



## RECENT DEVELOPMENTS AT THE LAWYERS BOARD

BY CHARLES E. LUNDBERG

There have been a number of very significant changes and important developments at the Lawyers Board and the Office of Lawyers Professional Responsibility in the past few months:

■ **RESIGNATION OF OLPR DIRECTOR:** Edward J. Cleary, who served with distinction as the director of the Office of Lawyers Professional Responsibility for the past five years, resigned that post upon being appointed a Ramsey County District Court judge by Governor Jesse Ventura. Ed Cleary has been a model OLPR director. He will be very difficult to replace, and we will miss him.

By Court Rule it is the role of the Lawyers Board to oversee the work of the director and every two years to recommend to the Supreme Court whether the director should be reappointed. The Board takes that task very seriously, and does a searching review of the work of the office under the leadership of the director over the past two-year period. Each time the issue came before the Board, the vote to recommend Ed's reappointment was unanimous, and enthusiastically so.

It is difficult to overestimate Ed's extraordinary tenure in this important and often difficult position. His service was marked by excellence, and he leaves some extremely big shoes to fill. If you haven't already done so, take a look at Ed's parting thoughts in his final column in this space last month. (*Bench & Bar*, September 2002 at p. 12)

At a recent going-away party at the Judicial Center, I had the opportunity to share the following thoughts with those who had assembled to wish Ed well: In my role as Board Chair for the past four and one-half years I have had the opportunity to interact with Ed Cleary in some way almost every single day. I have grown to have enormous respect for Ed's sound judgment and character in numerous ways. I am personally very unhappy that he is leaving, but it would be churlish of me to begrudge him his longtime dream to sit on the district court bench. He will be a great judge.

■ **DIRECTOR SEARCH PROCESS:** At this writing we are watching for an order

*"...the website contains a detailed index of all of the ethics articles that have been published in Bench & Bar for the past 31 years..."*

from the Court forming the search committee that will conduct the search for a new director (who also serves as director of the Client Security Board). The Court has indicated that the process will be similar to that used five years ago, when it commissioned a blue ribbon committee consisting of the two justices who serve as Court liaison to the Lawyers Board and the Client Security Board; representatives from those two boards; a representative of the Minnesota State Bar Association; and additional members designated by the Court.

Last time the search process took about three months after the committee was constituted. It would be reasonable to assume the same timeline this time. Given the extraordinary importance of this position, a careful and painstaking search process should be expected.

■ **INTERIM ADMINISTRATION AT THE OLPR:** Senior Assistant Director Martin Cole has been appointed by the Court to serve as interim director until the new director is selected. Marty played the same role five years ago and did an admirable job. He does not expect any particular problems during the interim period: "The office is composed of a seasoned staff of senior lawyers, all of whom have substantial experience and expertise in legal ethics and who work pretty much independently on their cases. While it might be too much to say that the office runs itself, we do not expect any significant problems in the interim."

This is due in no small part to the tremendous work performed by the office

administrator, Joanne Daubenspeck, who has coordinated the office staff and Board functions for 20 years. We do not take the opportunity often enough to thank Joanne publicly for all that she does for the Lawyers Board and the OLPR. She richly deserves it.

■ **NEW OFFICES FOR THE OLPR:** On August 15, 2002, the office moved to new offices in the Landmark Towers after having been quartered at the Minnesota Judicial Center for almost eight years. (The Client Security Board, which is staffed by OLPR attorneys, will also have an office in the new location.)

The move was an extraordinary challenge. The office and the Board were quite comfortable at the Judicial Center. Everything was close by, and things worked exceedingly well in that location. Unfortunately, because of growing space needs of the judiciary and court administration, we had no choice but to relocate.

A great debt of gratitude is owed to Ed Cleary, Ken Jorgensen, and Joanne Daubenspeck for all of the work and effort they devoted to locating the new space, negotiating a lease, and coordinating the move.

Lawyer discipline hearings will continue to be held in the Lawyers Board courtroom on the second floor of the Judicial Center. All day-to-day business, however, including director investigation meetings, prehearing conferences, depositions, and other proceedings will take place at the new Landmark Towers offices. (Older readers will remember this building as the Amhoist Tower, the first home of the Minnesota Court of Appeals. For those

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## PROFESSIONAL RESPONSIBILITY

not familiar with this location, it is next to the St. Paul Hotel, diagonally across the street from the Ramsey County Courthouse.)

(Coincidentally or not, Judge Ed Cleary's new courtroom happens to be on the 15th floor of the courthouse, directly across the street, and one of his chambers windows looks out toward our new space. The rumor is he is continuing to keep tabs on the office.)

■ **OTHER RECENT DEVELOPMENTS:** Ed Cleary is not the only person whom Governor Ventura chose to steal away from the Board this summer. Just weeks before Ed left, our vice chair, Regina M. Chu, stepped down to accept an appointment to the Hennepin County District Court bench. We will miss Regi and all the important work she did as vice chair, and wish her well in her new life as a district court judge.

The Court has appointed Dean Vincent Thomas from Hamline Law School to fill Regi's unexpired term on the Board. Welcome to Dean Thomas: we look forward to working with you.

