

STATE OF MINNESOTA  
IN SUPREME COURT

No. 49543

O R D E R

WHEREAS the Judges of the Eighth Judicial District have submitted to the Supreme Court a plan to realign the courts of the district,

WHEREAS the Supreme Court wishes to allow public testimony on the redistricting plan,

NOW THEREFORE IT IS HEREBY ORDERED that a hearing on the redistricting plan of the Eighth Judicial District shall be held in the Supreme Court Chambers in the State Capitol, St. Paul, at 10:00 a.m. on Tuesday, December 19, 1978.

IT IS FURTHER ORDERED that true and correct copies of the redistricting plan be made available upon request at the office of the Clerk of District Court in each county in the Eighth Judicial District.

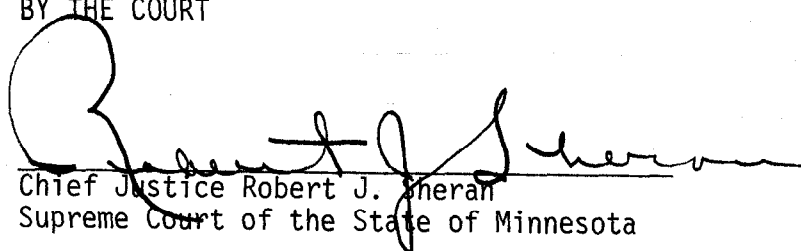
IT IS FURTHER ORDERED that advance notice of the hearing be given by the publication of this order once in the Supreme Court edition of Finance & Commerce and the St. Paul Legal Ledger and by publication in the legal newspaper in each county in the Eighth Judicial District.

IT IS FURTHER ORDERED that interested persons show cause, if any they have, why the proposed redistricting plan should not be adopted. All persons desiring to be heard shall file briefs or petitions setting forth their objections, and shall also notify the Clerk of the Supreme Court, in writing, on or before December 15, 1978 of their desire to be heard on the matter.

Dated: November 20, 1978

SUPREME COURT  
FILED  
NOV 22 1978  
JOHN McCARTHY  
CLERK

BY THE COURT

  
Chief Justice Robert J. Sheran  
Supreme Court of the State of Minnesota

STATE OF MINNESOTA

IN THE SUPREME COURT

In the matter of the Redistricting  
of the Eighth Judicial District in  
the Supreme Court of the State of  
Minnesota.

PETITION

49543

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WHEREAS, the Kandiyohi County Bar Association is composed  
of attorneys who are located in the Eighth Judicial District;

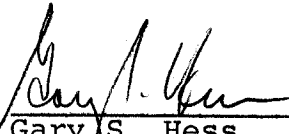
WHEREAS, the Redistricting Plan of the Eighth Judicial District  
submitted by the Judges of the Eighth Judicial District will have a  
significant impact upon the members of the Kandiyohi County Bar  
Association;

WHEREAS, the members of the Kandiyohi County Bar Association  
believes the Redistricting Plan will have a significant impact upon  
their practice of law.

NOW, THEREFORE, the Kandiyohi County Bar Association petitions  
the Supreme Court of the State of Minnesota for permission to be heard  
on this matter on Tuesday, December 19, 1978, at 10:00 o'clock a.m.,  
or as soon thereafter as may be arranged.

Dated: December 13, 1978

KANDIYOHI COUNTY BAR ASSOCIATION,

  
\_\_\_\_\_  
Gary S. Hess  
Secretary/Treasurer

JUDGES

CHARLES F. GEGEN  
JOHN J. DALY  
MARTIN J. MANSUR  
GERALD W. KALINA  
JACK A. MITCHELL

# County Court

DIVISION 1 OF DAKOTA COUNTY

POST OFFICE BOX 365  
COURTHOUSE / 4th and VERMILLION / HASTINGS, MINN. 55033  
PHONE 437-3191

CLERK  
NICK VUJOVICH

CHIEF DEPUTY CLERK  
WILLIAM E. HEALY

CHIEF DEPUTY,  
DIVISION 1  
ELEANOR CHARLTON

December 4, 1978

Mr. John C. McCarthy  
Clerk of the Supreme Court  
State Capitol  
St. Paul, Minnesota 55155

Re: December 19, 1978 Hearing on Realignment  
of the Courts of the Eighth Judicial District

Dear Mr. McCarthy:

I am writing on behalf of the Joint Committee of the District Court Judges and County Court Judges regarding the above matter. Although the issue has not been completely resolved, it would appear that our group will oppose the proposed redistricting plan of the Eighth Judicial District and accordingly we request that we be allowed to appear at the above hearing. If the present situation changes so that we would not plan to appear, I will notify your office immediately. Thank you for your consideration.

Very truly yours,



Gerald W. Kalina  
Judge of County Court

GWK:dp

cc: Honorable Lawrence R. Yetka  
Supreme Court Justice

Honorable Douglas K. Amdahl  
Judge of District Court

*12-5 -- Copy to all Justices*

STATE OF MINNESOTA  
IN SUPREME COURT

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WHEREAS the Supreme Court wishes to allow public testimony on the redistricting plan,

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IT IS FURTHER ORDERED that true and correct copies of the redistricting plan be made available upon request at the office of the Clerk of District Court in each county in the Eighth Judicial District.

~~IT IS FURTHER ORDERED~~ that advance notice of the hearing be given by the publication of this order once in the Supreme Court edition of Finance & Commerce and the St. Paul Legal Ledger and by publication in the legal newspaper in each county in the Eighth Judicial District.

IT IS FURTHER ORDERED that interested persons show cause, if any they have, why the proposed redistricting plan should not be adopted. All persons desiring to be heard shall file briefs or petitions setting forth their objections, and shall also notify the Clerk of the Supreme Court, in writing, on or before December 15, 1978 of their desire to be heard on the matter.

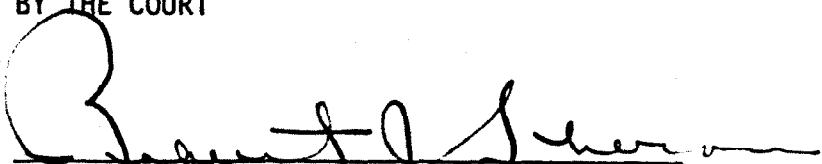
Dated: November 20, 1978

SUPREME COURT  
FILED

NOV 23 1978

JOHN McCARTHY  
CLERK

BY THE COURT

  
Chief Justice Robert J. Sheran  
Supreme Court of the State of Minnesota

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49543

STATE OF MINNESOTA  
IN SUPREME COURT

SUPREME COURT  
**FILED**  
DEC 15 1978  
JOHN McCARTHY  
CLERK

In The Matter of The Redistricting  
Plan of The Eighth Judicial District

Brief  
and  
Notice of Appearance

of

The Kandiyohi County Bar Association

49543

George E. Hulstrand, of  
Hulstrand, Anderson, Larson & Boylan  
The Willmar Building, Box 130  
Willmar, Minnesota 56201  
Telephone: (612) 235-4313

Dennis Neeser, of  
Schneider and Neeser  
706 First Street South  
Willmar, Minnesota 56201  
Telephone: (612) 235-1902

Raymond R. Waechter, of  
Gustafson and Waechter  
The Masonic Building  
Willmar, Minnesota 56201  
Telephone: (612) 235-0000

John Mack  
R and J Building  
New London, Minnesota 56273  
Telephone: (612) 354-4589

William W. Thompson, of  
Schmidt, Thompson & Thompson  
Bank of Willmar Building  
Willmar, Minnesota 56201  
Telephone: (612) 235-1980

To the Honorable Justices of the Supreme Court of the State of  
Minnesota:

The Kandiyohi County Bar Association, in and through the under-  
signed committee appointed by it for the purpose, submits this  
brief as a statement of its position on the proposed redistricting  
plan for the Eighth Judicial District, and respectfully petitions the  
Court for an opportunity to be heard at the oral argument on the Plan  
set for Tuesday, December 19, 1978 at 10:00 o'clock A.M. in the  
Supreme Court Chambers.

For the reasons set forth in this brief, we respectfully suggest  
that the Court not implement a plan for the consolidation of county  
court districts at this time. If the Court determines that action is  
necessary, we respectfully request the Court to adopt the Plan as  
prepared and presented by the Judges of the Eighth Judicial District,  
without modification as to Sub-District 8B therein.

#### The Procedural Background

After the adoption of Chapter 432, Minnesota Laws 1977, which  
authorized the Supreme Court, with the consent of a majority of the  
chief judges of the judicial districts, to alter the boundaries or  
change the number of judicial districts, and gave the Supreme Court  
the authority to combine two or more county court districts into a  
single county court district, the Chief Justice appointed a Redistricting  
Committee to study redistricting.

By letter of July 19, 1977, to Judge Thomas J. Stahler, Chief  
Judge of the Eighth Judicial District, the Chief Justice asked the  
Chief Judge and the Assistant Chief Judge to give thought as to what  
changes, if any, in the boundaries of the district courts and county

courts should be made in order to improve the administration of the entire court system of the district. In this letter he advised Chief Judge Stahler that he had asked Justice Yetka to serve as the Chairman of an advisory committee to formulate an "ideal" plan, to establish a long-range objective for any redistricting which may prove necessary, without regard to practical limitations, and which could be used as a standard, or test, to be applied to any proposals for change.

