



**2005 Annual Report**

***A Year of Change***

## OUR MISSION

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

## OUR VISION

The general public and those who use the court system will refer to it as accessible, fair, consistent, responsive, free of discrimination, independent, and well managed.

## OUR CORE VALUES

- Judicial independence and accountability
- Equal justice, fair and respectful treatment of all
- Customer focused - internally and externally
- Accessible
- Affordable quality - commitment to excellence and a quality of work environment
- Commitment to effective communication
- Predictability of procedures
- Balance between individualized justice and predictability of outcome
- Efficient
- Innovative and self-analytical

## OUR STRATEGIC PRIORITIES

- Improving citizens' access to justice
- Reforming the children's justice system
- Using technology more effectively
- Maintaining public trust and confidence

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# A MESSAGE FROM THE CHIEF JUSTICE

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*Chief Justice  
Russell A. Anderson*

**2005** was a year of change and challenge for the Minnesota Judicial Branch. The year brought significant advancements on our four Strategic Priorities, a change in our governance structure, and a transfer of leadership.

The year began with a celebration of the 100th anniversary of the creation of juvenile court, and with a renewal of our commitment to improve services to the many children who, through no fault of their own, are brought under the court's care.

Our Children's Justice Initiative (CJI), a collaboration with the Minnesota Department of Human Services that began in 2001 as a pilot in 12 counties and was expanded statewide in 2004, has succeeded in reforming our child protection system.

Through CJI, there has been a reduction in the length of time children are in foster care, shortened timelines for cases, a reduction in the average number of foster care placements before a child is placed in a permanent home, and an increase in the rate of adoption.

Access to justice was expanded last year. Our ability to provide qualified interpreters for court proceedings continued to grow in an effort to meet the needs of the state's rapidly increasing population of non-English speaking people. We also expanded services and support for self-represented litigants.

In 2005 we completed a 15-year process of transforming Minnesota's trial courts from a county funded and focused system to a fully state-funded branch of state government, with the goal of ensuring equity in the delivery of judicial services statewide.

As the transition was completed in July, a new governance structure, the Judicial Council, assumed the policy-making leadership of the Judicial Branch, giving us complete alignment between policymaking, funding and operational responsibility for the courts.

In 2005 the halfway point was reached in the installation of a new, statewide case management system, MNCIS (Minnesota Court Information System). When MNCIS is completed, we will for the first time be able to provide our judges, partners in the justice system, and the public with quick access to court records throughout the state -- improving court efficiency and, ultimately, enhancing public safety.

One of the biggest challenges facing the Judicial Branch involves our fourth Strategic Priority: Public Trust and Confidence in the courts. Recent decisions by the United States Supreme Court and the United States Court of

Appeals for the Eight Circuit have the potential to produce the kind of high cost, highly partisan, negative judicial campaigns that have eroded public confidence in the courts in many states.

During 2006 we will be joining the Minnesota State Bar Association and many other community leaders in an extended discussion about how to preserve a fair and impartial judicial system in the face of these rulings.

Finally, this report would not be complete without a mention of the departure of our leader for the past eight years, Chief Justice Kathleen Blatz. We find ourselves as she departs full of gratitude for her service, her vision, her energy and her commitment to justice. She has left us a strong and vibrant – and now unified – judiciary, committed to providing Minnesotans with a court system that they can respect and trust.

Sincerely,

Russell Anderson  
Chief Justice,  
Minnesota Supreme Court  
Chair, Judicial Council

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## A TRIBUTE - KATHLEEN A. BLATZ

### MINNESOTA SUPREME COURT 1996-2006

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When Minnesota Governor Arne Carlson appointed Kathleen Blatz Chief Justice in 1998, most took note of the fact that she was both the youngest Chief Justice in a century, and the first woman to hold the office. What had encouraged Carlson to make the appointment was neither, however. He said what had impressed him was her varied experience, her established ability to work with people of all persuasions, and her track record of getting things done that made public services more effective and more attuned to the needs of the citizens.

Chief Justice Blatz wasted no time putting her mark on Minnesota's justice system, convincing the Supreme Court in her first year to open up child protection hearings to the public in order to shine the bright light of public scrutiny on an area her experience had convinced her was failing many of the children caught up in the system. It was to be the beginning of many bold initiatives Chief Justice Blatz would lead or encourage during her tenure.



*Kathleen A. Blatz*  
*Minnesota Supreme Court*  
*1996-2006*

During her time as Chief Justice, a county-based and county-funded court system would be unified under one umbrella of state funding, to be governed by a newly created Judicial Council. Meanwhile, the branch would embark on a multiyear effort to bring all court records into one new, computerized statewide case management system.