■ **WEB PAGE:** The Board and the OLPR continue to maintain an extraordinarily informative web page [[www.courts.state.mn.us/lprb/](http://www.courts.state.mn.us/lprb/)]. With all due modesty, this site is well worth adding to your permanent bookmarks.

In addition to searchable full-text versions of the Rules of Professional Conduct, the Rules on Lawyers Professional Responsibility, and the Lawyers Board opinions, the website contains a detailed index of all of the ethics articles that have been published in *Bench & Bar* for the past 31 years, hyperlinked to full text versions of the articles from the past seven years, as well as all of the professional responsibility articles published in *Finance & Commerce/Minnesota Lawyer* for the past five years, all cross-referenced by the specific Rule or other authority discussed in each piece. (Those of you who are conversant with legal ethics research will see immediately what a wonderful resource this can be on issues of Minnesota professional responsibility.) The web page also contains our most recent comprehensive annual report; forms, explanations, and procedures for ethics complaints; a searchable list of all disbarred and currently suspended lawyers in Minnesota, and other resources.

Finally, a grateful note of thanks to the other members of the Lawyers Board who continue to render volunteer service so selflessly and energetically, especially now in this time of major change and challenge for the Board. □

## STATEMENT OF OWNERSHIP

U.S. Postal Service Statement of Ownership, Management, and Circulation. 1A. Publication Title: The Bench & Bar of Minnesota. 2. Publication No. 0276-1505. 3. Filing date: October 1, 2002. 4. Issue frequency: Monthly except May/June combined. 5. Number of issues published annually: 11. 6. Annual subscription price: Members of the Minnesota State Bar Association — \$25; nonmembers — \$35. 7. Complete mailing address of known office of publication: 600 Nicollet Avenue, #380, Minneapolis, Hennepin, MN 55402-1641. Contact Person: Judson Haverkamp. Telephone: (612) 278-6333. 8. Complete mailing address of headquarters or general business office of the publisher: (Same as Above). 9. Full names and complete mailing address of publisher, editor, and managing editor: Publisher, Minnesota State Bar Association, 600 Nicollet Avenue, #380, Minneapolis, MN 55402-1641. Editor, Judson P. Haverkamp, 600 Nicollet Avenue, #380, Minneapolis, MN 55402-1641. Managing Editor, (Same as Editor). 10. Owner: Minnesota State Bar Association, 600 Nicollet Avenue, #380, Minneapolis, MN 55402-1641. 11. Known bondholders, mortgagees, and other security holders owning or holding 1 percent or more of total amount of bonds, mortgages or other securities: None. 12. Tax Status (for completion by nonprofit organizations authorized to mail at nonprofit rates): Not applicable. 13. Publication Name: The Bench & Bar of Minnesota. 14. Issue Date for Circulation Data Below: September 1999. 15. Extent and nature of circulation. a. Total No. copies (net press run). Average number of copies each issue during preceding 12 months: 16,663. Actual number of copies of single issue published nearest to filing date: 16,768. b. Paid and/or requested circulation: (1) Paid/Requested Outside-County Mail Subscriptions Stated on Form 3541. Average number copies each issue during preceding 12 months: 15,899. Actual number copies of single issue published nearest to filing date: 16,163. (2) Paid In-County Subscriptions. Average number copies each issue during preceding 12 months: 0. Actual number copies of single issue published nearest to filing date: 0. (3) Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Non-USPS Distribution. Average number copies each issue during preceding 12 months: 20. Actual number copies of single issue published nearest to filing date: 0. (4) Other Classes Mailed Through the USPS. Average number copies each issue during preceding 12 months: 0. Actual number copies of single issue published nearest to filing date: 0. c. Total paid and/or requested circulation. Average number copies each issue during preceding 12 months: 15,919. Actual number copies of single issue published nearest to filing date: 16,163. d. Free distribution by mail. Average number copies each issue during preceding 12 months: 0. Actual number copies of single issue published nearest to filing date: 0. e. Free distribution outside the mail. Average number copies each issue during preceding 12 months: 365. Actual number copies of single issue published nearest to filing date: 250. f. Total free distribution. Average number copies each issue during preceding 12 months: 365. Actual number copies of single issue published nearest to filing date: 250. g. Total distribution. Average number copies each issue during preceding 12 months: 16,284. Actual number copies of single issue published nearest to filing date: 16,413. h. Copies not distributed. Average number copies each issue during preceding 12 months: 379. Actual number copies of single issue published nearest to filing date: 355. i. Total. Average number copies each issue during preceding 12 months: 16,663. Actual number copies of single issue published nearest to filing date: 16,768. Percent paid and/or requested circulation. Average number copies each issue during preceding 12 months: 98%. Actual number copies of single issue published nearest to filing date: 98%. 16. This statement of ownership will be printed in the October 2002 issue of this publication. 17. Signature and title of editor, publisher, business manager, or other: /s/ Judson P. Haverkamp, Editor. Date: October 1, 2002. I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including multiple damages and civil penalties).

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