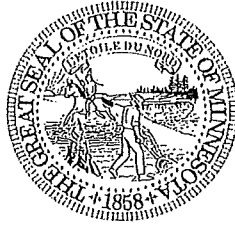


STATE OF MINNESOTA



TIM WALZ
GOVERNOR

NOTICE OF APPOINTMENT
Tim O'Brien

5275 Grandview Square
Edina, MN 55436
County of Hennepin
Congressional District 3

Because of the special trust and confidence I have in your integrity, judgment, and ability, I have appointed and commissioned you to have and to hold the office of:

Attorney Member
BOARD ON JUDICIAL STANDARDS

Effective: July 02, 2019

Term Expires: January 02, 2023

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President of the Senate

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled by me or other lawful authority or by any law of this State.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol in the City of Saint Paul, June 27, 2019.



Governor

Secretary of State

Replacing: William Wernz

**OFFICE OF THE MINNESOTA
SECRETARY OF STATE STEVE SIMON**

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Application for the position Attorney

Part I: Position Sought

Agency Name: Board on Judicial Standards
Position: Attorney

Part II: Applicant Information

Name: Timothy O'Brien
Phone: (612) 766-8322
Mailing Address: 5275 Grandview Square Edina 55436
Email: Timothy.O'Brien@FaegreBD.com
County: Hennepin
Felony Conviction: No
Mn House District: 49A
US House District: 3
Recommended by the Appointing Authority: False

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Part III: Appending Documentation

Cover Letter and Resume

Type

File Type

Additional Documents (.doc, .docx, .pdf, .txt)

Type

File Name

Cover Letter

obrien-timothy-letter-judicial.pdf



Resume

obrien-timothy-bio-judicial.pdf



Part IV: Optional Statistical Information

Race and Natural Origin: White or Caucasian

Political Party: Democratic-Farm-Labor

Age: 74

Gender: Male

Disability: No

Hispanic, Latino or Spanish origin: No

Part V: Signature

Signature: timothy m obrien

Date: 11/26/2018 2:57:34 PM

AGENCY DETAILS
MEMBER DETAILS

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President of the Senate

Timothy O'Brien
90 South 7th Street
2200 Wells Fargo Center
Minneapolis, MN 55402
612-766-8322
Timothy.O'Brien@FaegreBD.Com

November 20, 2018

Governor-elect Tim Walz and Lt. Governor-elect Peggy Flanagan
Transition Office
321 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd
St. Paul, MN 55155

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Office of the Minnesota Secretary of State
180 State Office Building
100 Rev Dr. Martin Luther King Jr. Blvd
St. Paul, MN 55155

President of the Senate

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Re: Application for Appointment to Minnesota Board on Judicial Standards

Dear Transition Office and Secretary of State:

I write to express my strong interest and desire to serve on the Minnesota Board on Judicial Standards. I believe that this work would be a meaningful way to serve the public, the bench and the bar. I believe that my extensive experience in the promotion and enforcement of legal ethics has prepared me to be an effective member of the Board. This background coupled with a strong record of service to the community and extensive experience as a private practitioner working both within the State and other parts of the country would serve me well as an attorney member of the board.

Turning first to my career, following law school graduation, I served as a law clerk to the Honorable Justice William P Murphy of the Minnesota Supreme Court. During the course of my one-year clerkship I analyzed appellate issues and drafted memorandums of fact and law intended to assist Justice Murphy in arriving at the correct conclusion of matters before the court. As an integral part of this position, I observed firsthand the judicial process at the highest level. Following my clerkship, I joined a law firm with a considerable construction litigation practice later becoming a partner in the firm. A number of years later, I left that firm to join a newly formed construction boutique law firm as a named partner. Finally, in 1991, I joined the Faegre firm continuing to concentrate my practice on

the resolution of construction disputes both within the state and elsewhere retiring from the firm at the end of 2013. The nature of my practice was such that I appeared before judges all over the country observing in the process what constitutes being a good judge as well as judicial foibles.

Throughout my career, I attempted to give back to the community at large as well as the legal community, serving, among other things as a volunteer attorney for the Minnesota Indian Women Resource Center, as a board member of ARC Greater Twin Cities, as a trustee of the Hennepin County Law Library, as a member of the Edina Heritage Preservation Board, as a Governor of the Minnesota State Bar Association and as a member of the national panel of construction arbitrators of the American Arbitration Association.

