Filed in District Court
State of Minnesota
9/24/2024 10:24 PM

STATE OF MINNESOTA DISTRICT COURT

COUNTY OF OTTER TAIL SEVENTH JUDICIAL DISTRICT

Craig Stevenson and
Marie Stevenson,

Plaintiffs,

v.

Sean Christopher Stevenson,
Renee Stevenson,
Lisa Stevenson-Allen, and
Ashley Anderson,

Defendants.

Court File No.: 56-CV-20-2928
Case Type: Other Civil

SUPPLEMENTAL DECLARATION OF CRAIG STEVENSON

STATE OF MINNESOTA)
) SS.
COUNTY OF OTTER TAIL)

Craig Stevenson declares as follows:

1. I am one of the Plaintiffs in the above-captioned matter.

2. I have been married to Plaintiff Marie Stevenson ("**Marie**") for over 34 years.

September 16, 2024 Hearing

3. Marie and I attended, via Zoom, the September 16, 2024 hearing regarding Plaintiffs' Motion to Disqualify and Vacate Orders.

4. During the hearing, Judge Miller made statements regarding the Law Clerk James Morrison's employment with the Otter Tail County District Court.

5. Judge Miller stated James Morrison began working as Judge Mark Hansen's law clerk in November 2013.

6. Judge Miller then stated James Morrison began working as Judge Sharon Benson's law

Filed in District Court
State of Minnesota
9/24/2024 10:24 PM

clerk in September 2016.

7. Judge Miller also stated James Morrison began working for Judge Miller in late summer 2022 and Clerk Morrison had no other involvement with Plaintiffs' case for the preceding six years.[1]

8. Judge Miller appeared to say that these six years were calculated from the date when Judge Hansen retired and when James Morrison became Judge Miller's law clerk and began working on the orders in Plaintiffs' case.

9. Judge Miller's suggestion that there was a clean break in the connection between Clerk Morrison and Judge Hansen did not seem logical to me, given the 3-year clerking relationship between them.

10. It seemed much more logical to me that the relationship between Clerk Morrison and Judge Hansen would have continued even after Judge Hansen's retirement, especially given his status as a Senior Judge, the amount of time Judge Hansen spent at the Otter Tail County Courthouse, and the number of hearings he held at that location following his retirement, up to and including six hearings on December 6, 2019. (Doc. 527, ¶¶ 196-218.)

11. I also thought this scenario was much more likely when considered along with Judge Hansen's insistence that Defense Attorney Kirsten Hansen disclose her familial relationship with Judge Hansen to Judge Miller during the very first hearing in our case, since Judge Hansen would have been aware of various employment and personal relationships along with any potential conflicts of interest which might require disclosure.

12. As a result, I reviewed public records for Judge Hansen's **post-retirement cases** using

[1] Judge Miller's exact wording was different than mine, but I have paraphrased his statement, and what I think he meant, to the best of my recollection.

Filed in District Court
State of Minnesota
9/24/2024 10:24 PM

Minnesota Court Records Online ("**MCRO**").

13. On September 18, 2024, two days **after the hearing**, I found records reflecting that the working relationship between Judge Mark Hansen and Law Clerk James Morrison continued beyond Judge Hansen's retirement. (*See Pelican Rapids Leased Housing Associates I, LLC vs Broadway/Pelican Rapids, L.P., Pelican Rapids Townhomes, LP*, 56-CV-16-372.)

14. In a letter to counsel for both sides dated January 20, 2017 – more than four months **after** Judge Hansen's retirement, Clerk Morrison identified himself in the letterhead as "Law Clerk to the Honorable Mark F. Hansen." (Doc. 273.)

15. On January 27, 2017, Clerk Morrison was communicating with counsel via email regarding his earlier letter. (Doc. 274.)

16. That same day, Judge Hansen signed an order based on Clerk Morrison's communications with counsel. (Doc. 275.)

17. These documents clearly show Judge Hansen continued to rely on Clerk Morrison to write letters, communicate with counsel on behalf of the Court Administrator for the Otter Tail County District Court, and coordinate with Judge Hansen regarding the issuance of orders even **after** Judge Hansen's retirement.

18. These records, although present in MCRO since January 2017, and undoubtedly known to Clerk Morrison and Judge Hansen, were not disclosed to Plaintiffs to illustrate the continuing connection between Clerk Morrison and Judge Hansen.

19. These records seem to contradict Defendants' references to the relationship between Clerk Morrison and Judge Hansen as "long-terminated" (Doc. 520, at 14.) The records also call into question whether the "former employment relationship" between Clerk Morrison and Judge Hansen had been "terminated six years prior". (Doc. 520, at 17.)

Filed in District Court
State of Minnesota
9/24/2024 10:24 PM

20. This information also appears to contradict the suggestion that Clerk Morrison had no involvement with Judge Hansen or with Plaintiffs' case for the years between the retirement of Judge Hansen and subsequent employment of Clerk Morrison by Judge Benson in September 2016 and Judge Miller's utilization of Clerk Morrison in this case beginning in September 2022.

Exclusivity

21. During the September 16, 2024 hearing, Judge Miller also seemed to say that Clerk Morrison worked exclusively for Judge Hansen from November 2013 through September 2016, for Judge Benson from September 2016 through September 2022, and for Judge Miller from September 2022 through the present.

22. However, using the employment timelines provided by the Court, information from MCRO is at odds with this conclusion. For example:

a. According to MCRO, Clerk Morrison assisted Judge Mark Hansen in January 2017 while serving as Judge Sharon Benson's law clerk. (*See Pelican Rapids Leased Housing Associates I, LLC vs Broadway/Pelican Rapids, L.P., Pelican Rapids Townhomes, LP*, 56-CV-16-372, Docs. 273, 274, 275.)

b. According to MCRO, Clerk Morrison assisted Judge Waldemar Senyk in November 2017 and April 2018 while serving as Judge Sharon Benson's law clerk. (*See Thumper Pond Resort, LLC d/b/a Thumper Pond Resort vs Stock Building Supply Midwest, LLC, Kaashagen & Sons, Inc. n/k/a BJK Construction, Inc., Badger Midwest Holdings, LLC, Gorski and Associates, LLC, MiTek USA, Inc.*, 56-CV-16-3000, Docs.156 and 256.)

c. According to MCRO, Clerk Morrison assisted Judge Kevin Miller in

Filed in District Court
State of Minnesota
9/24/2024 10:24 PM

September and October 2018 while serving as Judge Sharon Benson's law clerk. (*Id.* Docs. 318, 330, and 331.)

d. According to MCRO, Clerk Morrison assisted Judge Jonathan Judd in October 2023 while serving as Judge Kevin Miller's law clerk. (*See Terry L. Butcher, Patricia F. Butcher vs Kelly I. Drey, Paul O. Winger, Margaret W. Drey, Michael Drey, as Trustee of the Insurance Trust Agreement of Kelly I. Drey dated May 18, 1970, Robert T. Noyes et. al.*, 56-CV-21-521, Doc. 65.)

23. There are additional examples available on MCRO, but it appears as if Mr. Morrison assists other Otter Tail County District Court judges in many capacities regardless of his specific judicial officer assignment.

24. Given the wide variety of activities documented in MCRO, it appears to be very likely that Mr. Morrison also assisted his fellow law clerks with a variety of tasks, including in this case.

25. However, additional information about the extent of Clerk Morrison's relationship with Judge Hansen following his retirement and Clerk Morrison's assistance with Judge Miller's other orders in Plaintiffs' case remains undisclosed and unavailable to Plaintiffs.

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Dated: September 24, 2024

Craig S. Stevenson