By letter of October 3, 1977, Laurence C. Harmon, the State Court Administrator, informed A. Milton Johnson, The Eighth Judicial District Court Administrator, that the Redistricting Committee, consisting of Justice Yetka, Chairman, the State Court Administrator, Representative Gordon Voss, and Judges Harold Schultz, Joseph Summers, Howard Albertson, Gerald Kalina and Roger Klaphake, had determined to concentrate their attention on re-aligning county court districts, "with the goal of designing these boundaries so that approximately three county court judges would serve a population of 20,000 to 25,000." In his letter the State Court Administrator stated it was their intention to develop a plan prior to the end of 1977.

The Judges of the Eighth Judicial District did formulate a plan which was adopted by the District and County Court Judges at a joint meeting on April 21, 1978. The Plan, which is the Plan before the Court at this hearing, was circulated to the Twelfth and Sixteenth District Bar Associations, both of which approved it. It was also approved by the Kandiyohi County Bar Association, whom we represent before the Court today.

The Plan came on for hearing before the Redistricting Committee on Friday, June 9, 1978 at Benson, Minnesota. The committee (expanded

by this time because of dissatisfaction of rural legislators that the original committee was almost entirely composed of metropolitan area members) had met once before the hearing at Benson, and presented nothing in the way of the "ideal" plan which the Chief Justice had stated would be one of the purposes of the state committee. It was quite apparent that the aim of the State Court Administrator to have the committee's plan adopted by the end of 1977 had not been accomplished even by the middle of 1978.

Moreover, the guide line indicated by the State Court Administrator to have three county court judges serve a population of 20,000 to 25,000 was never adopted by the committee. The minutes of the hearing held on June 9, 1978, show that Judge Kalina, one of the original members of the committee, stated that "the committee never really set out a guideline of 25,000 people. We discussed this because the legislature had discussed it before and I guess unfortunately it was set out in the form of a letter and this was a guideline to find that the , as far as I'm concerned it was not, the committee really took no position, because in the first place the committee doesn't know what it should be so I think we should put that the rest of the committee is not setting out any guideline as to population." Page 5 of the transcript of the minutes of the June 9, 1978 hearing at Benson, Minnesota.

The last step in the procedural history is that upon the resignation of Judge M. A. Wahlstrand, the Supreme Court set a hearing on the adoption of the Plan.

It is therefore established that the Plan now before the Court was prepared, adopted and presented, in the absence of any guidelines, ideal plan, or standard against which it could be tested, as expressed by the Chief Justice in his formulation of the purposes of the Committee.



It was the first plan adopted by a district, it addressed itself to district problems, and in our opinion it presents a well-reasoned document that could be the basis for further study and it can be a useful tool for the Committee when it gets to the point of carrying out the purposes the Chief Justice had in mind when he appointed the Committee.

However, in the light of the developing purposes of the Committee, and more important, in carrying out a comprehensive, workable, fair and equitable arrangements of districts in Minnesota to accomplish what the legislature mandated, "the more effective administration of Justice", it is premature to have it presented for adoption at this time.

#### The Factual Background

The Eighth District Plan establishes three subdistricts in the Eighth Judicial District. The subdistrict with which we are concerned herein is Subdistrict 8B, consisting of Swift, Kandiyohi and Meeker Counties, comprising a present estimated total population of 63,900. The Plan for this sub-district contemplates one resident judge for Swift County, having a population of 13,200, one resident judge for Meeker County, having a population of 19,600, and two resident judges for Kandiyohi County, having a population of 31,100. At the present time, resident judges are serving the counties in the proposed sub-district as is contemplated in the Plan. The facts demonstrate that the plan for judicial administration in the proposed sub-district is well-conceived and is necessary for the proper administration of justice therein.

The Sub-district has within it the City of Willmar, which is the largest city in West Central Minnesota. This city has had a consistent growth in population from 1930 to 1970, and an increased percentage of

growth from 1970 to the present time. The Planning Consultants of the City of Willmar have estimated that the 1977 population of Willmar was 16,850. They estimate the population of the City to be 18,500 by 1980, 21,700 by 1990, and 25,000 by the year 2000.

The studies of the Planning Consultants as to future land area needs of the City bear out the population statistics and are determined from studies of the economic activities within and around the city. They demonstrate that the land area needs of the City will increase from the present 3,235 acres to 5,710 acres by the year 2000, an increase of 77%.

We attach hereto the General Data section of the Willmar Comprehensive Guide Plan as support for these projections.

While the same kind of material with respect to Kandiyohi County is not presently available, the observations as to economic, commercial and residential activity demonstrates a projected growth in the county on a par with that of the City of Willmar. There has been an increased development of residential areas in all parts of the county, an increased number of plats filed with the County Recorder, and commercial and industrial activity in the other cities of the county. New bank buildings have been built in the cities of Lake Lillian and Pennock, and banking services have been extended to Sunburg. Commercial and residential building have extended from the cities of Spicer and New London, to the point where these two communities are growing together.

The county is a rich agricultural area, with increased productivity and the building of agriculturally oriented business and industries prevalent throughout the area. A large feed mixing plant has been constructed in Atwater, and grain loading and elevator and farm fertilizer and commercial feed businesses have been developing throughout the county.

The same indicia of growth is found in other areas. The City of Willmar has recently adopted a ten million dollar bond issue to finance the extension of the Rice Memorial Hospital, which is now a regional hospital, serving the entire West Central Area. The Willmar Medical Center is engaged in a two million dollar building project for its expanding medical clinic. The Willmar State Hospital is engaged in a building program. The Willmar Community College and the Willmar Area Vocational Technical Institute are area institutions which are holding their enrollments at a time when other educational institutions are experiencing difficulties with sharply decreased student populations. The schools in the area are modern, well-equipped and are an important factor considered by prospective businessmen and people thinking of re-locating.

In every area where growth of a community can be measured as shown on the attached Willmar Area Chamber of Commerce data and statistical study, the City of Willmar is a growing and rapidly developing city, where agri-business based on a sound agriculture gives promise of an expanding and growing future.

The law enforcement activity in both the county and the city is impressive. The Kandiyohi County Sheriff's Department has a personnel of 20 people, and the Willmar Police Department employs 21 certified officers.

The legal profession is extending its services to all parts of the county. Ten years ago, all the lawyers in Kandiyohi County, except for one retiring lawyer in Atwater, and one part-time lawyer in New London, resided and practiced in the City of Willmar. Now the City of New London has a full-time lawyer and the Cities of Raymond and Atwater are served by lawyers who spend part of their time in those cities. The City of Lake Lillian is attempting to interest a lawyer to live and work in that city.

The sustained and increasing business, commercial and industrial activity in the area has resulted in an increased workload of our courts. Kandiyohi County has two county court judges, one being an outgrowth of the Constitutional Probate Court and the other stemming from the Municipal Court of Willmar, established over fifty years ago. The workload on these courts increased to the point that the judges serving them were working full time before the statute made the offices such officially.

The records compiled by the clerks in the court's offices show the following case loads for the years 1976, 1977, and for 1978 through December 8, in the Civil and Criminal Division of the Kandiyohi County Court:

<u>Type of Case</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
Civil cases	476	548	459
Conciliation Court	675	634	627
Juvenile cases	389	400	341
Total traffic court cases	2,250	2,684	2,762
Traffic court trials, Omnibus and other dis- positional hearings	89	53	61
Total criminal cases	995	1,056	1,011
Criminal court trial, Omnibus and other dis- positional hearings	117	73	44
Totals	<u>4,991</u>	<u>5,448</u>	<u>5,305</u>

The record for the Probate and Family Division of the Kandiyohi County Court for the years 1976, 1977, and 1978 through the end of September are the following:

<u>Type of Case</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
Estates	104	122	86
Guardianships	22	14	13
Commitments	31	20	21
Trusts	17	11	14
Adoptions	17	11	14
Totals	<u>178</u>	<u>168</u>	<u>135</u>

We attach hereto an exhibit showing the comparisons of the case loads in Kandiyohi County to the county court districts which now have two judges, taken from the official reports submitted to the Supreme Court.

This shows that Kandiyohi County, with an indicated population of 30,548 (now estimated to be 31,100), is only slightly lower than the average of 34,203 for the fifteen counties in this category. In the County Court in 1977, it had 916 criminal cases filed as against an average of 602, 396 juveniles as against an average of 621, 27 mental commitments as against an average of 30, and \$12,948.37 in appointed counsel expenditures against an average of \$18,336.10. In District Court for the same period, it had 127 criminal cases filed as against an average of 97, and expended for appointed counsel in District Court \$24,026.63 as against an average of \$18,102.67. If the averages for the appointed counsel expenses in both County and District Courts are taken, the figures would be \$36,975.00 for Kandiyohi County as against an average of \$36,438.77 for the 15 counties.

These figures demonstrate that Kandiyohi County is very close to average in all categories. It is submitted that if the Court deems it proper to change the situation in Kandiyohi County, there are substantial changes to be made in all parts of the state. Without proper guidelines determined after a study in depth, it seems that no such proper determination can be made at this time.

