



MINNESOTA JUDICIAL BRANCH

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Minnesota Supreme Court Releases American Bar Association Consultation Report on the Minnesota Lawyer Discipline System

90-day public comment period announced; public hearing scheduled

For immediate release

St. Paul, Minn. (September 29, 2022) — The Minnesota Supreme Court today released a report from the American Bar Association (ABA) Standing Committee on Professional Regulation on the Minnesota Lawyer Discipline System.

“A periodic review of the efficacy of the lawyer regulatory system has shaped Minnesota’s attorney discipline and disability system. The thorough report from the ABA Center for Professional Responsibility recognizes the strengths of our current lawyer regulatory system and provides recommendations on further optimizing it to ensure our commitment to fairness, due process, public trust, and transparency,” said Minnesota Supreme Court Chief Justice Lorie S. Gildea.

The [Minnesota Lawyer Discipline System Consultation Report](#) provides 25 recommendations focused on enhancing the system’s accountability, effectiveness, and efficiency. The report also recognized:

- The Supreme Court’s long-standing commitment to effective, fair, and transparent lawyer regulation and its commitment to ensuring adequate funding and resources.
- The engagement and commitment of the system’s dedicated volunteers and its lawyer and public members.
- The commitment of the Lawyers Professional Responsibility Board to training, education, and diversity, equity, and inclusion.
- Efforts to improve caseload processing times, including the Director’s work to improve staff training and optimize staff organization, and the Office’s continued work to leverage technology.
- Transparency in the system through a robust and regularly updated website and an annual report showcasing important work and identifying areas where improvements are in process.

Public Comment Period Announced

The Minnesota Supreme Court has also [issued an order](#) announcing a 90-day public comment period, followed by a public hearing 60 days later, addressing the Minnesota Lawyer Discipline System Consultation Report. Comments are due no later than December 30, 2022. A public hearing is scheduled for 10 a.m. on March 14, 2023, at the Supreme Court Courtroom in the State Capitol in Saint Paul. See the order for information on how to file public comments or file a request to speak at the hearing.

About the Evaluation Process

The Minnesota Supreme Court recommended an evaluation of Minnesota's attorney discipline and disability system in July 2021. The ABA Professional Regulation Committee sent a consultation team of individuals experienced in lawyer regulation to examine the structure, operations, and procedures of Minnesota's lawyer discipline system over four days in April 2022. The team interviewed 35 individuals while onsite and conducted additional interviews in the weeks following the onsite consultation. Interviews included the Director and staff of the Office of Lawyers Professional Responsibility, public and lawyer members of the District Ethics Committee and Lawyers Professional Responsibility Board, referees, complainants, respondents, and lawyers representing respondents in lawyer disciplinary matters. The Committee also spoke with members of the Minnesota Supreme Court, Minnesota State Bar Association leadership, and staff from the Lawyers Assistance Program.

About the American Bar Association Standing Committee on Professional Regulation

The American Bar Association (ABA) [Standing Committee on Professional Regulation](#) helps to develop, promote, coordinate, and strengthen professional disciplinary and regulatory programs and procedures throughout the nation. It develops and promotes ABA activities relating to professional discipline, model rules for disciplinary enforcement, and standards for the imposition of sanctions. At the invitation of a jurisdiction's state supreme court, the Professional Regulation Committee sends a team of individuals experienced in lawyer regulation to examine the host jurisdiction's lawyer discipline system. In addition to a Committee member and its counsel, team members include lawyers representing other lawyers in disciplinary and professional responsibility matters, a regulation counsel, or judges/state supreme court justices.

About the Minnesota Judiciary

The Minnesota Judicial Branch is made up of 10 judicial districts with 296 district court judgeships, 19 Court of Appeals judges, and seven Supreme Court justices. The Judicial Branch is governed by the Judicial Council, which is chaired by [Lorie S. Gildea](#), Chief Justice of the Minnesota Supreme Court. The Minnesota Judicial Branch is mandated by the Minnesota Constitution to resolve disputes promptly and without delay. An average of 1.1 million case types are filed in Minnesota district courts every year. Visit www.mncourts.gov for more information.

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