

EIGHTH JUDICIAL DISTRICT
COURT UNIFICATION PLAN

Section 1.

The District Courts and County Courts of the Eighth Judicial District pursuant to Minn. Stats. 487.191 hereby resolve to reorganize into one trial court of general jurisdiction to be known as the District Court, which shall also be the Probate Court. This intention to reorganize shall be effective in all of its terms upon each judge of the district and successor judges. The reorganization plan shall be effective one year following certification to the Secretary of State of this intention to reorganize pursuant to Minn. Stats. 487.191.

Section 2.

The District Court shall be organized into two divisions, Division 1 and Division 2.

Section 3.

All District Court Judges elected to the office of District Court Judge on or before January 1, 1986, shall continue in office for the balance of the term which they were last elected; and their primary assignment responsibility shall be to Division 1.

Section 4.

All County Court judges in office on January 1, 1986, shall continue in office for the balance of the term of which they were last elected; and their primary assignment responsibility shall be to Division 2.

Section 5.

Any judge may be assigned to preside over cases in either

✓36762
O.D.

division. Any judge who was sitting as a District Court Judge prior to this merger shall not be required to preside over any matter, the jurisdiction of which was with the County Court prior to this merger. Any judge who was sitting as a County Court Judge prior to this merger shall not be required to preside over any matter, the jurisdiction of which was with the District Court prior to this merger.

A judge shall not be assigned to matters outside the class of cases for which he has primary assignment responsibilities without his consent, except that the Chief Judge may temporarily assign a judge to preside over any case or cases in either division as deemed necessary by the Chief Judge.

Section 6.

Division 1 shall have original jurisdiction to determine any charge or violation of a criminal law of this State constituting a felony; all actions at law in which the amount in controversy exceeds \$15,000, exclusive of interest and costs, except for causes involving titles to real estate; all special proceedings not exclusively cognizable by some other court or tribunal; and all other cases where jurisdiction is conferred upon the District Court by law.

Section 7.

Division 2 shall have original jurisdiction in all cases in the following categories.

- a. The jurisdiction of a juvenile court as provided in Minn. Stat. Chapter 260.
- b. In law and equity for the administration of estates of deceased persons and all guardianships

- and incompetency proceedings.
- c. All proceedings for the management of property of persons who have disappeared as provided by Minn. Stat. Chapter 576.
 - d. Any charge of violation of a criminal law of this state constituting a petty misdemeanor, misdemeanor, or gross misdemeanor committed within the district.
 - e. All actions for dissolution, annulment, or legal separation and actions relating thereto as prescribed by Minn. Stat. Chapter 518 and including custody proceedings under Minn. Stat. Chapter 518A, domestic abuse actions under Minn. Stat. Chapter 518B, and proceedings under the Reciprocal Enforcement of Support Act in Minn. Stat. Chapter 518C.
 - f. Proceedings for adoption and change of name pursuant to M.S. 259.
 - g. Proceedings to quiet title to real estate and for foreclosure of real estate mortgages by action and to determine adverse claims to real estate.
 - h. Proceedings for the determination of paternity and establishment and enforcement of child support payments for an illegitimate child.
 - i. All civil actions in which the amount in controversy does not exceed \$15,000, exclusive of interest, except for causes involving titles to real estate.

Section 8.

Selection of probation officers and court administrators in each county shall be by majority vote of an assemblage of resident judges of the county affected, the Chief Judge, the Assistant Chief Judge, and such additional judges as may be appointed for such purpose by the Chief Judge.

Section 9.

Probation officers or court services officers that are serving the district as of this date shall continue to serve in "traditional District Court matters" or in "traditional County Court matters" as they are presently serving.

Section 10.

There shall be three law clerks. One law clerk shall primarily serve the judges presiding in Kandiyohi and Swift Counties. One law clerk shall primarily serve the judges presiding in Chippewa, Meeker, Renville, and Yellow Medicine Counties. One law clerk shall primarily serve the judges presiding in Stevens, Big Stone, Grant, Lac qui Parle, Pope, Traverse, and Wilkin Counties. Additional law clerks may be employed only with the approval of the majority of the judges of the district.

Section 11.

Three official court reporters shall be appointed by the judges of the District Court in office on January 1, 1986, or their successor judges primarily assigned to Division 1. The court reporters' salaries shall be established in accordance with the appropriate statutes. Additional court reporters may be hired

by the judges on a case-by-case basis as needed. No additional official court reporters shall be appointed or hired by any judge of the district without the approval of the majority of judges of the district.

Section 12.

Each judge who does not have an official court reporter shall be assigned a personal secretary by the local court administrator in the county of the judge's chambers. The expense of the personal secretary, who may also be a deputy clerk or court administrator, shall be borne by the individual county where the chambers are located.

Section 13.