There are 26 lawyers practicing full time in Kandiyohi County.

We respectfully submit that the facts demonstrate conclusively that there is a need for two full time judges in Kandiyohi County.

#### The Applicable Law

We respectfully submit that the law fully supports our position in this matter.

The actions of the Legislature and the local authorities are not to be taken lightly. Section 487.01, Subd. 5, Minnesota Statutes, provides that two judges shall be elected in Kandiyohi County, and one each in Swift and Meeker Counties. This legislative judgment is enforced by the action of the Kandiyohi County Board, by its action taken before April 23, 1977, establishing two full time county court judges in the county.

We respectfully submit that this clear expression of the statute, re-enforced by the independent judgment of the County Board, may be changed by the Court only if it is clearly established by concrete evidence that a second judge is not necessary.

We have shown that the Redistricting Committee itself has not come to any clear conclusion as to what the proportion of judges to population should be and it is indicated that the figure selected is an arbitrary one, appropriated as a discussion figure from some mention made in an undefined legislative hearing without authoritative source indicated.

But even under those guidelines, should not Kandiyohi County be now entitled to two judges? If one judge is to serve 25,000 people, how then if Kandiyohi County has one judge, will the other 6,000, presently, and projected to be some 8,000 or 9,000 shortly, to be served. The dimly lit guidelines talked about, unauthorative as they are, to not mention fractions.

The short answer would undoubtedly be that other judges can travel to Willmar and fill in the time necessary to make this unsupported equation workable. But that in turn runs into another logistic problem as to which no attention seems to have been given. We are not told whether this supposed guideline assumes that a judge works in a compact metropolitan area, spending full time in chambers or court. There must

then be an adjustment for travel and the time consumed in the transportation of the court from one county seat to the other.

For example, assume that 25,000 is a proper base for a judge who can spend his entire time in his chambers or in his courtroom. In District 8B of the Plan, the distance between Willmar and Benson and between Willmar and Litchfield is 30 miles. If a judge is to fill in Willmar from these cities for three days a week, and figuring two hours a day traveling (assuming an average speed of 45 miles per hour in traversing a highway with at least three 30-mile per hour municipalities between each), parking and getting settled, he would spend six hours a week in travel. That reduces his efficiency by  $6/40$  or 15%. That percentage applied to the base would reduce that base to 21,000; and if the base were 20,000 to 17,000. Even under this unsupported guideline, the present population of Kandiyohi County in excess of 31,000 and growing, would call for more than one judge.

The reduction of the judicial manpower in Kandiyohi County would violate the purposes expressed by the State Court Administrator in opening the hearing at Benson on June 19, when he stated, "The primary goal of court administration is to provide sufficient judicial personnel to dispose of litigation that arises in a county or district with a minimum of unnecessary travel."

There are more compelling legal reasons under the law for not disturbing the present judicial structure in Kandiyohi County than even the consideration of the practical applications of the law to the facts indicates. We submit that the Court does not have the power to reduce the number of judges in Kandiyohi County even if it should determine to combine the county courts of Kandiyohi, Swift and Meeker Counties into one county court district. We submit that it does not have the power now, since the term of Judge Wahlstrand does not now

terminate, and that it does not have the power at the end of the term because the law does not provide that power without the concurrence of the County Board.

Subdivision 6 of Section 487.01 authorizes the Supreme Court to combine two or more county court districts into a single county court district, but only if it determines that such a combination would provide a more effective administration of justice. Note that the statute does not say a more efficient, or less costly, administration of justice. The statute goes on to state that if the districts are combined the office of a judge may be terminated at the expiration of his term. Judge Wahlstrand's term expires at the end of 1982, he having been elected to a six-year term in 1976. The statutes does not say, although it could have if that had been the intention of the Legislature, that the office could be abolished upon his resignation.

But a more compelling construction of Subdivision 6 is found in the provisions of Subdivision 7, which provides: "When the judicial business of a county court permits, the chief justice of the supreme court, upon the recommendation of all of the county boards of a county court district may, by order file in the office of the secretary of state, reduce the number of county court judges. The office of any judge shall not be terminated until the expiration of his term. . ."

Since Subdivision 6 deals with the combination of county court districts, in which the continuing or not continuing of the office of a judge is incidental to the main purpose of re-drawing district lines, and since Subdivision 7 addresses itself to the amount of judicial business, logic and reason compel a conclusion that whether or not the office of a judge is to be terminated is governed by Subdivision 7, in which the position of the local county boards play a part.



In any event, the legislative mandate is clear: The office of the resigning judge is not terminated by his resignation, it continues to the end of his term, and a vacancy therein exists.

Minnesota Statutes, Section 487.03, Subd. 5, mandates that the Governor appoint a qualified person to fill the vacancy to hold office until his successor is elected and qualified.

Finally, in considering the legislative history of court reorganization and the position set forth by the Chief Justice in his addressing himself to the districts, we submit that now is not the time to proceed in this piece-meal fashion to implement district re-alignments. The Redistricting Committee established by the Chief Justice to aid the Court in this mission has not as yet provided the Court with what he stated should be one of the prime purposes of that Committee.

At the Benson hearing, the sentiment was expressed by members of the Committee that perhaps the place to start, after all, was with considerations of the re-alignment of district court boundaries. If that is a question, as it seems to be, and as long as it is a question, it seems that logic and orderly procedure would be to determine that matter first, and then on that determination having been made, the county court districts could be considered in the light of what is or is not done with the district boundaries.

There seems to be an unexpressed premise that court alignments must be made promptly and that such pressure exists from the Legislature. The Legislature has not said so in the statute. It has set no date by which the work must be completed. On the contrary, it has indicated by the words in the statute, that careful consideration be given the matter before action is taken. The words, "for the more effective administration of justice" would imply a serious study in depth to determine what is the more effective administration

of justice. The answer to that question is not to be found in reposing one's determination on hazy guidelines which have not been demonstrated to have been established by serious consideration as to what goes into proper administration of justice in the rural areas of Minnesota.

Locally, the pressure from the Legislature in this area is for more and not less consideration and study. State Senator Setzepfandt has addressed the Chief Justice by letter, asking that local input into these proceedings be provided, and the Senator has been assured by the Chief Justice that such will be done.

Moreover, no harm will result if the realignment is not done now. Such decision is not cemented forever, and will abide only so long as the facts and logical application of legal principles permit it to be so.

Our position, that there be two judges in Kandiyohi County, and one each in Swift and Meeker Counties, is expressed in the provisions of the Plan, and such is the status quo. The appointment of a judge to fill the vacancy created by the resignation of Judge Wahlstrand will permit the further study of the operation of the Plan in the District, and as a part of the work yet to be done by the Redistricting Committee in the State, the more effective judicial administration in the State desired by all can best be accomplished by such careful procedure.

#### Conclusion

We therefore respectfully submit that in the light of developments since the Plan was submitted at Benson, Minnesota, the happenstance of a vacancy should not be the cause for the approval of a plan which has not had the benefit of being compared to the thorough, in-depth study suggested by the Chief Justice when he appointed the Committee.

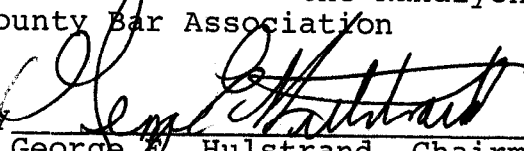
However, should the Court determine to proceed to consider the Plan, it is our firm position that the Plan with respect to Sub-District 8B therein should be approved as submitted.

Dated this 14th day of December, A. D. 1978.

Respectfully submitted,

The Committee of the Kandiyohi  
County Bar Association

By



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George E. Hulstrand, Chairman  
Hulstrand, Anderson, Larson & Boylan  
The Willmar Building, P.O. Box 130  
Willmar, MN 56201  
(612) 235-4313

**SECTION III - GENERAL DATA AND CHARACTERISTICS:**

**1. Population:**

**1.1 - Past Growth and Current Population:** The population changes in the City of Willmar from 1930 to 1975 are shown in TABLE 1. For the first two decades shown (1930-1950) the population of Willmar increased approximately 23 percent for each ten-year period, or an average rate of about 1700 people per decade. In 1960, the U.S. Bureau of the Census lists Willmar as having a population of 10,417 people, or an increase of 1,007 over the 1950 population. However, this decade was the first in which a considerable amount of population growth took place outside, but adjoining, the City limits. A survey has indicated that in 1960 there were over 900 people residing in the area contiguous to, but outside the City limits. By combining this urban fringe population with the 1960 population within the City limits, there is a resulting population total of approximately 11,400 people. This is an increase of 21.1 percent over the 1950 population and is more closely related to the population increases experienced in the previous two decades. The 1970 population figures also include the urban fringe areas which were estimated in 1960 but which have been subsequently annexed. The 1960-70 population increased 825 in the annexed area and 727 within the 1960 corporate limits.

As indicated in TABLE 1, the City estimated the 1975 population at 16,200 persons. The State Demographer estimated the 1975 population at over 16,000. The 1977 population of Willmar is estimated by Wehrman, Chapman Associates, Inc., the planning consultants for the City, at 16,850.

