponsored seminars for media personnel on court coverage and developed a program for judges on media issues. Soon to be produced is a publication for judges and clerks on court public information.

In the future, the Court Information Office will continue these efforts and expand into new programs to meet the public need for accurate information on court processes and activities.

Justice C. Donald Peterson is the member of our court requested to give special attention to this undertaking.

SUPREME COURT STUDY COMMISSION ON
THE MENTALLY DISABLED
AND THE COURTS

The Supreme Court Study Commission on the Mentally Disabled, which is composed of lawyers, judges, doctors, citizens and legislators, has continued with its study of the commitment process in Minnesota, as well as other legal subjects involving mentally disabled persons. The Commission, chaired by Dean Richard C. Allen of Hamline Law School, has recently completed an empirical study of civil commitment in Minnesota. In addition, the Commission has held public hearings throughout the state and has developed recommendations which are being compiled into a final report, which will be presented to the Supreme Court later this summer.

We are grateful to Justice Rosalie E. Wahl for her work as court liaison with this Commission.

CRIMINAL JUSTICE

Our state judicial system seems to have accommodated to the new rules of criminal procedure and I think it can be fairly said that consensus has been achieved that these rules are an extremely valuable resource for the criminal justice system.

Once again, we direct the attention of the bench and bar of this state to the standards promulgated by the American Bar Association relating to the administration of criminal justice, one of the major contributions of our profession to the administration of criminal justice in this century. The fact that Justice Walter F. Rogosheske served as a leader of the committees which formulated these standards is a legitimate source of personal pride for all of us.

JUVENILE JUSTICE STUDY COMMISSION

The Juvenile Justice Study Commission is continuing with Professor Richard Clendenen of the University of Minnesota, as Director and Mr. Terrance Hanold, as Chairman. Mr. Justice George M. Scott continues to serve as the court's liaison with this Commission and as this court's representative on the Sentencing Guidelines Commission.

STATE LAW LIBRARY

The State Law Library now contains an estimated 250,000 volumes and has a staff of nine persons.

The law library is used primarily by the Supreme Court, the Attorney General's staff, the legislative staff, and the various state departments. The legal profession also uses the library heavily and use of the library by the general public has increased significantly. Some of the latter users include high school or community college students, but most are laypersons choosing to represent themselves in legal matters. Many have been referred by a public library.

The library continues to be separated, with a portion of the collection located on the third floor of the Capitol and the bulk of the collection housed at 117 University Avenue. During the last year, the building at 117 University Avenue has been undergoing a complete remodeling, which will provide a much better environment for library users, with more space, seating and temperature control.

As in the past, more than 90 percent of the book budget is spent for continuation materials that come automatically, such as law reports, law reviews and statutes. The increased activity in the courts and Legislature during the past decade has had the corresponding effect of resulting in more publications. Limited

budget had virtually stopped the purchase of new treatises. The Legislature, recognizing the need to provide a complete collection, has increased the 1979-81 book budget. The increase will permit the library to update treatises and begin to fill gaps in the collection.

Mr. Ronald Cherry is entitled to great credit for his work in maintaining an excellent law library under adverse circumstances.

PREPAID LEGAL SERVICES

As lawyers, one of our chief concerns should be the delivery of legal services at an affordable cost. It is commendable that this concern is one that has the attention of this association. The formation last October of the Minnesota Legal Services Corporation, whose purpose is to encourage the development of prepaid legal plans and to assure that this association plays a constructive role in that development, is surely a step in the right direction.

We are informed that two insurance companies have been licensed to enter the field of selling prepaid legal services in Minnesota. We hope that these efforts will be successful so that many persons who need advice and who would otherwise not feel free to seek it will be served.

FEDERAL-STATE JUDICIAL RELATIONSHIPS

Under the leadership of the Honorable Warren E. Burger, Chief Justice of the United States, the joint responsibility of federal and state governments to provide appropriate forums for the resolution of disputes and controversies is being examined carefully.

The analysis demonstrates that state court systems must be prepared to deal with something over 90 percent of the total volume of these cases.

It follows that clear principles should be developed for the allocation of jurisdiction as between federal and state courts with fair adjustment of the burdens involved.

A task force of the Conference of Chief Justices of the United States will soon issue a report with respect to these problems and the attention of the judges and lawyers of this state to this study is encouraged.

CONCLUSION

We are satisfied that the judicial system of the State of Minnesota is functioning extraordinarily well given the stress of the time. In large part this is due to the remarkable efforts of the trial judges of this state who, with fixed numbers, assume constantly increasing responsibilities.

Our priority for the year ahead will be to develop and extend the administrative changes which will make possible the highest and best use of our judicial skills.

In Minnesota, we are particularly fortunate to have as our State Court Administrator Mr. Laurence C. Harmon. Our confidence in his work is based upon a record of accomplishment which we believe to be most extraordinary.