State of the Judiciary
Chief Justice Douglas K. Ambahl, Minnesota Supreme Court
Message to the Minnesota State Bar Association
June 1985

My fellow lawyers, this is the eleventh "State of the Judiciary" message given by a chief justice to the Minnesota State Bar Association, and my fourth opportunity to report to you about the status of the third branch of government.

There is just cause for satisfaction and pride in the state of the Minnesota judicial system. We have a court system that is gradually evolving into two tiers, one for trials and the other for appeals; we know the number and status of the cases in the judicial system and we see aggressive measures being taken in the trial courts to resolve old cases and to reduce case processing times; we have an appellate system that is deciding matters expeditiously, with accompanying written opinions; and we have a variety of boards, commissions, and agencies that are effectively solving pressing current problems and anticipating and preparing for future needs. In sum, the Minnesota judicial system is maturing and flourishing.

Those of us who work exclusively in the system gratefully recognize the enormous contribution of the Minnesota State Bar Association in initiating programs, such as those which provide systems for the delivery of legal services to the indigent; in supporting and maintaining existing programs, such as continuing legal education; and in selflessly giving valuable time and unlimited expertise to such diverse matters as the new jury standards committee, the proposed Rules of Professional Conduct, and lawyer discipline and specialization. I am proud to be one of you.

APPELLATE COURTS

When we began the long journey that culminated in the establishment of a court of appeals, we had in mind five goals for our appellate system. First, we wanted the Appeals Court to help to decide the enormous number of appeals that were brought to correct alleged errors made at the trial court level. We were faced with an overwhelming number of appeals: during 1983, 2,478 appeals were filed, compared with 1,682 the previous year, a startling increase of 47 percent.

Second, we wanted to reduce the backlog of cases in our appellate system: on August 1, 1983, when filings began in the new court, there were 1,194 appeals pending before the Supreme Court. Third, we wanted to speed disposition times from the date a case is ready for processing to the time it is decided: the statute implementing the Court of Appeals prescribes a 90-day period from oral argument or final submission of briefs to decision. Fourth, we wanted decisions of both appellate courts to be accompanied by written opinions whenever they are merited. Finally, we wanted the Supreme Court to become what it should be: a place where counsel will be granted oral argument and where judges will have time for thoughtful analysis of the record and briefs, thorough research and discussion, and careful drafting of opinions.

All appeals filed prior to August 1, 1983, in the Supreme Court were retained by our court and those filed before the three-judge District Court panels stayed there. Consequently, when the first six judges of the new court were sworn in on November 1, 1983, the cases pending for their consideration were those filed only during the preceding three months. During their first four months, these judges disposed of 756 matters, 281 by full written opinion. On April 2, 1984, the

first six judges were joined by their six colleagues; the Court of Appeals has been working at its full complement for slightly more than a year. We can begin to assess the effect of the new court on the appellate caseload and look to its productivity so far, by considering some brief statistical information.

Between August 1, 1983, and April 30, 1985, 3,430 matters were filed in the Court of Appeals; 2,673 of these were disposed during this period. The majority of cases brought to the Appeals Court, 2,171, or 63.3 percent, were civil matters. A distant second, less than one-third of the civil total, were criminal cases. The balance were economic security cases and miscellaneous matters. Of these cases, 1,520 were disposed by written opinion; 842 were dismissed; 266 were matters denied or petitions discharged; 43 were certified or transferred to the Supreme Court; and 2 were stayed or remanded. Oral arguments were held in 928 cases. During 1984 the median time from submission of the cases to final disposition in the Appeals Court was 47.8 days for oral cases, 60 days for nonorals, and 32.8 days for special term matters. For all cases disposed in 1984 the median time from submission to disposition was 54 days. Looking at figures from the time of the filing of the notice of appeal, as opposed to measuring from oral argument or final submission of briefs, we find that the median disposition time in the Court of Appeals since its inception has been a mere 139 days.