A primary focus of Chief Justice Blatz' tenure was improving the plight of children caught up in the child protection system. Her Children's Justice Initiative, which she started in partnership with the Minnesota Department of Human Services, is believed to be the first statewide child protection reform effort in the country. Details of the many accomplishments of that effort come later in this annual report.

Over time, Chief Justice Blatz would become a national leader in child protection reform efforts. In 2005, she was selected to co-host a national summit held in Bloomington on reforming child protection that was attended by more than 300 judicial leaders from 49 states and three U.S. territories.

"Children are one of Kathleen's passions," District Judge Denise Reilly said at her retirement. "She took special interest in them when she was in the Legislature and then as a district court judge serving in juvenile court. She saw that many of the children who were removed from their parents' care ended up adrift in the foster care system, often for the rest of their childhoods."

"She asked, she cajoled, and she ordered all of us to see our decisions through the eyes of the child. She directed us to make decisions as wisely and quickly as possible to find safe and permanent homes for the children."

After eight years under her leadership, the Minnesota judiciary is a stronger, more unified and more effective branch of state government.

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# COMPLETING THE TRANSITION

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In 2005, the Minnesota Judicial Branch completed a fundamental transformation -- moving from a confederation of 87 county-funded and county-focused courts to one unified, independent branch of state government operating under a single umbrella of funding and governance.

“The old way was clearly a public policy disconnect,” then Chief Justice Blatz said in 2005. “We had the policies for the judicial branch being set by the Legislature, which had little responsibility for funding them, and the funding responsibility resting principally with the counties that had no responsibility for setting the policies they had to fund.”

“The judiciary was stuck in the middle, with the Legislature frustrated because its policies were not being implemented and the counties upset that they were asked to foot the bill – and increasingly reluctant to do so.”

The phased transition was complete on July 1, 2005, when the Sixth and Tenth Judicial Districts made the conversion to state funding. Now the Judicial Branch is focused on achieving the goals of state funding:

- Equitable levels of judicial services across the state
- Budgetary accountability: Consolidation of policy-making and funding responsibilities
- Administrative unity, including appropriate staffing at the county level
- Cost efficiency and increased effectiveness in all court operations

State funding has already resulted in many accomplishments and efficiencies:

- Work and staff are now being shared across county lines
- 32 of 85 court administrator positions have been consolidated
- Two of ten Judicial District Administrator positions have been consolidated
- Uniform practices have been developed and services streamlined in major program areas
- Court performance standards and effectiveness measures are being developed
- Resources are being reallocated based on statewide priorities
- Access to justice for every citizen is being improved

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# THE JUDICIAL COUNCIL

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In order to most effectively govern the new state funded court system, the Judicial Branch established the Judicial Council on July 1, 2005. The 25-member Judicial Council includes representatives from appellate and trial courts, and administrative offices.



*The Judicial Council at its meeting in August 2005.*

## MISSION STATEMENT OF THE MINNESOTA JUDICIAL COUNCIL

The purpose of the Minnesota Judicial Council is to govern the Judicial Branch through the establishment of statewide administrative policies designed to achieve an accessible, fair and timely system of justice statewide, and to ensure that the Judicial Branch functions as an independent and accountable branch of government.

In support of this purpose, the Judicial Council will exercise administrative policy-making authority for, but not limited to, the following:

- Development and implementation of the Branch strategic plan;
- Budget priorities, budget request, and submission of the Judicial Branch budget request to the executive and legislative branches;
- Collective bargaining;
- Human resources;
- Technology;
- Education and organizational development;
- Finance, including budget distribution among levels of court and among districts;
- Programs, including jury, Guardian ad Litem, interpreter, expedited child support;
- Children's Justice Initiative; and
- Core services, court performance, and accountability.

The Judicial Council will fulfill its purpose with a commitment to:

- Making decisions based on statewide values, needs, priorities, and goals in concert with the fair allocation of resources;
- Deliberating in many voices, but governing in one;
- Communicating openly and regularly with all stakeholders;
- Measuring achievement of statewide goals and policies;
- Focusing on strategies designed to meet future needs;
- Involving judges and administrators in implementation of policies; and
- Recognizing the needs of judicial districts to adopt local policies not inconsistent with Judicial Council policies.



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# IMPROVING COURT EFFICIENCY, EFFECTIVENESS

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## Creating a Statewide Case Management System

When completed in 2007, the new Minnesota Court Information System (MNCIS) will allow the Judicial Branch to collect, track, access, and analyze case information from anywhere in the state. These improvements will give judges and our criminal justice partners better information with which to make critical decisions.

