



**MINNESOTA
JUDICIAL
BRANCH**

First Judicial District

Mission: To provide justice through a system that assures equal access for the fair and timely resolution of cases and controversies.

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The First Judicial District has 36 judges and more than 250 staff that handle nearly 200,000 cases annually in the counties of Carver, Dakota, Goodhue, Le Sueur, McLeod, Scott and Sibley.

The First Edition

A Newsletter about the First Judicial District of the State of Minnesota

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JULY 2012

Dakota County District Court to Begin Pilot of eFiling and eService

By Carol Renn, Dakota County Court Administrator



Beginning in October 2012, Dakota County is scheduled to implement and pilot eFiling and eService in Civil, Family, and Criminal cases. In the first quarter of 2013, Dakota County will add Probate and Juvenile cases to the pilot. Exact go live dates have not been determined.

eFiling and eService are two components of eCourtMN, a statewide initiative being implemented to streamline the court operating environment using new technologies and processes to eliminate paper-based case records. This will ensure convenient, timely and appropriate access to court information for all stakeholders and enable enhanced productivity in the court's processes. Business partners, judges and court staff will rely on the electronic court record in lieu of the traditional paper court file.

eFiling is the use of an online application to electronically file cases through the Judicial Branch case management system. eService provides the opportunity to electronically serve registered parties and eliminate U.S. mail costs.

These technologies offer many benefits that make this project not only worthwhile but essential as

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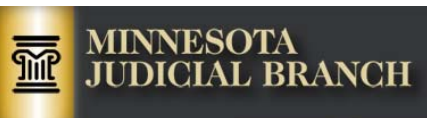
we look to the future. A paperless or paper on demand environment will improve access, productivity and data quality. Judges will be able to access case files from any location and will no longer have to wait to retrieve a physical case file. In a digital environment physical location becomes less important allowing work to be done virtually anywhere. Court staff will spend less time pulling, shelv-

ing, moving and searching for misplaced files. Judges and court staff will be able to view and work with the most up-to-date case documents from anywhere, even when someone else is working on the case.

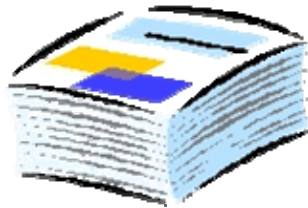
The Judicial Branch is currently implementing eFiling and eService as a pilot project in eleven counties throughout the state prior to

statewide implementation. These include Cass, Clay, Cook, Dakota, Faribault, Hennepin, Kandiyohi, Lake, Morrison, Ramsey, and Washington. Tentative implementation dates for the pilots are scheduled from July 2012 to March 2013, and the case types impacted varies by county. For more information, please visit the [eCourtMN Public Website](#).

2011 Annual Report to the Community Now Available



The Minnesota Judicial Branch 2011 Report to the Community is now available on the Judicial Branch website www.mncourts.gov



The 2011 Report to the Community details the considerable progress made on a number of Judicial branch initiatives, including completion of the Court Payment Center, which now processes payments on citations issued in 85 counties, and rapid expansion of sharing case information with justice partner

agencies. The Judicial Branch now exchanges more than 50,000 messages daily with justice partners, information that can help law enforcement, corrections and other agencies be more effective.

"2011 was a year of great progress," said Chief Justice Lorie S. Gildea. "After several years of planning and preparation, many new efficiencies and innovations came to fruition, which are now lowering costs and streamlin-

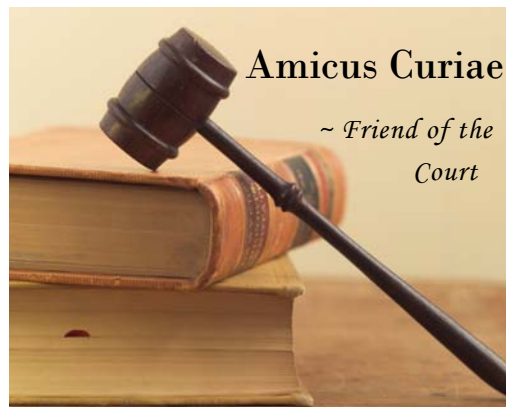
ing case processing. This report details many of those innovations and the remarkable progress that has been made."