**TABLE 1  
WILLMAR POPULATION GROWTH  
1930 - 1977**

<b>Year</b>	<b>Population</b>	<b>Increase</b>	<b>Average Annual % Increase</b>
1930	6,173		
1940	7,623	1,450	2.35
1950	9,410	1,787	2.34
1960	11,400*	1,990	2.11
1970	12,869	1,469	1.29
1975	16,200**	3,331	4.12
1977	16,860***	650	2.00

- \* Adjusted to include an estimate of the urban population living outside, but abutting the corporate limits.
- \*\* Estimated by City.
- \*\*\* Estimated by Wehrman, Chapman Associates, Inc.

**1.2 - Population Projections:** An analysis of the past population growth trends for the City indicate that the community's population has steadily increased at an average of approx-

**GENERAL DATA**

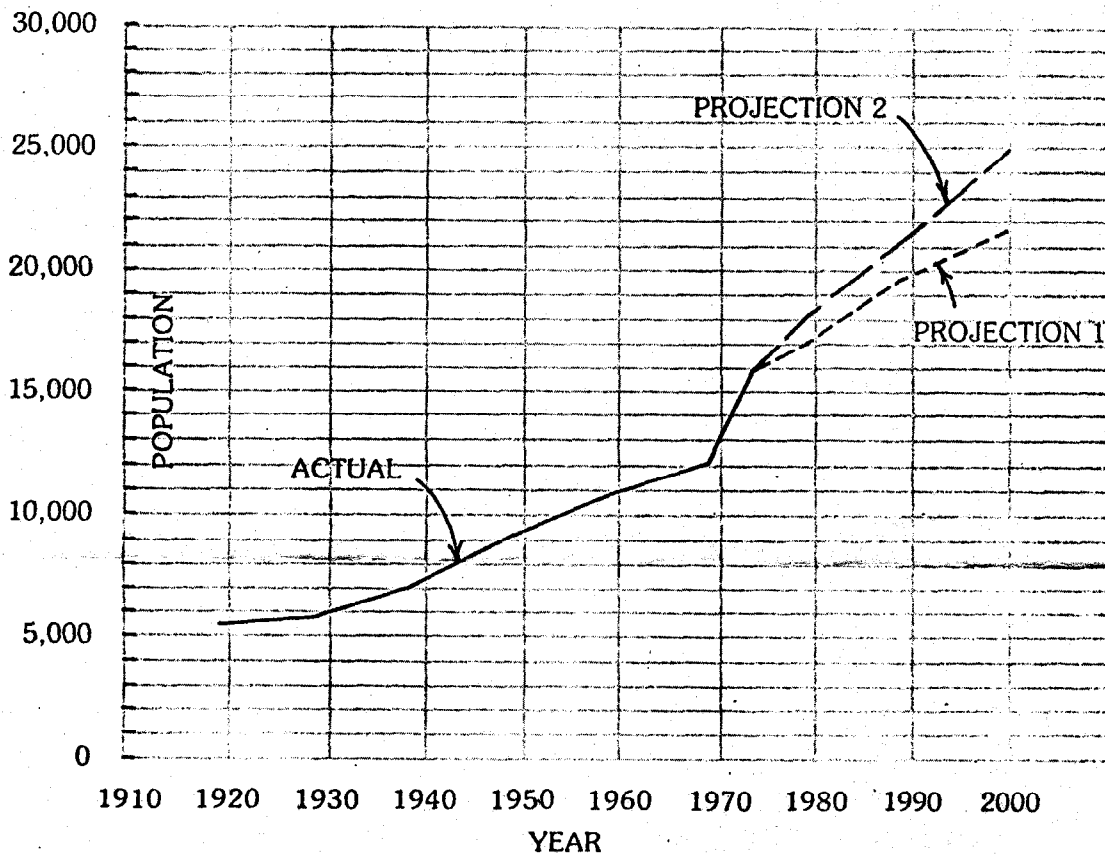
imately 1,750 people per decade from 1930 to 1960. If this numerical trend continued, the Willmar population in 1980 would be about 14,900. A continuation of the 1930 to 1960 average percentage increase would have meant a 1980 population of about 15,800 people. The numerical and percentage decline in the rate of increase 1960-1970 and the increase from 1970 to 1975 together give an indication of a more realistic trend, caused by the declining birth rate, an increase in the average age and a varying migration rate. Smaller family size will result in a slightly faster rate of growth in the number of households.

Willmar's ability to expand future job opportunities will have an important bearing on the City's anticipated population growth through in-migration. Should the community continue to be successful in establishing new industry, the resulting jobs created, followed by a proportional increase in the total population, will enable Willmar's population growth rate to equal or surpass past trends.

FIGURE 1 shows past population growth of Willmar and two projections for the future to the year 2000. The lower projection was prepared by Banister, Short, Elliot, Hendrickson and Associates as a part of the area sewer plan. The higher projection was prepared by Wehrman, Chapman Associates, Inc., following analysis of population trends for the City and Kandiyohi County. The population is expected to grow at a rate of approximately two percent per year arriving at a population of about 25,000 in the year 2000.

The Housing Needs and Programs Study recently submitted to the City of Willmar lists additional information on population and economy which is pertinent to this plan.

FIGURE 1



GENERAL DATA

**2. Land Use:**

**2.1 - Existing Land Use:** The amount of land devoted to urban uses within the City of Willmar is shown in TABLE 2 prepared by Wehrman, Chapman and Associates, Inc., in July, 1977. This table summarized the existing land use in the community for 1961 and 1977. The large difference in total developed acreages is a result of the extensive annexation which has occurred. The area of Willmar in 1960 was less than three square miles. Since that time, the total incorporated area of Willmar has almost tripled.

**TABLE 2  
EXISTING LAND USE, 1961 and 1977 (ACRES)**

	<b>1961</b>	<b>%</b>	<b>1977</b>	<b>%</b>
Residential	503	38.8	873	27.0
Commercial	41	3.2	129	4.0
Industrial	169	13.0	536	16.6
Airport			353	10.9
Public - Semi-Public	208	16.0	557	17.2
Streets	375	29.0	787	24.3
Total	1,296	100.0	3,235	100.0

**2.2 - Future Land Needs and Availability:** Future land needs are estimates based on past trends, development customs, and anticipated future trends. Past trends and development customs are relatively easy to evaluate and quantify. Anticipated future trends are another matter. A number of variables affecting future land needs are evident. Some of these are:

- a. Trends toward less land required per dwelling unit, platting customs, change for single family detached dwelling lot sizes with current trends in many communities toward smaller lot sizes, types of dwelling units change (Willmar's 1976 Housing Study, *Housing Needs and Programs*, Willmar, Minnesota, by Economic Research Corporation, indicates 70% of new units since 1970 were multi-family), migration trends such as rural to urban versus urban to rural, employment, family size and similar factors.
- b. Trends toward dispersed shopping areas versus a single "downtown"-- generally, shopping centers provide more parking space in proportion to building area than do downtowns and, therefore, require more land-- "fast-food" and other highway service businesses also require considerable area for off-street parking and service areas.
- c. Trends toward dispersed industrial areas, greater areas for landscaping, parking and even recreational facilities, trends toward "horizontal" single floor manufacturing plants, vigor of any community applied toward attracting new industries and like factors.

In projecting Willmar's future land needs, these and other factors were considered, but no attempt was made to "numerically weight" them. Rather, projections were made, based on the population projections, with adjustments applied because of these and other factors. TABLE 3 depicts the projected land needs for the year 2000.

GENERAL DATA

**TABLE 3  
LAND USE NEEDS FOR THE YEAR 2000**

<b>Classification</b>	<b>Land Use Need (Acres)</b>	<b>Percent</b>
Residential	1,230	21.5
Commercial	180	3.1
Industrial	1,080	18.9
Airport	643	11.2
Public - Semi-Public	1,320	23.2
Streets	1,257	22.1
<b>Total</b>	<b>5,710</b>	<b>100.0</b>

Future land availability is shown on TABLE 4 prepared by Wehrman, Chapman Associates, Inc., and PLATE 1. This tabulation relates land areas by category as taken from the Summary Plan Map excluding the "reserve" areas. Exceptions are the water areas and streets, which are included within the various classifications.

**TABLE 4  
FUTURE LAND AVAILABILITY**

<b>Classification</b>	<b>Future Land Availability (Acres)</b>
Residential	3,266
Commercial	788
Industrial	1,386
Airport	643
Public and Semi-public	1,697
<b>Total</b>	<b>7,780</b>

It should be remembered that the Future Land Availability figures are gross areas which likely contain some undevelopable land. Also, an allowance for areas devoted to streets must be included in the various use category areas. Usually this will vary between 20% and 25% of the area for residential, industrial and commercial use. However, taking both these factors into account, a comparison between TABLES 3 and 4 indicates adequate land has been allocated for all projected needs to the year 2000 on the Summary Plan Map for each of the land use categories.

TABLE 5, prepared by Wehrman, Chapman Associates, Inc., in July, 1977, lists the total acreage presently within each zoning district. This table, when compared with the existing and future land use needs, helps to determine what adjustments may be necessary in the future zoning. PLATE 2 shows the districts graphically.