MNCIS will be a major hub for the state's CrimNet program, which aims at enhancing the integration of state and local criminal justice information systems to better protect public safety, track offenders, share information, and aggregate data.

By the end of 2005, 39 counties had been converted to MNCIS, as well as the Probate/Mental Health division of Ramsey County District Court, and the Probate/Mental Health, Juvenile, Family, and Civil Divisions of Hennepin County District Court. The Sixth Judicial District has been completely converted to MNCIS.

That means that so far, more than two million cases have been converted to the new system. By December 2007, all 87 counties are expected to be using MNCIS to link court records.

## Saving Time with Electronic Courtrooms

Each of the 10 Judicial Districts now has at least one fully high-tech courtroom. The most advanced E-courtroom in the state was dedicated April 8, 2005, in Fillmore County.

Fillmore County District Court transformed its courtroom into an "e-courtroom" in order to improve efficiency in the way evidence is presented during a trial. The upgrade was included in Fillmore County's courthouse renovation.

The new technology includes inputs for audio equipment; the ability to use "white noise" so bench conferences cannot be overheard in the courtroom; monitors in the jury box and other courtroom locations so that trial participants can easily see evidence while attorneys use an electronic arrow to point or highlight; real-time transcripts of court proceedings and testimony; computer screens at the judge's bench that allow the judge to control all of the electronic equipment; and closed-circuit television connecting the courtroom to the court adminis-

trator's office to track courtroom progress and alert law enforcement officers in an emergency.

An annotation monitor at the witness' station allows a witness to clarify testimony by pointing at the screen, and assisted-hearing equipment has been made available to ensure quality presentation of materials and save time by cutting down repeated clarifications. As a result of this technology, court staff estimates that trials have been shortened by approximately 25 percent. We believe that the Fillmore County courtroom is a forerunner of future Minnesota courtrooms.



*A view from the judge's bench in Fillmore County's E-Courtroom.*

## Eliminating Case Backlogs

In an effort to eliminate case backlogs and speed up case processing, Dakota County District Court held special weekend court sessions in March 2005 to provide an alternative time and location for people with active bench warrants.

The court waived the bench warrant fee for participants and made a public defender available to them if they qualified. The special weekend sessions were offered to help the court better manage increasing caseloads. The project included assistance from the Dakota County Sheriff, the First District public defenders, the city attorneys of Dakota County, and Dakota County Community Corrections.

At the time, there were more than 4,600 active Dakota County bench warrants issued by judges. Violations included probation violations and failure to appear in court, failure to pay fines, or failure to report to jail. Court officials see the project as an innovative way to enforce judges' orders, make



participants accountable to the court system and to victims, and increase the collection of fines and fees.

### Early Case Management of Family Court Cases

Dissolution matters involving children can be long, painful for all involved, expensive, and consume extensive court resources. That's why the Fourth Judicial District developed its Early Neutral Evaluation (ENE) program, which serves divorcing parents or never-married parents who are disputing custody, visitation/access, or parenting plans for their minor children.



*The Fourth Judicial District's Financial Early Neutral Evaluation Committee includes:*

*Judge Tanja Manrique (third from left), Judge Regina Chu (front and center), and Presiding Judge of Family Court James Swenson (second from right)*

Early Neutral Evaluation is a confidential, settlement-oriented, accelerated alternative dispute resolution process that moves families through court as quickly, fairly, and inexpensively as possible. The Fourth Judicial District also has developed an ENE financial program, and provides training for other districts in implementing their own ENE programs.

In the ENE process, a two-person male/female ENE team meets with the parties and their attorneys. Each side makes brief case presentations, gives brief responses to the other's presentation, and answers questions from the ENE team. After a private consultation, the ENE team gives feedback regarding the probable outcome of a full evaluation, and what they deem to be viable settlement options. The idea is to short-circuit potentially contentious negotiations, and explore the possibility of expediting the final settlement. An evaluation of the ENE program is available from the Fourth District Court Administration.

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## 100<sup>TH</sup> ANNIVERSARY OF MINNESOTA'S JUVENILE COURT

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During 2005, the centenary of the Minnesota juvenile courts, the Judicial Branch acknowledged its history and examined what it means to pursue justice for children and families. The Minnesota Supreme Court commemorated the 100th anniversary with two events.

The first was a reenactment on May 13, 2005, by current court members, of excerpts of the oral arguments that led to the U.S. Supreme Court opinion, *In re Gault*, which established due process rights for juveniles.