The Chief Judge and Assistant Chief Judge shall be selected as provided by law. The Chief Judge shall exercise general administrative authority over the judges of the district, subject to the authority of the Chief Justice. In the absence of the Chief Judge, the Assistant Chief Judge shall serve as Chief Judge.

The Chief Judge shall make assignments of cases to judges within the district according to the provisions of this plan. In the event of a disqualification of a judge to hear any particular matter, the Chief Judge shall make an assignment of another judge to hear that matter, taking into consideration the expertise and interest of the assigned judge. A judge shall not be assigned to hear matters outside the class of cases for which he has primary assignment responsibility without his consent, except as herein before provided.

Section 14.

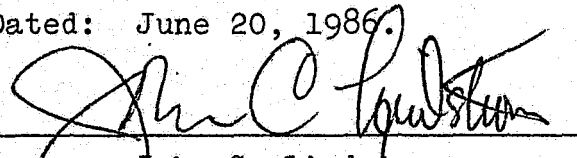
In situations where rights or privileges shall depend

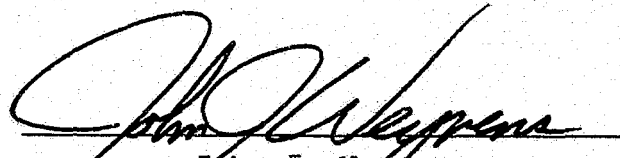
upon seniority within the district, seniority shall be established as follows: First, those judges who were District Judges as of January 1, 1986, in order of their seniority; and thereafter, those judges who were County Judges as of January 1, 1986, in order of their seniority as of that date.

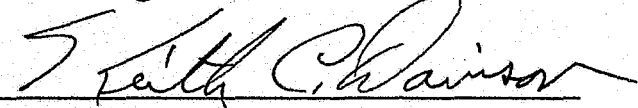
Section 15.

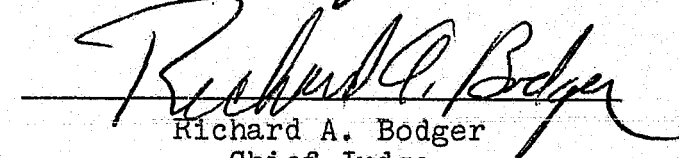
This plan may be amended by a vote of the majority of the judges serving in Division 1 and a majority of the judges serving in Division 2.

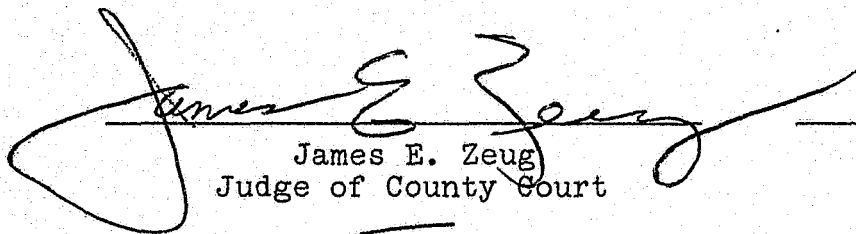
Dated: June 20, 1986.


John C. Lindstrom
Judge of District Court

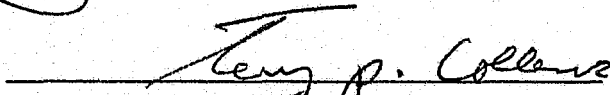

John J. Weyrens
Judge of District Court


Keith C. Davison
Judge of District Court

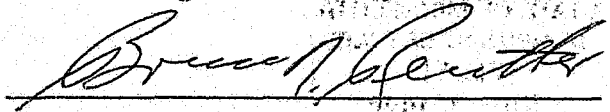

Richard A. Bodger
Chief Judge
Judge of County Court


James E. Zeug
Judge of County Court

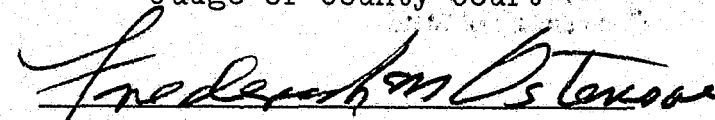
Marquis L. Ward
Judge of County Court


Terry P. Collins
Judge of County Court

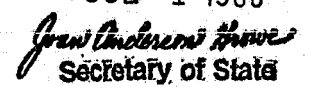
Jon Stafsholt
Judge of County Court


Bruce N. Reuther
Judge of County Court

Allan D. Buchanan
Judge of County Court


F.M. Ostensoe
Judge of County Court

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 1 1986


Secretary of State
#36762
O.D.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JUL 1 1986

John Anderson Howe
Secretary of State

STATE OF MINNESOTA
DEPARTMENT OF STATE
JUL 1 1986
SECRETARY OF STATE