**TABLE 5**  
**ZONING DISTRICT AREA (ACRES)**

R-1 One-Family Residential District	119
R-2 One and Two-Family Residential District	1,543
R-3 Multiple Dwelling District	668
R-4 Multiple Dwelling District	78
B-1 Limited Business District	87
B-2 General Business District	445
B-3 Central Business District	34
I-1 Industrial Park District	491
I-2 Light Industry District	640
I-3 General Industry District	108
C-R Conservation - Recreation District	1,288

**3. Public Facilities:**

**3.1 - City Buildings:** City buildings in Willmar serve the entire urban area and surrounding population as well. They represent large expenditures of public funds and are important functionally as well as a representation of the City's image.

a. The City Hall - located at Becker and 6th Street SW, is easily accessible to both vehicular and pedestrian traffic, centrally located, and convenient to other public facilities. Space is adequate within the structure for additional expansion as the need arises. Additional future off-street parking needs may present a problem.

b. The Fire Station - located on 2nd Street SW between Minnesota and Trott Avenue, is of adequate size, but is in need of interior remodeling. There is a need for additional off-street parking. Some consideration has been given to a possible second fire station.

**3.2 - Kandiyohi County Court House, Public Safety Building and Crow River Regional Library:** Occupies the block bounded by Becker and Trott Avenues and by Fifth and Sixth Streets Southwest. The structures are relatively new and should prove adequate for the planning period. Limited off-street parking presents a problem.

**3.3 - The Post Office:** Located at Fourth Street SW between Minnesota and Trott Avenues. The facility lacks customer access and is short of loading-unloading space as well as off-street parking.

**3.4 - Other Public Facilities - Willmar State Junior College and Willmar Area Vocational Technical Institute:** Jointly occupy an 80-acre site northwest of Foot Lake. There are five buildings on the college campus with one additional building planned for construction. There is also a football field, a baseball field and a natural area. The Vocational Technical Institute presently has four permanent structures, five temporary buildings and eight army surplus buildings. Long-range plans of the Institute include replacement of the thirteen temporary structures and enlargement of many departments.

**3.5 - The Kandiyohi County Fairgrounds:** No longer meet the needs of county residents.

**3.6 - The Sewage Disposal Plant:** Located south of Willmar Avenue and east of U.S. Highway 71 near County Ditch 23A. There is a planting buffer screen along Willmar



Avenue and the County Ditch which lessens the impact of the disposal plant. Besides serving the city, the sewage disposal plant also serves the Eagle Lake Sanitary District. By present standards, the disposal plant is inadequate and plans for future upgrading of the plant are being prepared.

3.7 - *Municipal Utilities Well Fields:* The three city well fields are adequate for present demands. There has been no shortage in the water supply. The existing well fields are located on the State Junior College Campus, east of Willmar Lake and east of the Municipal Airport.

3.8 - *The Willmar State Hospital:* Situated on the east side of North U.S. Highway 71 within the city limits. There is ample land to provide for any future building site needs.

3.9 - *Cemeteries:* Four of the community's five cemeteries, Fairview, Free Church, Bethel and Church of St. Mary's, appear to have adequate space for expansion on their present sites. Should additional land areas be needed in the next 20 years, adjoining vacant land can be acquired for cemetery use. The fifth, Calvary Lutheran Cemetery, has no room for expansion and will be contained on its present site.

#### 4. Schools and Parks:

##### SUMMARY OF EXISTING & PROPOSED SCHOOLS & PARKS

	Existing Acreage	Planned Acreage
Community College	48.0	
Hodapp Athletic Field	21.0	
Northside Park (Lafayette)	1.8	
Junior High School	28.0	
Garfield School	10.0	
Bjorsell Tot Lot	1.5	
Washington School	13.0	
Hilltop Park	.82	
Lincoln Elementary & Park	4.0	
Rice Park	2.4	
Highway 71 Park	28.8	
North 7th Street Park	.7	
Sperry Park	2.5	
Robbins Island	47.0	
Miller Park (Jefferson)	3.2	
Swansson Field (North)	30.0	
Swansson Field (South)	29.0	
Minnegasco Park	2.64	
Rau Park	2.02	
City Bike Paths	2 Miles Long	55 Miles
Ramblewood Slouth		55 Acres

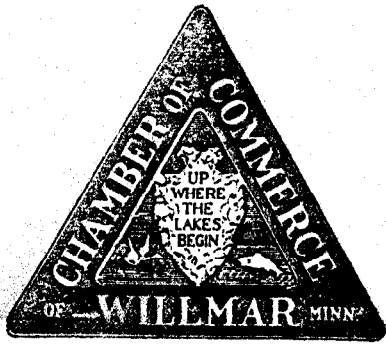
GENERAL DATA

**5. Proprietary Governmental Facilities:**

Rice Memorial Hospital and Willmar Municipal Utilities Commission provide vital services to the City of Willmar and the surrounding area and are proprietary as distinguished from governmental facilities.

The Hospital is located between Becker and Trott Avenues adjacent to Third Street. Current studies are being conducted relative to future expansion of primary service facilities and off-street parking needs. Concurrent studies relative to the Central Business District parking needs are closely related and will be coordinated with the Hospital planning.

The Municipal Utilities Commission facilities are located at Seventh Street Southwest and Benson Avenue. Primary concerns are short-term in nature. These concerns relate to needs for additional off-street parking and improvements in the customer service area and improved facilities for coal storage and handling.



# Willmar Area Chamber of Commerce

P.O. Box 287

518 WEST LITCHFIELD AVE.

PHONE (612) 235-0300

WILLMAR, MINNESOTA 56201

Thank you for your inquiry requesting information about Willmar, Minnesota.

With a population of approximately 17,500 persons, Willmar is the largest City in West Central Minnesota. Willmar is located in the heart of the Little Crow Lake Region. Kandiyohi County has 391 lakes, many of which are popular for swimming, fishing and boating. We have eight City Parks within City Limits including Robbins Island Park with its deer herd, nature trails and swimming beach. Willmar has a complete planned recreation program for children of all ages.

Medically, we are proud of our many competent Doctors, Dentists and Specialists. Willmar has a first class Hospital as well as the Minnesota State Hospital located adjacent to the City. Willmar also has a large Mental Health Facility, which serves many S.W. Minnesota Counties.

Housing in Willmar is becoming more available due to the building of many new apartment houses and homes; we have a Hi-Rise apartment complex for the elderly. For housing please check our local newspaper, the West Central Daily Tribune, at 311 West 4th Street; also the Chamber has a "Realtor List" and "Apartment List" available. We suggest you contact the Realtor of your choice.

Taxes for a City of this size are about average; however, the Chamber and other Industrial groups are promoting Industrial and Commercial expansion in Willmar to help lighten taxes on the residential areas, as well as provide more job opportunities.

Living expenses in Willmar rate about average compared to any other City of its size. Our Schools are the best--consisting of K thru 12, a Junior High and Senior High. We also have a two-year State Community College and a Area Vocational Technical Institute. Willmar's 24 Churches are beautiful; many are new or remodeled.

Although mainly an Agricultural Community, Willmar is fast growing in Industry as well. Willmar has a beautiful Industrial Park. In the past ten years, we have obtained eleven new Industries in fourteen new buildings in the Industrial Park alone. If your inquiry pertains to employment in Willmar, contact the Minnesota Department of Employment Services located at 324 West 3rd Street for information.

Willmar is a busy, growing, pleasant City. We would be pleased to have you join us and become an active part in our growth. Enclosed are brochures which we encourage you to read.



YOU "will do well" IN WILLMAR

WILLMAR, MINNESOTA

February, 1978

INFORMATION SHEET

COURTESY OF WILLMAR AREA CHAMBER OF COMMERCE

P. O. BOX 287 - WILLMAR, MN 56201

(612) 235-0300

FORM OF GOVERNMENT - Mayor-Council, Incorporated as a village in 1874 and as a City in 1901.

POPULATION - 1976 - 16,200. The population is almost 100% white and largely of Scandinavian heritage.

AREA - 9.61 square miles.

ALTITUDE - 1,131 feet above sea level.

CLIMATE - Mean annual temperature 43.99 degrees F.; average annual rainfall (or precipitation) 25.2 inches.

PARKS - 15; total acreage 140.9

ASSESSED VALUATION - Personal property - \$923,253; Real Estate - \$38,605,253

FINANCIAL DATA - 3 banks, with total deposits of approximately \$107,502,000;

1 savings and loan association with total assets of \$49,556,893.

POSTAL RECEIPTS - \$970,392.00

TELEPHONES IN WILLMAR - 4,164

CHURCHES - 24, representing all denominations.

BUILDING & CONSTRUCTION - 322 building permits issued in 1977, valued at \$9,724,000

REAL ESTATE - About 93% of homes in Willmar owned by occupants.

INDUSTRY - Chief industry of the City and surrounding territory is agriculture.

Willmar has 19 manufacturing establishments, employing approximately 1,835 men and women. Principal manufactured products are processed poultry, hatchery products, cookies, printing, poultry-eggs, milk, ice cream, concrete products, sheet metal products, commercial feeds, fertilizer spreaders, components for industrial machines, children's garments, plastics, golf and industrial cars, and animal health products.