One concern that permeated discussion about the Court of Appeals prior to its implementation was that the court would be nothing more than a way station between the trial courts and the Supreme Court. We responded by predicting that at least 90 percent of the cases appealed to the new court would be finally disposed there, and that those few cases meriting further appeal would be those of constitutional import, those of statewide legal importance, and cases seemingly requiring changes in existing law.

Between August 1, 1983, and April 20, 1985, 547 petitions or motions were filed seeking further review of an Appeals Court decision, bypass of the Court of Appeals, or other transfer of cases filed in the Appeals Court to the Supreme Court prior to decision by the Court of Appeals. If all of these petitions and motions had been granted, 16 percent of the Appeals Court decisions would have been given the second appeal. In fact, however, only 128 of these matters have been granted - a mere 3.7 percent of those filed. So far, then, the Court of Appeals decision has been final in more than 96 percent of the cases it has decided. Based upon our experience to date, it is safe to say that the Court of Appeals has been a huge success, and that the goals we set for it have far exceeded our expectations. But we can judge the overall state of our appellate court system by analyzing the workload of the Supreme Court since the advent of the Appeals Court.

I noted earlier that the Supreme Court backlog on August 1, 1983, was 1,194 cases. Between that time and April 30 of this year, 511 new cases were filed, for a total caseload of 1,705. We have disposed of 1,580 of these matters, so that as of April 30, 125 matters are pending: approximately 10.4 percent of the backlog as of August 1, 1983. Thus, our backlog has been significantly reduced and the number of new cases has dropped to less than a quarter of what was experienced during the year that the Appeals Court was inaugurated. We finally have the luxury of being what a Supreme Court should be: a policy-and law-making court. We finally may devote careful and deliberate attention upon those cases that merit such consideration.

I predict that matters before the Supreme Court will be decided and opinions will issue within 90 days of the final submission of the case. At present Petitions for Further Review are being

considered and granted or denied within 22 days of the filing of the response to the petition and within 64 days of the Court of Appeals decision.

In sum, the goals we set for ourselves have, without exception, been met or exceeded. Our success has been brought about by diligent judges and conscientious attorneys. We realize that the sustained performance needed to continue this productivity and excellence cannot be presupposed.

Enormous efforts by our appellate judges and continued support from lawyers who pursue appeals will be necessary to maintain the sound appellate system that serves the people of our state.

BUDGET

The governor's initial budget proposal for the 1986-1987 biennium was $10.9 billion. The court system's share of that request was approximately $52.5 million, excluding the funds sought for the judicial building, in the sum of $37,783,200. I do not include the judicial building funding in the following calculations, since it has become clear that the most we may expect to receive for this purpose is $2.45 million over the biennium. Our share, then, is slightly less than .5 percent of the total budget request. If we hypothesize a state budget of ten dollars a year, approximately five cents would be allocated to the third branch of government.

TRIAL COURTS

Last year, I spoke in some detail about the state judicial information system (SJIS), a project that enables court administrators at the state and local levels to know the status of trial court calendars with great precision. The Legislature has recognized the value of this powerful tool by providing continuing funding for its operation. SJIS produces reports as specific as the names of Family Court cases filed during a particular month in an outstate county or as general as projected trends in caseload volume in the trial courts statewide. The particularized data allow district administrators to concentrate judicial resources upon cases that have been pending too long, as well as to furnish an objective basis for assignment of judges from within and without the district to particular cases and types of cases. The general information permits us to plan for the future of Minnesota's judicial system. One planning feature of SJIS, known as the "weighted caseload" analysis, couples caseload volume with processing times by various case types and judicial trial and administrative time requirements, to arrive at the number and location of judges needed to dispose of caseloads throughout the state. The 1982 Legislature, relying upon the weighted caseload information, provided ten new judgeships for our District Courts. We have returned to the Legislature this year, again utilizing weighted caseload data, to request an additional seven judges for the greater metropolitan area.