"The Judicial Branch is committed to innovation and redesign to improve the efficiency and effectiveness of Minnesota's justice system. Minnesota's Judicial Branch is necessary government, and it is good government."

If you have any questions regarding the report, please contact the Court Information Office at (651) 296-6043.



Mary Freyberg and Lindquist & Vennum Receive Amicus Curiae Award



The First Judicial District presented its second annual Amicus Curiae Award to Mary Freyberg, Scott County Law Librarian, and the Lindquist & Vennum Law Firm on June 14, 2012. The Amicus Curiae Award, meaning Friend of the Court, is an annual recognition of attorneys and others who have provided exceptional service, leadership or other contributions to assist the courts in the First Judicial District discharge their constitutional responsibility for the administration of justice.

Mary Freyberg, the Scott County Law Librarian was recognized for her leadership in developing and offering educational opportunities of litigants who chose to represent themselves in court proceedings. Ms. Freyberg has offered over 30 law related classes including sessions on bankruptcy, divorce and foreclosure. In addition, Ms. Freyberg was instrumental in leading the effort in collaboration with the Minnesota Justice Foundation,

the Minnesota State Bar Association, the four local law schools, and volunteer attorneys to offer monthly clinics to help people representing themselves in dissolution matters. Ms. Freyberg has also partnered with La Red De Abogados Voluntarios to provide legal assistance to Spanish speaking litigants via Skype.

The law firm of Lindquist & Vennum was recognized for providing volunteer attorneys from their firm to serve as conciliation court referees in the First Judicial District. Fifteen experienced civil litigators from Lindquist & Vennum are now covering 3 half-day conciliation court calendars in Dakota County. The program has freed up a judge 1 1/2 days each week

for other assignments and has helped relieve the chronic need for additional judicial resources in the First Judicial District.

"Mary's work benefits the administration of justice by helping litigants become better informed and better prepared so they can provide the information needed by the court to make better decisions.

The generous contribution by Lindquist & Vennum assists the First Judicial District in providing prompt, quality service to the people of our communities and demonstrates once again how important volunteer attorneys are to the over all administration of justice," said Chief Judge Edward Lynch when presenting the awards.

A Conversation with Judge Richard C. Perkins



Judge Richard C. Perkins

Please describe your personal background.

Living the proverbial dream of the good life: married to my high school heart throb for over forty years, two adult children (one of each gender), three grandchildren (two of

the female persuasion and one of the male), five siblings and one surviving parent; nearly thirty five years in the legal profession, the first fourteen plus years in the private practice of general law and the last eighteen and a half years on the district court bench, first in Le Sueur County and for the past four years in Carver County; reside once again in our hometown, close to family.

Prior to coming to the bench I operated as a sole practitioner in the town of Le Sueur. As a small town practitioner I was somewhat afraid that the spigot of work would shut off at any time so we basically worked on anything that came in the door whether criminal or civil, adult or juvenile. That experience was absolutely great for my judicial career with its rotating calendar system and rotating cast of characters. In addition since I was operating my own office I picked up a good feel for the management issues of dollars and cents, calendaring and time savers as well as time wasters. I can honestly say that I have yet to be presented with a state oriented legal situation that I did not have at least a limited familiarity with because of my practice. I'm certain that has helped me on the bench from the start to the present.

What are some of the rewards of being a judge?

Most days it seems like I've just started down my current career

path, and it has to be because of the people I get to meet and work with on a daily basis. It's the people part of the job that not only attracted me to the legal field, but also keeps me interested each day. It's the parties, the attorneys and probation agents, social workers and guardians and most importantly our dedicated reporters, law clerks and court administration personnel who make this career what it is to me. As a judge you not only get to know your co-workers in a work setting, but you get to know about them in their private life roles as spouses and friends. The constant support of the court staff keeps the wheels on the train of justice, especially when I do my inadvertent best to derail it.