TRADE AREA - Retail area has radius of 60 miles and population of 95,000. Wholesale has a radius of 125 miles and population of 250,000.

RADIO BROADCASTING STATIONS - KWLM - AM and KQIC - FM.

TELEVISION STATIONS - Willmar served with Cable Television with 5 channels; UHF.

MOTELS - 8 (total beds - 355)

BUS LINES - City served by the Greyhound Bus Lines.

NEWSPAPERS - Willmar has 1 daily newspaper and 1 weekly shopper.

RAILROADS - City served by the Burlington-Northern Railway (Division Point).

1 daily East and West (Amtrak Passenger).

HIGHWAYS - The following highways run through or to the City; U.S. No. 12, U.S. No. 71, Minnesota No. 40 and 23.

AIRPORTS - 1, Willmar Municipal (City); main runway - 5,700 feet.

AMUSEMENTS - Largest auditorium in City seats 2,200 (Municipal Auditorium). There is 1 outdoor theater, and 4 movie theaters in 2 bldgs, 24 lane bowling alley, an 18-hole golf course and a 9-hole golf course in the City and another 18-hole golf course in the Lake Resort Area 14 miles North of the City. Many fishing and boating lakes.

HOSPITALS - 1, with total of 195 beds; including a new \$3,000,000 addition in use; total of 35 Medical Doctors.

EDUCATION - Willmar Community College - Willmar Area Vocational Technical Institute and 8 Public Schools, including 1 Senior High School and 1 Junior High School. There are over 6,000 students enrolled in the schools.

PUBLIC LIBRARIES - 1, with a total of 152,000 volumes. (Crow River Regional Library).

CITY STATISTICS - Total street mileage - 98.2 miles paved, 3.2 miles gravel, 1 mile other and 3/10's mile unimproved. 57.5 miles of gas mains and 3,788 gas meters. 92.5 miles of storm & sanitary sewers and waste treatment plant valued at \$1,200,000. 68.6 miles of water mains and plant valued at \$7,000,000. 4,767 water meters and 6,397 light meters. Fire Department has 37 volunteers and 1 paid man, with 1 station and 10 pieces of motor equipment. Police Department has a force of 22 men and 1 station and 9 pieces of motor equipment.

(See other facts - over)

Willmar began as a trading center in 1869. Leon Willmar, a native of Belgium and acting as head of a group of European Railroad Bond-Holders, obtained title to Section 1 of what is now Willmar Township.

The railroad was built to the site of Willmar in the fall of 1869. The county seat of Kandiyohi County was established in 1871 in Willmar, which marked the beginning of a consistent growth in population and economic progress. Willmar was incorporated as a Village on January 16, 1874, and as a City in 1901.

Expanding agriculture and the establishing of Willmar as a division point on the Great Northern Railway exerted a strong influence in the growth of the City. The recent years have shown more diversification in the economy with the growth of processing plants, wholesaling, manufacturing service industries and an adjacent resort area. Willmar, located 94 miles west of Minneapolis, is the largest City in the 6th Congressional District as well as West Central Minnesota. The Willmar State Hospital is a 700 bed psychiatric center serving mental health patients in a twenty county area. The three principle services offered at the Willmar State Hospital are for the chemically dependent, mentally ill and mentally retarded persons of Southwest Minnesota. They employ over 500 persons of the greater Willmar Area.

Annual retail sales of over \$85,154,000 to a population of approximately 95,000 indicated Willmar's leadership in this area. Federal and State Highways are improved and offer easy accessibility to consumers within a sixty-mile radius. Wholesale trade has developed to a distance of 125 miles and serves a population of approximately 250,000. Local advertising media offer an outstanding opportunity for the merchant to reach the public. Professional services have expanded to serve the growing trade area.

Poultry processing and the related industries have shown the greatest growth in recent years. Hatcheries, feed manufacturers, fertilizer companies, and construction have all been closely allied in this expanding industry. Willmar has the largest single turkey processing plant in the world, while Minnesota leads the nation in turkey production. Willmar is fast becoming a well-known Medical Center with all facilities - including most Practitioners.

Elastics, cookie manufacturing, children's garments, egg processing, sheet metal plants are found in Willmar offering opportunity for greater employment as they can be expanded.

Several choice industrial locations afford the opportunity of prospective firms desiring the advantages of locating here. Willmar has two well-developed Industrial Parks.

Willmar Opportunities, Inc. is a non-profit Industrial Corporation serving the Chamber of Commerce as its industrial development committee. Its goal is to create more and better job opportunities in Willmar as well as seek industrial development so as to increase the tax base. During the past few years, twelve new and expanding industries have located in seventeen beautiful new buildings in the Willmar Industrial Park. Several other industries not in the park have grown fast including Molenaar, Inc; plastic items and Willmar Cookie and others. The Willmar Industrial Park consists of nearly 200 acres, in some of which facilities including nine-ton streets, curb and gutter, storm and sanitary sewers and water have been developed. Total employment has grown from 5,810 in 1965 to over 10,000 presently. The planning commission has a complete program for an orderly City Development in future years.

The Willmar Area Chamber of Commerce is primarily engaged in the development of the economy. Their program is designed to develop the area making it more attractive for growth, which in turn will offer greater opportunities for all who wish to take advantage of them.

WILLMAR, MINNESOTA  
ECONOMIC INDICATORS  
COMPILED BY THE WILLMAR AREA CHAMBER OF COMMERCE  
P. O. Box 287, Willmar, MN 56201  
(612) 235-0300

February, 1978

Following are some interesting Growth Estimates; several authentic sources were utilized, so that accuracy is considered very close.

RETAIL SALES: WILLMAR

$\frac{1967}{\$34,827,000}$      $\frac{1971}{\$44,470,000}$      $\frac{1972}{\$46,773,000}$      $\frac{1974}{\$65,588,000}$      $\frac{1975}{\$76,330,000}$      $\frac{1976}{\$85,154,000}$

1960 Median Household Income was \$5,600.00. 1973 Median Household Income was \$11,500.00. The 1975 Estimated Income per Household for Willmar is \$15,689; for Kandiyohi County, it is Estimated to be \$16,498.

POPULATION:

	1950	1960	1970	1976 (Est.)	1980 (Est.)	1984 (Est.)
Trade Area	87,983	85,000	83,000	95,000	96,000	100,000
Kandiyohi Cty.	28,644	29,987	30,548	35,000	36,000	37,000
Willmar & Willmar Township	12,600	13,481	14,289	18,000	20,000	23,000
Willmar	9,410	10,417	12,869	16,200	18,000	20,000

Note: Since the 1970 Census Willmar has annexed land and had growth bringing the 1970 Census from 12,869 to approximately 16,200 within City Limits. The Trade Area Growth has increased due to Willmar's farther penetration "Outward."

BANK DEPOSITS:

1968	\$39,926,548.00	1972	\$60,855,000.00
1969	42,131,106.00	1975	78,612,979.00
1970	50,704,412.00	1976	89,098,000.00
1971	56,657,290.00	1977	95,752,000.00
		1978	107,502,000.00

The local First Federal Savings & Loan has approximately \$49,556,893.00 in total assets; a growth from \$43,253,310.00 since December, 1976.

NOTE: Bank deposits are estimated to almost double the 1971 figure by 1980.

COMPARISON OF ASSESSED VALUATIONS:

<u>YEAR</u>	<u>PERSONAL PROPERTY</u>	<u>REAL ESTATE</u>	<u>TOTAL</u>
1950	\$2,238,156	\$ 6,926,589	\$ 9,164,745
1960	2,600,406	11,429,865	14,030,271
1970	1,468,956	17,581,797	20,274,231
1971	1,342,617	19,842,903	21,185,520
1972	1,334,574	20,625,372	21,959,946
1973	716,681	23,784,895	24,501,576
1974	678,196	26,327,499	27,005,695
1975	734,225	29,427,037	30,161,262
1976	886,930	33,423,119	34,310,049
1977	927,811	37,060,370	37,988,181
1978	923,253	38,605,253	39,528,506

EMPLOYMENT:

1940 -- 3,366	1971 -- 7,100	1975 -- 9,566
1950 -- 4,475	1972 -- 7,513	1976 -- 9,696
1960 -- 5,552	1973 -- 9,051	1977 -- 9,867
1970 -- 6,900	1974 -- 9,417	

(All are December Readings)

Willmar has led all Minnesota Cities in "Percentage of Increase" in Employment for the past three years.

BUILDING PERMITS:

<u>YEAR</u>	<u>NUMBER</u>	<u>DOLLAR AMOUNT</u>
1967	229	\$4,562,778.00
1970	183	4,728,254.00
1971	214	6,836,044.00
1972	217	12,500,000.00
1973	205	4,623,000.00
1974	201	4,194,039.00
1975	265	4,891,604.00
1976	294	6,500,000.00
1977	322	9,724,000.00

NOTE: The above figures include both Commercial and Residential. 1972's phenomenal growth is estimated to be equal to cities triple the population of Willmar.

