

FILED

February 16, 2021

**OFFICE OF
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

ADM10-8042

**ORDER ESTABLISHING COMMENT PERIOD ON
PROPOSED AMENDMENTS TO THE
RULES ON LAWYERS PROFESSIONAL RESPONSIBILITY**

The Minnesota Supreme Court has responsibility for the rules that govern the conduct of lawyers, Minn. Stat. § 480.05 (2020), and the Board on Lawyers Professional Responsibility has supervisory authority over those rules, Rules on Lawyers Professional Responsibility 4(c) (RLPR). To clarify the Board's supervisory responsibilities regarding the administration of the Office of Lawyers Professional Responsibility, the court, with the input of the Board, has prepared amendments to Rules 4 and 5, RLPR, as shown at the end of this order. The court will decide on the adoption of the proposed amendments after providing a period for public comment.

IT IS HEREBY ORDERED that any person or organization wishing to provide comments in support of or in opposition to the proposed amendments to Rules 4 and 5 of the Rules on Lawyers Professional Responsibility shall file one copy of those comments electronically, using the appellate courts' e-filing application, E-MACS. All comments must be filed so as to be received no later than April 19, 2021.

Dated: February 16, 2021

BY THE COURT:



Lorie S. Gildea
Chief Justice

Proposed Amendments to Rules 4 & 5, Rules on Lawyers Professional Responsibility

RULE 4. LAWYERS PROFESSIONAL RESPONSIBILITY BOARD

* * *

(c) **Duties.** The Board shall have general ~~supervisory authority over~~ advisory responsibility for the administration of the Office of Lawyers Professional Responsibility and these Rules, * * *

(d) **Executive Committee.** The Executive Committee, consisting of the Chair, and two lawyers and two nonlawyers designated annually by the Chair, shall be responsible for carrying out the duties set forth in these Rules and for the general advisory responsibility over ~~supervision of~~ the Office of Lawyers Professional Responsibility. The Executive Committee shall act on behalf of the Board between Board meetings. If requested by the Executive Committee, it shall have the assistance of the State Court Administrator's office in carrying out its responsibilities. * * *

* * *

RULE 5. DIRECTOR

(a) **Appointment.** The Director shall be appointed by and serve at the pleasure of this Court, and shall be paid such salary as this Court shall fix. The State Court Administrator must consult with the Board ~~shall review the performance of the Director~~ every 2 years or at such times as this Court directs on the State Court Administrator's ~~and the Board shall make recommendations to this Court concerning the continuing service of the Director.~~

(b) **Duties.** The Director shall be responsible ~~and accountable directly~~ to the Board, ~~and through the Board~~ responsible and accountable to this Court, for the proper administration of the Office of Lawyers Professional Responsibility and these Rules. The Director shall prepare and submit to the Board an annual report covering the operation of the Office of Lawyers Professional Responsibility and shall make such other reports to the Board as the Board or this Court through the Board may order.