Along with the people, the other thing I like the most about judging is the ongoing learning opportunities that are presented each day, and I'm not just talking about learning more about legal topics and trends. The learning opportunities extend to dealing with people and on the myriad of subjects you encounter on a daily basis: from the interesting (positive parenting ideas and plans put forth by parents on their own in family cases) to the interesting and useful (conciliation court cases dealing with construction/auto repair techniques to avoid) to the interesting but tragically useless (numerous methods for the manufacture of meth) with the inevitable guilty consequences. Each day adds another credit toward my continuing legal education requirements.

What are your professional activities on and off the bench?

While I was practicing law I became involved in the Minnesota Bar Association, particularly at the district level. Because I showed up late for a meeting (literally walking in as nominations were being made) I was spotted and nominated for an office. I was elected and worked my way up from secretary/treasurer to president of the 8th

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Judge Richard C. Perkins (Continued from page 4)

District Bar. Once I was on the bench I became involved in the District Judges Association, serving for a number of years on the board of directors as the First District representative and later serving as an officer and president. I found the district judge work extremely interesting because it put you in the know at the state level working on committees dealing with weighted caseloads, children's justice initiative and as a member on the Conference of Chief Judges, which is now the Judicial Council. The information I learned and the people I met made those experiences very interesting and personally and professionally rewarding while at the same time allowing me to give back something to my profession.

From your standpoint, what are the challenges and concerns of being a judge?

The most difficult cases we handle are not necessarily by case type or category but by litigant, and not just those with the pro se label. It is true that the pro se cases/litigants are often the most challenging, not only because of the lack of legal training a pro se litigant brings to the table but also because of the emotions that the same litigant brings, from being too close to the action. I used to think that the saying about only a fool represents himself was referring to lawyers representing themselves on legal matters. I now know what it really means. The most difficult part of dealing with pro se litigants is the fact that they are not aware of the law and what facts are needed to support a case under that law. This gives rise to what I find to be the most difficult part of judging for me, that being the ethical dilemma of being thorough and fair. It is very difficult to not take control of a case (particularly a pro se litigant's case) in an effort to obtain information that is needed to make a reasoned and factually based decision that conforms to the law. Admittedly I don't always find the correct balance, but I keep trying. The pro se litigant in the criminal setting is even more of an issue given the constitutional protections. It is difficult trying to keep the playing field level while

also trying to obtain information, protect rights and do justice.

The most disconcerting trend I see in the courtroom is tied to the social trend away from personal responsibility and civility and toward a general disrespect for people, property and common sense. This is most evident in the family law, harassment and order for protection areas of the law with which everyone in the court system is so familiar. But it creeps into all areas of law, from juvenile to criminal to commitments to civil. This trend is affected by the degeneration of civility in social arenas generally and the desire of most people for a quick fix without taking the time to think about or think through the possible consequences. Too often I hear and see a party with the "it is the doings of someone else for the mess I am in" attitude. Thus they see it as the obligation of someone else to not only get them out but to keep them out of the mess. Then they let the system know that "oh by the way, I have no intention of giving anything but a minimum effort at either getting out or staying out of the hole dug by me." Fortunately this attitude is still in a minority, but it is growing; either that or I am getting too old and crotchety for the bench!

How would you summarize your career?

Overall I've been very fortunate to work at a career where I actually enjoy coming to the office each and every day. Those who know me are aware that I arrive early at the courthouse no matter the location, not just because I like to prepare for the day's work, but also because I honestly can't wait to start another day as a district court judge. On almost a daily basis I find myself looking out in the courtroom and giving an internal (and oftentimes external) smile just thinking about how fortunate I am to be where I am, doing what I do, and contrary to what I usually say it is not just because of the fact there is no heavy lifting, the courtroom is cool in the summer and heated in the winter.