CHAMBER OF COMMERCE:

<u>DATE</u>	<u>MEMBER-FIRMS</u>	<u>TOTAL BUDGET</u>
1972	443	\$49,458.00
1974	500	55,434.37
1975	500	56,368.20
1976	450	64,145.00
1977	418	73,258.00

SCHOOLS:

<u>K-12</u>		<u>VO-TECH</u>		<u>JUNIOR COLLEGE</u>	
<u>DATE</u>	<u>STUDENTS</u>	<u>DATE</u>	<u>STUDENTS</u>	<u>DATE</u>	<u>STUDENTS</u>
1950	2,382	1967	554	1967	575
1960	3,051	1968	723	1968	611
1968	3,709	1969	730	1969	675
1970	3,865	1971	993	1971	736
1971	4,461	1972	1138	1972	769
1973-74	4,253	1973-74	1125	1973-74	733
1974-75	4,246	1974-75	1180	1974-75	725
1975-76	4,283	1975-76	1392	1975-76	765
1976-77	4,161	1976-77	1420	1976-77	815
1977-78	4,050	1977-78	1417	1977-78	794

CITY OF WILLMAR AREA GROWTH:

<u>DATE</u>	<u>SQUARE MILES</u>	<u>DATE</u>	<u>SQUARE MILES</u>
1937	2.75	1972	8.42
1960	2.90	1974	9.12
1970	7.00	1976	9.12
		1977	9.61

UNITED STATES POST OFFICE:

<u>DATE</u>	<u>TOTAL RECEIPTS</u>	<u>EMPLOYEES</u>
1971	\$388,558.00	75
1975	524,550.85	75
1976	750,000.00	69
1977	970,392.00	69

## 1977 CASELOADS

## COMPARISONS OF COUNTIES ELECTING TWO COUNTY COURT JUDGES

County	Population	County Court Criminal Cases Filed	Juveniles	Mental Commitments	Appointed Counsel Expenditures	Criminal Cases District Court	Appointed Counsel Expenditures
KANDIYOHI	30,548	916	396	27	12,948.37	125	24,026.63
CLAY	46,000	1,407	758	49	18,613.57	120	18,124.12
CARVER CO.	28,000	228	685	22	5,050.00	58	11,627.62
CASS & HUBBARD	28,000	629	785	11	28,980.36	100	16,832.00
CROW WING	34,000	995	542	44	15,175.31	167	20,992.00
DOUGLAS & GRANT	29,500	680	447	7	9,367.91	93	9,450.72
FREEBORN	38,000	609	659	74	46,568.84	92	28,664.00
MARSHALL	13,000	291	228	24	6,456.95	17	7,872.00
RED LAKE & PENNINGTON	20,000	127	278	14	11,749.30	78	11,248.00
MOWER	45,000	815	694	11	45,017.10	103	26,151.96
OTTER TAIL	46,000	507	705	72	15,748.40	150	17,891.10
RICE	41,000	58	553	18	17,792.16	57	33,491.96
SCOTT	32,000	941	1,199	17	14,060.00	107	13,308.06
WINONA	44,000	260	497	9	9,177.11	66	17,112.02
WRIGHT	<u>38,000</u>	<u>573</u>	<u>899</u>	<u>57</u>	<u>unreported</u>	<u>114</u>	<u>14,747.88</u>
AVERAGE	34,203	602	621	30	18,336.10	97	18,102.67



*Radatinsky*

THE SUPREME COURT OF MINNESOTA  
SAINT PAUL, MINNESOTA 55155

ROBERT J. SHERAN, CHIEF JUSTICE  
JAMES C. OTIS  
WALTER F. ROGOSHESKE  
C. DONALD PETERSON  
FALLON KELLY  
JOHN J. TODD  
HARRY H. MACLAUGHLIN  
LAWRENCE R. YETKA  
GEORGE M. SCOTT  
ASSOCIATE JUSTICES  
OSCAR R. KNUTSON, RET.

July 19, 1977

The Honorable Thomas J. Stahler  
Judge of the District Court  
Eighth Judicial District  
Morris, Minnesota 56267

Dear Judge Stahler:

At our meeting on July 5, 1977, a question was raised as to whether the Chief Judges and Assistant Chief Judges would be afforded opportunity to express their views with respect to the subject of judicial redistricting.

L. 1977, c. 432, § 1, subd. 2, provides:

"The supreme court, with the consent of a majority of the chief judges of the judicial districts, may alter the boundaries or change the number of judicial districts, except the second and fourth judicial districts."

Section 20 provides with respect to county courts:

"A combined county court district may be separated into single county courts by the supreme court. \* \* \*"

And again:

"For the most effective administration of justice, the supreme court may combine two or more county court districts into a single county court district. \* \* \*"

Given the authorization and directive of the statutes, it seems to me that the Chief Judge and Assistant Chief Judge of each judicial district in the state should give thought to what change, if any, in the boundaries of the district courts and county courts should be made in order to improve the administration of the entire court system of the district. Your consideration of this subject between now and the time of our meeting contemplated for August 12 will be appreciated.

Judge Thomas J. Stahler

2

July 19, 1977

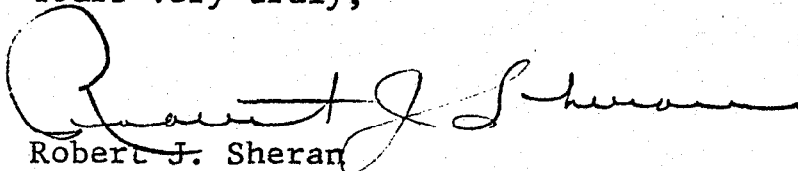
In the meantime, we will prepare a map of the State of Minnesota, setting out the boundaries of the judicial districts and of the county court districts in the state, with population figures as derived from the 1970 census inserted. A copy of this map will be made available to you when it has been completed, and it can serve as a basis for our preliminary discussions. In addition, I have asked Justice Yetka to serve as the Chairman of an advisory committee which will formulate an "ideal" plan. The idea will be to establish a long-range objective for any redistricting which may prove necessary, without regard to practical limitations. This "ideal" plan then can be used as a standard, or test, to be applied to any proposals for change.

Presumably, the emphasis of your suggestions with respect to redistricting will be the particular needs and requirements of your district. The emphasis of the advisory committee which Justice Yetka will chair will be on the overall, statewide impact of any changes which are made.

If you have any thoughts on this subject which should be communicated before August 12, please feel free to call or write Laurry Harmon.

With best regards,

Yours very truly,

  
Robert J. Sheran

RJS:mbs

THE SUPREME COURT OF MINNESOTA  
ST. PAUL

RECEIVED  
OCT 5 1977  
FILED

OFFICE OF  
STATE COURT ADMINISTRATOR

October 3, 1977

Mr. A. Milton Johnson  
District Administrator  
Eighth Judicial District  
Chippewa County Courthouse  
Montevideo, Minnesota 56265

Re: Supreme Court Committee on  
Trial Court Redistricting

Dear Milt:

I am writing to advise you that the above committee, under the chairmanship of Associate Justice Lawrence R. Yetka, has been charged by Chief Justice Sheran with the duty of determining whether, and if so, in what respects, judicial redistricting should occur. You will recall that, pursuant to the Court Reorganization Act of 1977, the Supreme Court is empowered to alter the boundaries of judicial districts (Minn. Stat. 2.724, Subd. 2, as amended) as well as to combine county court districts (Minn. Stat. 487.01, Subd. 6, as amended).

In addition to Judge Yetka and me, the committee is composed of Representative Gordon Voss, Judges Harold Schultz, Joseph Summers, Howard Albertson, Gerald Kalina and Roger Klaphake.

The committee has met on one occasion to date. At that time, the members tentatively decided to concentrate their attention on re-aligning county court districts, with the goal of designing these boundaries so that approximately three county court judges would serve a population of 20,000 to 25,000. In any event, the committee wishes to eliminate single-judge districts.

The members of the committee expressed their desire to determine from judicial and non-judicial personnel in each district the ideal solution to the redistricting issue, and it is for that reason that I am informing you of our deliberations. I believe very strongly that district administrators are justifiably most interested in the structure of county court districts, and that your recommendations should be given proper consideration by the committee. Consequently, in concert with the judges in your district, as well as non-judicial personnel, please formulate alternative proposals for submission to

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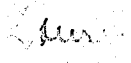
Mr. A. Milton Johnson

October 3, 1977

the committee. It is our intention to develop a plan prior to the end of this calendar year, so your early attention to this matter will be desirable.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

  
Laurence C. Harmon  
State Court Administrator

LCH/ljk

ESTIMATES OF POPULATION OF COUNTIES  
EIGHTH JUDICIAL DISTRICT

(Published by U. S. Census Bureau, August, 1977)

COUNTIES	1976	1975
BIG STONE	7,800	7,900
CHIPPEWA	15,900	15,400
GRANT	7,600	7,400
KANDIYOHI	33,200	32,500
LAC QUI PARLE	11,200	11,200
MEEKER	20,500	20,000
POPE	11,600	11,000
RENVILLE	21,100	20,900
STEVENS	11,300	11,200
SWIFT	13,200	13,300
TRAVERSE	6,100	6,100
WILKIN	8,800	8,900
YELLOW MEDICINE	14,300	14,200
	182,600	180,000

A. O. H. SETZEPFANDT, D.V.M.

Senate District 21  
Renville • Kandiyohi • Redwood  
Yellow Medicine Counties  
Bird Island, Minnesota 55310

Office:  
23F State Capitol Building  
St. Paul, Minnesota 55155

Senate

State of Minnesota

November 22, 1977

Chief Justice Robert J. Sheran, and  
Associate Justice Lawrence R. Yetka  
Chairman of the Trial Court  
Redistricting Committee  
230 Capitol  
St. Paul, Minnesota 55155

Gentlemen:

This past session of the legislature granted the Supreme Court the power to redraw County and District Court Judicial boundaries. I understand that the Court has now established the new committee for trial court redistricting under the chairmanship of Justice Yetka.

