

Richard H. Fasnacht  
Judicial District Administrator

Marjorie Johnson  
Administrative Assistant



Blue Earth, Brown, Cottonwood  
Faribault, Jackson, Lincoln,  
Lyon, Martin, Murray, Nicollet,  
Nobles, Pipestone, Redwood  
Rock and Watonwan Counties

STATE OF MINNESOTA  
FIFTH JUDICIAL DISTRICT

September 8, 1986

The Honorable Joan A. Growe  
Secretary of State of Minnesota  
180 State Office Bldg.  
St. Paul, MN 55155

Dear Ms. Secretary:

Pursuant to Minnesota Statute 487.191, I hereby certify that the attached Trial Court Merger Plan for the Fifth Judicial District has been approved by a majority of the district judges and a majority of the county judges of the Fifth Judicial District.

Thank you.

Yours truly,

*Richard H. Fasnacht*  
Richard H. Fasnacht  
District Administrator  
Fifth Judicial District

cc: Hon. Douglas K. Amdahl  
Chief Justice  
Supreme Court of Minnesota

Sue K. Dosal  
State Court Administrator

Hon. Richard L. Kelly  
Chief Judge  
Fifth Judicial District

Trial Judges  
Fifth Judicial District

Court Administrators  
Fifth Judicial District

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
SEP -9 1986

*Joan Anderson Growe*  
Secretary of State

36900

FIFTH JUDICIAL DISTRICT  
TRIAL COURT MERGER PLAN

1. MERGER

The District Court and the County Court of the Fifth Judicial District shall be merged into a single trial court of general jurisdiction to be known as the District Court.

2. EFFECTIVE DATE

Merger shall be effective one year following certification to the Secretary of State that the merger plan has been approved in writing by a majority of the District Judges and a majority of the County Judges of the Fifth Judicial District pursuant to Minn.Stat. Section 487.191 (1984), notwithstanding any shorter period which may be provided by future amendment thereof.

3. SENIORITY

In all situations where decisions, rights or privileges shall depend upon judicial seniority within the district, seniority shall be established as follows:

- a. first, those judges who were District Judges as of the date hereof, in order of their seniority as of that date;
- b. second, and next, those judges who were County Judges as of the date hereof, in order of their seniority as of that date; and
- c. third, and next, those judges who take office, in order, after the date hereof.

4. ASSIGNMENT

a. District Court Judges in office on August 14, 1986, and during the tenure in office of that judge, shall not be required to preside over any proceeding within the sole jurisdiction of the County Court as provided by law on August 14, 1986. Any such judge shall preside over any proceeding in which there is concurrent District Court-County Court jurisdiction as of August 14, 1986, if he consents.

b. County Court Judges in office August 14, 1986, shall not be required to preside over any proceeding then within the sole jurisdiction of the District Court prior to August 14, 1991 (except proceedings then regularly and normally assigned to such judge(s) under judicial assignments, programs and schedules in existence August 14, 1986) unless by consent of the judge assigned or as provided in Par. 5, below.

c. All judges agree to accept assignment in either Court in order to meet the public interest as determined by the Chief Judge.

5. IMPLEMENTATION

From and after written execution of an instrument evidencing the affirmative vote required by Minn.Stat. Section 487.191 (1984), and the merger plan thereby adopted, up to the effective date of merger, judicial assignments, programs and schedules shall remain in place and unchanged (unless the judge(s) involved consents, or as needed to meet requirements of Minn.Stat. Section 546.27 (1984), or upon the "sunset" of a judgeship under Minn.Stat. Section 2.722, Subd.4. (Supp. 1985)).

6. CHAMBERS

The Chamber locations of the Judges of the merged Courts shall continue as provided by law.

APPROVED

DISTRICT COURT JUDGES

Noah S. Rosenbloom  
Hon. Noah S. Rosenbloom

Hon. Harvey A. Holtan

Miles B. Zimmerman  
Hon. Miles B. Zimmerman

COUNTY COURT JUDGES

Charles C. Johnson  
Hon. Charles C. Johnson, Blue Earth Co.

James D. Mason  
Hon. James D. Mason, Blue Earth Co.

James C. Harten  
Hon. James C. Harten, Blue Earth Co.

Richard L. Kelly  
Hon. Richard L. Kelly, Brown Co.

James W. Remund  
Hon. James W. Remund, Cottonwood Co.

J. W. Schindler  
Hon. J. W. Schindler, Faribault Co.

Donald G. Lasley  
Hon. Donald G. Lasley, Jackson Co.

George I. Harrelson  
Hon. George I. Harrelson, Lyon/Lincoln Co.

George A. Marshall  
Hon. George A. Marshall, Lyon/Lincoln Co.

Conrad Gaarenstroom  
Hon. Conrad Gaarenstroom, Martin Co.

John D. Holt  
Hon. John D. Holt, Murray Co.

Warren E. Litynski  
Hon. Warren E. Litynski, Nicollet Co.

Jeffrey L. Flynn  
Hon. Jeffrey L. Flynn, Nobles/Rock Co.

David E. Christensen  
Hon. David E. Christensen, Pipestone Co.

Wayne P. Farnberg  
Hon. Wayne Farnberg, Redwood Co.

David R. Teigum  
Hon. David R. Teigum, Watonwan Co.

Dated: this 8<sup>th</sup> day of September, 1986.

STATE OF MINNESOTA  
DEPARTMENT OF STATE

FILED  
SEP - 9 1986

Jean Anderson Howe  
Secretary of State

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