We know, from an analysis of SJIS data, that the number of cases filed in the trial courts has stabilized during the past five years. While the workload statewide remains generally constant, there appears to be a gradual and continuing increase in filings in the metropolitan districts and a corresponding decrease in outstate areas.

In 1984, there were 45,533 cases filed in District Courts: 17,519 of these were felonies and gross misdemeanors; 28,014 were civil matters. The District Courts disposed of 38,450 cases for an 84 percent filings-to-disposition ratio. In County Court, 205,066 cases, excluding traffic offenses, were filed in 1984; 287,270 cases were disposed, a remarkable 140 percent filings-to-disposition

ratio. There were 1,758,303 traffic and traffic-related cases; 1,829,740 of such cases were concluded last year. The statistics I have quoted above seem at first glance to be impressive: they suggest that the courts are virtually current, especially when the figures are expressed in terms of filings as a percentage of dispositions. Closer scrutiny is required, however, because the number of dispositions gives us no clue as to the age of the cases terminated. Fortunately, SJIS enables us to know the average time from filing to disposition for all types of cases.

This analysis, in general, supports the conclusion that case processing times decreased in 1984. For example, District Court criminal cases are in the system for an average of 107 days, down 8 percent from the previous year. Similarly, County Court cases require an average of 117 days from filing to disposition, a remarkable 30.4 percent decrease from 1983. Finally, in the Family Court category, which consists primarily of domestic abuse cases, the average processing time is 200 days, down 42 percent from 1983. On the other hand, the average District Court felony case takes 119 days from filing to disposition, a 3 percent increase over the previous year; civil cases require an average of 308 days for processing, up 9 percent from 1983. Juvenile cases generally are handled in 46 days, 4 percent longer than in 1983.

There was an overall statewide increase of 2,796 cases pending at the end of 1984 compared to year-end 1983; juvenile and gross misdemeanors were primarily responsible for this fact. Similarly, there was an increase of 2,450 trials between 1983 and 1984, a remarkable jump of more than 32 percent.

While several of our districts, most notably the seventh, tenth, and first, have aggressively attacked their backlog of certain types of cases, one metropolitan district deserves special mention for its imaginative and productive approach to managing its mountainous caseload: under the strong leadership of Chief Judge Patrick Fitzgerald, the Fourth Judicial District, which encompasses Hennepin County, has had truly remarkable results in case processing. On July 1, 1983, there were 3,155 civil cases and 393 criminal cases ready for trial in the Fourth District. By May 1 of this year, these numbers had been reduced to 1,485 and 185 respectively. In other words, in less than two years, the number of both civil and criminal cases ready for trial had been reduced by more than 50 percent. How was this startling achievement realized?

The answer is simple: the judges took control of the court calendar. They did so by assigning 80 civil cases for trial each week, rather than 30; they assigned a block of cases to each judge for disposition during the summer months; they utilized referees to conduct settlement conferences; they assigned complex cases to seasoned judges for settlement; they set time standards for disposition of various case types; and they tightened continuances.

The Hennepin judges clearly intend to carry on, and even refine, their vigorous policies: beginning July 1, they will use the block system for civil cases, maintain their strict continuance stance, and adopt rigid time standards: cases will be dismissed if a certificate of readiness or note of issue is not filed within 12 months after the case is initiated, and the processing goal is 18 months from filing to disposition. In addition, the judges have approved of mandatory, nonbinding arbitration.

Case management, no matter how well intentioned or aggressive, can be successful only if there is a real partnership between bench and bar. The Fourth District has been particularly blessed by the active cooperation of the lawyers who practice in its courts. The efforts of lawyers who volunteered their time to assist in two major settlement projects cannot go unnoticed. Similarly,

the Hennepin County Bar Association recommended the block assignment system and the arbitration program that will be implemented in July.