I am most disappointed that apparently the membership of this committee is comprised of seven judges from the metropolitan area and one from St. Cloud. If this committee is to attempt to draft a redistricting plan for the entire state, a means or method whereby maximum input from outstate legislators, judiciary, county commissioners and city officials have the opportunity to provide maximum input must be implemented. Please do not resolve metropolitan area problems by compounding outstate judicial district problems.

The decision to have the Supreme Court initiate the possible court redistricting procedures was a most heatedly discussed issue in the House and Senate halls over the past three years. The Court's stewardship and guidance over this process is indeed a most delicate and sensitive matter. Please do not needlessly rupture legislative faith in the Supreme Court's decision-making process by not allowing maximum discussion and inputs by all interested outstate officials, legal groups and individuals prior to the establishment of any consolidations or changes in County or Judicial District Court boundaries.

I would appreciate receiving any information you may be willing to provide concerning the procedures that the new committee will establish to implement the redistricting study and eventual recommendations for new judicial boundaries.

copy: Judge John Lindstrom

Sincerely yours,

  
Senator A. O. H. Setzefand

COMMITTEES • Agriculture and Natural Resources • Local Government •  
Taxes and Tax Laws • Transportation

*Judicial Redistricting*

THE SUPREME COURT OF MINNESOTA  
SAINT PAUL

CHAMBERS OF  
LAWRENCE R. YETKA  
JUSTICE

November 28, 1977

Honorable A. O. H. Setzepfandt  
State Senator  
Bird Island, Minnesota 55310

Dear Senator:

The Chief Justice has requested that I reply to your letter of November 22nd.

First of all, be assured that the Chief Justice, myself, and the committee which I chair all agree that there should be a maximum amount of local effort contained in any statewide judicial redistricting for the county courts. Our attitude is clearly reflected by the following events which have taken place:

(1) After passage of the Court Reform Act of 1977, the district and county judges in each district were advised by the Chief Justice to meet and elect a chief judge and an assistant chief judge. This was done in each of the ten judicial districts. In order that the county judges would be properly consulted in any administrative plans, the assistant chief judge in each district is a county court judge.

(2) The Chief Justice has had three meetings with all of the chief judges and assistant chief judges in the ten judicial districts. The first meeting was held on July 5th, only four days after the effective date of the Act. The second meeting was held in August and a third was held in October. Moreover, the Chief Justice and I have also attended the Annual Fall Meeting of the district judges in September. At all four of these meetings the judges were advised that while the Chief Justice had appointed a special committee to study redistricting, it was hoped that each district would initiate plans for formulating a county redistricting plan of its own. While the Supreme Court felt compelled by the legislative mandate to study the problem, the committee would hope to serve to coordinate efforts in formulating a master plan statewide after the local districts had themselves worked out plans which would be submitted to it. The committee looks on its

Honorable A. O. H. Setzepfandt  
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November 28, 1977

role as one to encourage and prod local districts to work on the problem first.

(3) The Chief Justice assured the judicial conferences that were held of the judges aforesaid that any plan that was devised would be referred first to the aforesaid conference of chief judges and assistant chief judges before any action was taken on that plan.

(4) Our committee has consistently advised local districts to meet with their Bar associations and county commissioners while working on a plan. Please bear in mind we have tried to give these districts chances first to elect their court administrator so that he could help in formulating such a plan. Our committee likewise contemplated conducting public meetings within each district where all interested parties could be heard to the extent the Legislature would give us the time to do so. It has been our understanding that key legislators who have been active in court reorganization legislation have expected us to continue to move ahead to implement the 1977 Act--while not in haste--nevertheless with an orderly and regular movement to accomplish the purposes of the Act.

(5) We have always contemplated adding to our committee local county judges when meetings within their districts were held to discuss the plan for that district. The judges of each district were advised of that plan since the outset early last fall.

(6) We have been in touch with the staff attorney for the Association of Minnesota Counties, Mr. John Chapuran, and have invited him to attend the next several meetings of our committee, both to be able to report back to his people our progress, and also in turn to add suggestions from his group.

(7) The original committee membership consisted of the following people for the reasons set forth:

Laurence C. Harmon, State Court Administrator.  
Since he would be responsible for administering the Act, he must, of course, have a part in the plan.



Honorable A. O. H. Setzepfandt  
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Lawrence R. Yetka, Associate Justice of the Supreme Court. I was appointed to chair this committee because I have headed the Judicial Council for the last 4 years, was chairman of the Select Committee for 3 years, and am presently chairman of the Judicial Planning Agency.

Honorable Harold W. Schultz. While he is the only district judge on the committee, he is president of the District Judges Association and we felt he should be able to report back to his group any progress that we make.

Honorable Gerald W. Kalina. Judge Kalina is Judge of the Dakota County Court and was legislative representative for the County Judges Association last year and gave great input into the Court Reorganization Act of this year.

Honorable Roger M. Klaphake, Judge of Sherburne County, St. Cloud area. Here there is a particular problem because St. Cloud is in several judicial districts, and three counties all converge in St. Cloud, so there was a special problem involved in that district.

Honorable Howard R. Albertson, Judge of Washington County Court. Judge Albertson is a former legislator and the author of the 1971 County Court Act. We thought his aid would be invaluable in telling us how the original county court districts were arrived at.

Honorable Joseph P. Summers, Judge of Ramsey County Court. Judge Summers is the Governor's representative on our committee.

Representative Gordon Voss, Minnesota House of Representatives. Representative Voss was the author and one of the prime movers toward court reorganization over the last five years.

Senator Robert J. Tennessen. Senator Tennessen was the author of the Court Reorganization Act in the Senate and served on the conference committee.

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(8) We did not select representatives from each judicial district initially because we wanted to avoid a situation where one district might agree to the proposal from another in return for support for its own plan. Moreover, the committee was small, yet representative of all groups and could meet on very short notice. As I said, when we did meet on a district plan, we expected to add representatives from that district.

(9) In spite of all these precautions, notices, and actual evidence of our intent as expressed in the records of the meetings, we have received expressions of concern about the makeup of the committee. Therefore, following our last meeting on November 21st, I advised the Chief Justice and Mr. Harmon that we ought to add representatives from each judicial district to allay any fears anyone might have, and the Chief Justice has agreed to do so. We intend to also add the president of the County Judges Association, Judge Bull.

(10) I assure you that while we agree with the Legislature that county redistricting should take place which will require enlargements of many county court districts, we feel that the plan must be devised which will assure every county seat of the availability of a county judge. Perhaps that does not mean that there be a county judge in every county regardless of population, unless the Legislature is willing to pay the bill for such a system. But it does mean the use of judicial manpower in such a way that the local law enforcement, defense people, and, more important, the public as well will have ready access to a judge on a 24 hour basis. We may need additional legislation to accomplish this goal to enable the Supreme Court to not only require chambers locations for all judges but residency requirements within a particular county as well to prevent not only county but district court "pile ups" in the larger population centers.

I feel part of the concern expressed to you is a result of the innate conservatism of the legal and judicial system as a whole when court reorganization is

Honorable A. O. H. Setzepfandt  
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discussed, and the fear of the unknown, as well as of running for reelection in larger districts. Finally, perhaps also some of the problem lies with a lack of local initiative which has been earnestly solicited from the outset.

I hope this letter will help clarify for you what we are doing, why we are doing it, and the pace of our progress.

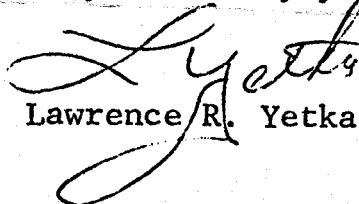
I must add, Senator, that much of the criticism I have heard from legislators in the past is that the judicial-legal system has not moved and moved quickly enough to improve itself. While that might be true throughout other parts of the nation, I do not think that criticism is as valid in Minnesota.

In view of your expressed concern, I am enclosing a copy of the minutes of our November 21st meeting which, I think, verifies much of what I have told you. I hope also that you will advise your legislative colleagues that our court does take the Court Reorganization Act of 1977 seriously and is moving ahead to implement it, and that we, given a reasonable and deliberate period in which to act, can make it work--including the implementing of a reasonable and workable county court redistricting plan. I hope that you will lend your support to granting us sufficient time to accomplish our mutual goal.

Should you have any other questions on this matter, do not hesitate to write me. My address is: 230 State Capitol, St. Paul, Minnesota 55155. My office telephone is 296-6615.

Thank you for your interest and concern.

Very sincerely yours,

  
Lawrence R. Yetka

LRY:lp