*The Supreme Court heard oral arguments in the reenactment of *In re Gault*.*

The second event was a November 4, 2005, symposium on "Emerging and Innovative Ideas in Juvenile Law" held at William Mitchell College of Law. Topics covered included mental health and brain development in children, the role of judges and advocates in juvenile courts, confidentiality issues in child protection and delinquency cases, youth sex offenders, issues relating to minority children in the juvenile system, and ethical representation of juveniles in court.

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# REFORMING THE NATION'S FOSTER CARE SYSTEM

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Minnesota court and child welfare agency leaders participated in an unprecedented national effort in 2005 to better protect abused and neglected children who come under the care of the court system. Minnesota's team hosted court leaders and representatives of child welfare agencies from 49 states, the District of Columbia, and three U.S. territories for "Changing Lives By Changing Systems: National Judicial Leadership Summit for the Protection of Children" which took place September 20-23, 2005.

The National Center for State Courts (NCSC), the Conference of Chief Justices (CCJ), the Conference of State Court Administrators (COSCA), the Pew Charitable Trusts, and the National Council of Juvenile and Family Court Judges co-sponsored the Summit. Minnesota Chief Justice Kathleen Blatz co-chaired the event along with Vermont State Court Administrator Lee Suskin.

Justice Blatz welcomed the more than 300 attendees, saying: "Seeing all of you here today is really a dream come true for me. For several years, I have hoped to bring together a core group of people who have the ability to really make a difference in child protection. You are here because you represent the critical mass for action. You are in a unique position to dramatically change the lives of our country's abused and neglected children."

"My real dream—and that of this conference's phenomenal planning committee—wasn't to just have a conference, where people talk and learn, and then go home enlightened but largely unchanged. Our goal was that by bringing together the right people—teams of people—at the right time—we would equip you to take action, to make real progress, and to change lives."

The Summit served as the springboard for a series of actions designed to reform the way abused and neglected children's cases proceed through the courts. One of the Summit's goals was to reduce delays in securing safe, permanent homes for children in foster care. During the summit, each state's team developed an action plan to improve its child protection procedures and programs. These action plans are being compiled into a National Call to Action for state courts, and will launch a collaborative reform plan between the courts and child welfare agencies at state and local levels. More than 40 justices or judges from the states' highest courts and more than 300 people in total attended the four-day Summit.



*A panel convenes at the National Judicial Leadership Summit for the Protection of Children in September 2005.*

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# COURT INNOVATIONS

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The Minnesota Judicial Branch continues to search for innovative ways to resolve disputes more efficiently and more effectively, and to use public resources most wisely. Innovations in delivering children's justice, implementing technology, maintaining public trust and confidence, and providing access to justice resulted in many accomplishments in 2005.

## Children's Justice Initiative

Even after 100 years, we are still working to improve the treatment of abused and neglected children, and there is once again a spirit of optimism about the strides we have made. To that end, the Judicial Branch continues its efforts with the statewide Children's Justice Initiative (CJI).

Launched in 2001, the Children's Justice Initiative has been steadily improving child protection case processing and expediting placement in permanent homes for maltreated children through reunification with their birth family, or placement with a relative or another family.

Through this initiative, a partnership with the Minnesota Department of Human Services, lead judges in all 87 Minnesota counties are allied with members from juvenile court, social services departments, county attorneys' and public defenders' offices, court administration, Guardian ad Litem (GAL) programs, and others involved in child abuse and neglect cases.

Minnesota has made excellent progress over the past five years in reducing the length of time children spend in out-of-home placement. From 2000 to 2004 there was a steady reduction in the percentage of children in out-of-home placement longer than 365 days at the time of the permanent placement determination hearing.

There was also a steady reduction in the average number of days children spent in out-of-home placement before a permanent placement determination. For children under age eight, the average dropped from 303 days to 246 days, and for all children, the average dropped from 321 days to 280 days.

These improvements are even more dramatic when compared to the statistics contained in the 1997 Initial Assessment of the state's child protection system, which reported that 67 percent of children were in out-of-home placement over 365 days for an average time of 468 days.

Minnesota has made significant progress in ensuring that children involved in child protection matters are assigned a GAL to advocate for the child's interests. Court records show steady improvement since 2000 in the percentage of children assigned a guardian. These improvements are even more dramatic when compared to the statistics contained in the 1997 Initial Assessment, which reported that only 54 percent of Minnesota children were being assigned a GAL at that time.