Private attorneys have always played a major role in improving judicial administration; the experience in Hennepin County during the last two years underscores that fact.

TRIAL COURT INFORMATION SYSTEM

A companion program to the State Judicial Information System is the Trial Court Information System, known as "TCIS." Launched in 1981 and funded by the Legislature since its inception, TCIS computerizes court calendars and financial data, generates notices, and communicates with other governmental agencies. Its goal is to install standardized automated recordkeeping, thereby reducing generation, storage, and reliance upon paper records in all Minnesota counties in the next decade. The Supreme Court and Court of Appeals utilize TCIS recordkeeping features.

In 1983, the Legislature provided funding for TCIS in one judicial district. The Tenth District, which extends from Washington County up to Pine County, is now fully operational; the Seventh District, which stretches across the midsection of the state from Mora to Moorhead, is targeted as the next TCIS site, with work beginning next January.

One other promising area of TCIS concentration is the use of microcomputers. Currently, Lake County is using such equipment to log financial information, including receipts, to maintain financial records, and to generate reports to supervisory agencies. There appear to be other microcomputer applications in these courts, including case name indexing and vital statistics.

LEGISLATION

Judicial building: The need for a judicial building separate and apart from the state Capitol has been recognized for nearly three-quarters of a century. Today, with ever-increasing needs for space, the judiciary has simply outgrown the available facilities in the Capitol. We have worked closely with the Legislature to alleviate the problem. The 1984 Legislature assigned a site in the Capitol complex for a judicial building and provided funds for an architectural design competition. On March 19, the winning design for the new Minnesota Judicial Building was announced. The winning design was that of Leonard Parker Associates of Minneapolis and is truly a masterpiece of beauty and functional capacity. We have before the 1985 Legislature a request for $2.45 million dollars to prepare working drawings and begin construction.
Indemnification: This bill guarantees that the state will defend and, if necessary, indemnify judges and judicial employees for activities undertaken in their official capacities. This protection, of course, does not extend to disciplinary actions. The governor has signed the bill, which is codified as Minn. Laws ch. 166 (1985).

Judgeships: The conference committee considering the state appropriations bill has a report before it that would furnish an additional district judge in the Tenth District, as well as two county judges in the First District, one to be located in Dakota County and the other in Scott and Carver counties. One feature of this legislation, which has been termed "sunset and transfer," provides that when a judicial vacancy occurs, the Supreme Court, after consulting the judges and attorneys in the subject judicial district, may continue, abolish, or transfer the position.

Jurisdiction of the Court of Appeals: The governor has signed into law [Minn. Laws ch. 165 (1985)] a bill that makes it clear, as both appellate courts have held, that the Court of Appeals,

rather than the District Court, has jurisdiction over agencies, such as school boards, that are not subject to the Administrative Procedure Act.

Conciliation Court Jurisdiction: Minn. Laws ch. 149 (1985) provides that Conciliation Courts have jurisdiction over claims up to $2,000; the previous limit was $1,250.

Clerk of Court Name Change: Awaiting signature by the governor is a bill that would change the title of the clerk of court to court administrator, a reflection of the expanded duties that these important court employees have undertaken in our courts.

Merit Selection of Judges: In my last "State of the Judiciary" message, I stressed the necessity of instituting a judicial selection system that would emphasize merit and minimize political affiliation. Your association and numerous other organizations have also pressed for this essential reform. Despite our efforts, the legislation that would have established a nonpartisan committee on judicial vacancies died last year on the Senate floor. I deeply regret that the 1985 version of this bill suffered the same fate. One of our priority objectives next session must be to convince the Legislature of the merits of merit selection of judges.

REPORT OF THE SUPREME COURT ADVISORY COMMITTEE ON LAWYER DISCIPLINE

During the 1984 Bar convention in Duluth, there was an extensive discussion of the proposed Minnesota Rules of Professional Conduct.