Judge Richard C. Perkins Bio: <http://www.mncourts.gov/?menu=district&pg=1&ID=30057&page=31>



Law Day in Carver County

By Vicky Carlson, Carver County Court Administrator

Students from the Carver-Scott Educational Cooperative participated in mock trials at the Carver County Courthouse on May 4, 2012 as part of Law Day 2012. Established in 1957 by the American Bar Association (ABA), Law Day is a national day set aside to celebrate our legal system. This year's theme was "No Courts, No Justice, No Freedom" which focused on the importance of an open and accessible court system for resolving disputes, and safeguarding our liberties and rights.

The Carver County District Court, Carver County Attorney's Office, Carver County

Law Library, Eighth District Bar Association, Carver County Court Services and Carver County Sheriff's Office collaborated to host the students who participated and experienced what it is like to be in a court setting.

Judges Kevin Eide and Philip Kanning gave opening remarks and there was an opportunity for questions. Carver County Commissioners Randy Maluchnick and Gayle Degler were the judges for the student mock trials. Bridget Becker, Judge Perkins' law clerk, facilitated the mock trials. After the trials concluded, students

had an opportunity to visit various stations throughout the courthouse where they could learn more about our justice system.

The day was a success and the students' instructor, Dave Dettmann, has requested that we collaborate again in the future. He stated he couldn't have asked for a better opportunity for the students to learn and gain such valuable information. The students demonstrated a great knowledge of the court system and there appeared to be some future lawyers among us.



Question and Answer session with Judge Philip Kanning



Bridget Becker, Law Clerk to Judge Perkins facilitates the mock trial and Carver County Commissioner, Randy Maluchnick serves as the judge

Dakota County Pilots Electronic Transmission of Court Files to the Appellate Courts

By Gena Jones, Court Operations Manager, Dakota County

In January 2012, the Minnesota Judicial Council approved eCourtMN, which is a multi-year effort to

streamline the court operating environment using new technologies and processes to eliminate paper-based case records. The initiative will result in increased productivity for judges and court staff, and ensure convenient, timely, and appropriate access to court information.

The scope of the initiative includes, among other things, the following technologies: eFiling (including eCitations and eCharging), eService, ePayments, electronic document management including document imaging, desktop tools for judges to view case records, electronic transmission of cases to the appellate courts, and eTools (eSignature, eNoticing, eCertification, and other tools that allow for electronic processing of orders).

In April 2012, Dakota County became the first court in the state to pilot the electronic



transmission of files to the state appellate courts (Minnesota Supreme Court and Court of Appeals) as part of the eCourtMN initiative.

Dakota County has been imaging and storing all court documents since 2009, so it was a logical decision to move forward with making those images available to the appellate courts.

Existing functionality in the courts case management system (MNCIS), allows for the creation of the appeals record, consisting of indexed volumes containing the electronic documents for the appeal. This enables the appellate judges and law clerks to go directly into MNCIS and read the appealed file related documents.

This electronic process has resulted in numerous savings for judges and court staff at both the district court and appellate levels. The district court eliminates time and physical requirements spent retrieving

a paper file, preparing the documents that are necessary for the appellate process, costs associated with delivering the file and exhibits to the appellate courts, time spent ensuring the entire file was returned and putting it back in the file room, etc. The appellate courts have quicker access to the file and it can be easily reviewed by multiple judges and law clerks at the same time. Additionally, in some cases boxes of court files were being broken upon physical delivery due to weight or mishandling, which of course no longer happens.

Dakota County has approximately 100 cases appealed annually, so this will be a tremendous savings of staff resources. So far, 21 cases have been submitted electronically in the last couple months. Ramsey County District Court is tentatively scheduled to implement this same process in August 2012. These two counties will provide information that will help the courts determine how this process can easily be rolled out to the rest of the state courts.

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