Early on I determined to focus a significant part of my time to the promotion of ethical conduct on the part of attorneys. My first avenue in that regard was service as a investigator for the 4th Judicial District Ethics Committee which has as its core mission the maintenance of the integrity and ideals of the legal profession. My initial role with that body was to investigate and provide recommendation as to the disposition of allegations involving possible violations of the lawyers code of ethics. I served in that capacity from 1980 to 1986 whereupon I was appointed a vice-chair of the committee serving as such until 1990. In 1997, I was appointed to the Minnesota Lawyers Professional Responsibility Board, a state-wide board comprised of 13 lawyers and 9 non-lawyers. This board oversees the Lawyers Professional Responsibility Office which investigates alleged lawyer misconduct and prosecutes disciplinary action. Among my responsibilities was service as a panel chair, a three member group which conducted trial-like hearings on disputed allegations. I served the maximum two terms on the board rotating off the board in 2003. In 2006, I again became an investigator for the 4th Judicial District Ethics Committee and was subsequently reappointed as a vice-chair serving as such until 2011. During that same time framework, I was appointed to the Minnesota Client Security Board, a seven member body charged by the Minnesota Supreme Court, with the mission of aiding individuals who suffered from dishonest conduct on the part of lawyers, which reviews and pays claims approved by the board. I served on this board for the maximum two terms, from 2007 to 2013, chairing the board in 2013. All of this activity extending over decades was intended to foster the long term interests of the community at large and the lawyers who serve the community.

Most recently, from 2010 to date, I have served as one of nine statewide members of the Minnesota Commission on Judicial Selection. Our responsibilities focus on the recruitment of judicial candidates, the evaluation of judicial applicants and the recommendation of nominees to the Governor for possible appointment. This has been a major undertaking inasmuch as Governor Dayton has now appointed well over one half of the sitting judges in the state.

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I understand the role of the Minnesota Board on Judicial Standards to be that of educating the public on workings of the Board, of investigating allegations of misconduct on the part of a member of the judiciary and of recommending discipline if and when appropriate. I believe that I am qualified to serve the citizens of the state in this position and if selected would work hard to discharge all responsibilities on a fair and conscientious basis. As a final note, and as indicated, while I am a lawyer in good standing, I am retired and no longer represent clients. Although I have applied to be appointed as a lawyer member, I am prepared to formally resign from my lawyer status and serve as a public member if that opportunity presents itself. Thank you for your consideration.

Respectfully yours,



Timothy M. O'Brien

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President of the Senate

Timothy M. O'Brien

Retired Partner
Faegre Baker Daniels LLP
90 South 7th Street
2200 Wells Fargo Center
Minneapolis, MN 55402
612-766-8322
Timothy.O'Brien@FaegreBD.Com



Practice

Tim O'Brien is a retired partner and litigator in the Minneapolis office of Faegre & Benson LLP. He represented persons and firms engaged in the construction industry, including contractors, subcontractors, suppliers, sureties, design professionals and owners, with particular emphasis on the negotiation, arbitration and litigation of construction, surety and insurance law matters. Since 1970 he has practiced exclusively in construction law, focusing on the resolution of complex construction disputes including specifically numerous multimillion dollar delay and disruption claims, design deficiency and construction defect lawsuits, arbitrations and mediations.

Tim regularly represented leading construction companies in the Upper Midwest, including the region's largest contractor, doing business across the United States and Canada.

Professional Recognition

- *The Best Lawyers in America*, Construction Law
- International Who's Who of Business Lawyers
- *Super Lawyers*, Construction/Surety

Organizations

- American Arbitration Association, National Panel of Construction Arbitrators
- American College of Construction Lawyers, fellow
- Associated General Contractors, various national committees
- Minnesota State Bar Association, Board of Governors

Civic Associations and Public Service

- Hennepin County Ethics Committee, vice-chair (2006-2011)
- Hennepin County Law Library, Trustee
- Lawyers Board of Professional Responsibility (1997-2003)
- Minnesota Client Security Board
- Minnesota Commission on Judicial Selection
- Minnesota Indian Women Resource Center (MIWRC), volunteer attorney

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