Coupled with those deliberations was a proposal to raise the annual registration fee, primarily to provide additional funding for the Lawyers Professional Responsibility Board.

While the fee increase was approved, there was also a petition to conduct a study of the operation of the Professional Responsibility Board.

On September 21, 1984, the Supreme Court appointed a nine-member advisory committee to evaluate the lawyer discipline system, to report its findings to the Court and the Bar, and to propose necessary changes to the Court. The committee, which consisted of four lawyers and two nonlawyers nominated by the bar association, and two lawyers and one nonlawyer appointed by the Court, filed its report on April 15, 1985.

The report contains a thorough review of the process, procedures, and operation of the board, and includes recommendations for improving its management, structure, and procedural fairness. The committee, chaired by Nancy Dreher, a Minneapolis lawyer, concluded that clarification of the lines of authority, closer management supervision of the director's office, more representative board and district committee membership, and increased authority for the board panels and district committees, among other things, would insure greater fairness in disciplinary procedures. Finally, the committee proposed a number of amendments to the Rules on Lawyers Professional Responsibility.

During the general session of the Bar convention, Ms. Dreher will discuss specific matters in the report, and it is possible that the association will make recommendations to the Court concerning action to be taken in the future.

The advisory committee will continue to consider rule changes after receiving input from your association and other interested groups and will petition the Supreme Court for a public hearing on the adoption of new and amended rules.

MINNESOTA JURY STANDARDS COMMITTEE

The contacts between our citizens and our courts are, with very rare exceptions, intimidating for the citizen. It is unfortunate that in most instances people are made aware of the existence of the third branch of government by media reports of sensational cases. One consequence of what might be called "judiciary illiteracy" that pervades our population is that the courts have no natural constituency, so that our real needs often go unmet.

But this situation is far from hopeless. The astounding success of our campaign to obtain voter approval of the constitutional amendment providing for a Court of Appeals reminds us that when the public is adequately informed of the necessity for change it will respond positively.

We sometimes forget that there is a tremendous opportunity to acquaint people with the inner workings of our judicial system. On a daily basis, in every courthouse, virtually every day, jury trials are being conducted, and the way we deal with and educate jurors can have a lasting impact upon them and upon their friends and relatives when they recount their experiences. The American Bar Association has promulgated national standards for juror use and management. These standards recognize not only the importance of utilizing jurors efficiently and minimizing inconvenience to them, but also the fact that the jury system provides citizens with the chance to learn, observe, and participate in the judicial process.

On May 7, I signed an order establishing the Minnesota Jury Standards Committee, which will review and make recommendations to the Supreme Court regarding implementation of the ABA standards. Chaired by District Judge James L. Mork of Albert Lea, this 13-member committee is composed of lawyers, court administrators, judges, legislators and laypeople.

DELIVERY OF LEGAL SERVICES TO INDIGENT PERSONS

In 1981, Congress drastically reduced federal funding for legal services indigency programs. Your association reacted immediately and vigorously to insure that indigent litigants will have access to the justice system. Currently, 2,200 Minnesota lawyers are participating in a voluntary program to provide legal services to the poor.

Considering the fact that there are approximately 12,500 active attorneys in this state, more than one out of six lawyers are involved in this worthy effort.

Your efforts have been recognized nationally. The Minnesota State Bar Association has been nominated for the Harrison Tweed Award, an honor given annually by the National Legal Aid and Defender Association to recognize exemplary efforts of the bar organization which has done the most to provide legal services for the disadvantaged.

As a supplement to the volunteer program, there is still in effect a $10 surcharge on filing fees, which enables us to maintain a permanent, statewide legal service delivery system for the indigent. In 1984, approximately $1 million was raised from the surcharge. An 11-member Legal Services Advisory Committee which distributes these funds has been appointed by the Supreme Court. It consists of seven attorneys who are well acquainted with the provision of legal services in civil matters, four of whom are nominated by the MSBA and three of whom are nominated by

agencies which had been receiving funds from the Federal Legal Services Corporation on July 1, 1982; two nonlawyer public members; and two persons who could qualify as eligible clients.

The third approach to the challenge of providing legal services to the indigent is the Interest on Lawyers Trust Accounts program, known as "IOLTA." IOLTA uses the interest on general trust funds which are nominal in amount or held for a short period of time to support indigent legal services, law-related education, and programs designed to improve the administration of justice. The Lawyer Trust Account Board, which administers the funds, has received 93 applications and awarded $2,505,000 to date; the grantees are encouraged to seek support from the private sector by obtaining matching grants.

Every lawyer in this state must be, and should be, proud of the activities and involvement of the Minnesota State Bar Association in raising funds and volunteering services to help those who need it most.

LAWYERS PROFESSIONAL RESPONSIBILITY BOARD

The Lawyers Professional Responsibility Board, which was established by Supreme Court order nearly 15 years ago, is composed of 21 members, 12 of whom are lawyers and 9 of whom are nonlawyer citizens.

The most important function of the board and its professional staff is to investigate complaints against lawyers and to recommend appropriate disciplinary action when necessary.

During 1984, the board disposed of more than 1,000 cases, more than 85 percent of which involved no discipline. Ten percent resulted in private reprimands, while only 5 percent of the cases resulted in public discipline.

The board and the staff have concentrated upon disposition delay, and have targeted the oldest pending cases for special attention. Currently, there are 130 cases more than one year old approximately one-fourth of the cases pending - as compared to 300 such cases in 1982 and 241 at the end of last year.

What accounts for this remarkable reduction in backlog and delay? The answer is clear: the board has been able to add staff resources as a result of last year's increase in attorney registration fees. These additional funds have also allowed staff members to lecture at numerous continuing legal education and bar association programs. In addition, the telephone advisory opinion service has been reactivated; hundreds of ethics questions have been answered since this program was renewed.

1985 is a year of transition for the board, in part because of the recent filing of the report of the Supreme Court Advisory Committee on Lawyer Discipline and in part because of the resignation of Michael J. Hoover, who has served as director of the board since February 1979. We commend Mr. Hoover for his dedication and loyal service to the board, the bench and the bar, and the citizens of this state.

While the board and its staff have been the subjects of increased attention during the past year, there is one fact that remains crystal clear: when we stop to think that there are more than 12,500 lawyers practicing in Minnesota and that some 85 percent of the complaints lodged against them last year were found to be without merit, that leaves about 150 cases that resulted in some form of discipline.

There are thousands of lawyers working for thousands of clients on thousands of cases in a system in which there are inevitably winners and losers, and yet we find that a mere 23 lawyers were publicly disciplined by the Supreme Court in 1984. These figures resoundingly demonstrate that ours is an honorable profession, one that is committed to using funds that its members provide to police itself. The public should know, as we ourselves do, that those who practice law not only are competent but also are ethical and honest.

STATE BOARD OF LAW EXAMINERS

In 1984, after many years of dedicated service, the directors of the State Board of Law Examiners and the State Board of Continuing Legal Education left their positions. After careful consideration by the respective boards and the Supreme Court, it was decided that the directorship functions of both agencies should be performed by one director. After an extensive search and a rigorous interview process, the boards appointed Marcia L. Proctor, a Minnesota attorney, to assume these new duties.

The State Board of Law Examiners consists of nine members, two of whom are nonlawyer citizens, and all of whom are appointed by the Supreme Court for three-year terms. The major activity of the board is to conduct biennial bar examinations, one in February and the other in July.

During 1984, 992 applicants took the exams, and 788, or 79 percent, were successful. In addition, 88 lawyers from other jurisdictions applied for and were recommended for admission in Minnesota without examination, as provided for in the Rules for Admission to the Bar.

Among the notable tasks undertaken by the board during the last year have been the following: formation of a committee to study the practice test in California, which requires examinees to respond to "real" law practice situations; enhancement of the capabilities of the board's computer in an effort to shorten the time between receipt of applications and recommendations for admission; and institution of a referral system for unsuccessful examinees to obtain study assistance from others who have passed the exam.

One initiative that I support is a single bar examination for prospective lawyers who, having passed the exam, would be admitted to practice in Minnesota and surrounding states. I have discussed this idea with several of the chief justices in our area Wisconsin, Iowa and the Dakotas.

They agree that this plan has merit and deserves further consideration.

Recognizing that our lawyers frequently need to practice in our sister states, I consider it reasonable that they should be able to do so without having to take additional bar exams, seek admission upon motion, or associate with local counsel.

STATE BOARD OF CONTINUING LEGAL EDUCATION

Minnesota was the first state to institute a program of mandatory continuing legal education as a condition of attorney licensure. Since its inception a decade ago, mandatory CLE has been a remarkably popular and successful venture; 14 states have followed our lead by creating their own programs, often following the Minnesota model.

I mentioned that Ms. Marcia Proctor was appointed last year as executive director of the State Board of Continuing Legal Education. She is assisted and supervised by a 13-member board. Nine of the members are lawyers, three of whom are nominated by your association, with the remainder selected by the Supreme Court; one is a district judge; and three are nonlawyer citizens.

During the present fiscal year, sponsors of CLE programs have received approval for an average of 181 courses per month, for an average of 600 hours of credit. The number of sponsors has increased from fewer than 30 during the first year of the mandatory program to more than 200 last year. The rate of compliance with CLE requirements has consistently been above 97 percent. Only 231 attorneys have been placed on restricted status for failure to comply with the triennial reporting duty over the life of the CLE program; 65 of those have been reinstated to active status by action of the board. Thus, of the 12,686 attorneys practicing in Minnesota, a mere 1.3 percent have been placed on inactive status since the inception of the CLE program.

The chairman of the CLE board, John Byron of Minneapolis, has recently tendered his resignation after serving in that capacity since the board was activated. The bench and bar, as well as the citizens of this state, are deeply indebted to John for his quiet and unassuming, yet firm and visionary, leadership of this program.

BOARD ON JUDICIAL STANDARDS

The Minnesota Constitution Art. VI, Sec. 9 states:

The Legislature may also provide for the retirement, removal, or other discipline of any judge who is disabled, incompetent, or guilty of conduct prejudicial to the administration of justice.

The Board on Judicial Standards established pursuant to that constitutional authority consists of one judge of the Court of Appeals, one judge of District Court, one judge of County Court, one judge of Municipal Court, two lawyers who have practiced in this state for ten years and four nonlawyer citizens. All members of the board are appointed by the governor with the advice and consent of the Senate. Richard E. Aretz was appointed by the board last year as its executive secretary.

In 1984, 92 complaints against judges were received by the board, up from 83 in the previous year. The board disposed of 103 complaints in 1984.

The board concluded that more than one-half of the complaints were unfounded or frivolous and that an additional one-quarter were matters for the appellate process. One complaint which was issued in 1983 resulted in the removal of a district judge by Supreme Court action last year; in addition, one judge resigned from office this year during disciplinary proceedings. Three of the complaints resulted in public censure or reprimand and ten were disposed of by private reprimand, admonition or warning.

CONCLUSION

Our legal system is no accident. It has developed over centuries and somehow manages to meet and overcome the challenges brought to it by a vibrant, ever-growing and increasingly complex society. All of us and each of us must always keep in mind that lawyering is a profession.

And all of us are and each of us is entitled to wear the title of lawyer with pride in what we are and what we do.

[Supplementary notes indicate Chief Justice Amdahl also discussed establishment of Minnesota Permanent Families Task Force, alternative dispute resolution programs, and state law library; text omitted here]