GAL representation of abused and neglected children rose to 97 percent in 2004, and then to near complete coverage in 2005 – despite budget cuts. Appointments and assignments are happening promptly, with the vast majority of Guardians ad Litem appearing at the first hearing, and reports to the court are being timely served.

## Advocating for All Children

Minnesota's Guardian ad Litem (GAL) program, which provides advocates to represent the best interests of abused and neglected children in court, completed implementation of its multi-year improvement plan in 2005. As a result, what was formerly a patchwork of county-based programs with varied funding and practices has been converted into a guardian system that is state-funded and state-supervised, with consistent training and oversight; administered by the judicial district and operated at the local level.

### 2005 accomplishments include:

- Conducting a statewide judge satisfaction survey that found about 80 percent of judges strongly agree or agree that the "quality of GAL advocacy is improving."
- Implementing the "ICWA-GAL Services Improvement Project" which has trained more than 100 Guardians on the Indian Child Welfare Act and is providing expert legal assistance on ICWA cases around the state.
- Creating a "Guardian ad Litem Clinic" for law school students through a partnership with William Mitchell College of Law and the state GAL program. The clinic has trained several students to be GALs.
- Developed a "Pro Bono Representation for Guardians ad Litem Project" with the law firm of Robins, Kaplan, Miller and Ciresi that will provide hundreds of thousands of dollars in legal representation at no cost to the Twin Cities area GAL programs.
- Trained more than 100 individuals from around the state in a revised GAL Pre-Service Training that uses actual cases, requires a written report, and stages a mock hearing.
- Implemented a comprehensive GAL background check procedure with the Department of Human Services that gives the courts access to both criminal and maltreatment backgrounds; developed the third version of the GAL database, Galaxy, which is a program management tool and performance reporting system.

## Accommodating the Hearing- Impaired

The Equal Access to Justice for Deaf and Hard of Hearing Committee worked hard in 2005 to create resources and training materials for judges and court staff, and to adequately equip courtrooms statewide with accommodations for people hard of hearing.

Upgrades were made to courtrooms in each judicial district, which included assistive listening devices. Many courtrooms have also been equipped with sound amplification systems. More than 137 courtrooms in the state have benefited from this effort.

## Helping Families Recover and Care for Their Children

The Children's Justice Initiative-Alcohol and Other Drugs (CJI-AOD) Project was launched in 2005 to serve families affected by alcohol and other drug problems. It is estimated that more than 80 percent of the child protection cases have alcohol and other drug problems as a critical or exacerbating factor.

The CJI-AOD Project team, including representatives from counties, Native American tribes, child protection agencies, chemical dependency treatment providers, and juvenile courts, is working to address this problem. The mission of the project is to ensure abused and neglected children involved in the juvenile protection system have safe, stable, and permanent families by improving parental and family recovery from alcohol and other drug problems.

Accomplishments in 2005 included: conducting a series of focus groups with parents who have had experience with alcohol and other drug problems and the child protection system; creating a "best practices" toolkit for counties, Native American tribes and community service providers; and developing enhancements to the Children and Family Service Review process to help counties better evaluate how they are dealing with alcohol and other drug problems in their child protection system.

Each of these efforts will aid in building the capacity of the chemical health, county, and court systems to better address problems, develop cross-jurisdictional cooperation, and improve court and human service system practices.

## Expanding Court Interpreter Services

The Minnesota Judicial Branch is working hard to meet the rapidly growing need for court interpreter services. In 2005, approximately 30,000 court hearings required interpreter services; an average of 120 hearings per day. Interpreters were provided in 65 languages. While 80 percent of these hearings required Spanish, Hmong, or Somali interpreters, the courts have seen an increased demand for interpreters for more uncommon languages such as Amharic, Anuak, Nuer, and Tigrinya.

More interpreters passed the certification exam in 2005 than in recent years, and Mandarin has been added to the list of languages for which certified interpreters are available. Testing and training for new interpreters have been made available in Mankato and Rochester as part of the program's commitment to developing interpreters throughout the state.

Significant changes have also been made to the rules that regulate court interpreters, most notably, development of a comprehensive procedure for handling ethics and other complaints against court interpreters. Complaint forms in English, Spanish, Hmong, and Somali are being made available to courthouses around the state.

In 2005, the Court Interpreter Program worked to train court participants how to effectively communicate through interpreters. During the year, the program presented more than a dozen training sessions to attorneys, judges, probation officers, and social service advocates. As part of its efforts to increase communication with Minnesota immigrant communities, program representatives were featured on a Somali television show and a Spanish-speaking radio talk show.

Finally, the Minnesota Supreme Court Advisory Committee on the Rules of Civil Procedure recently amended Rule 43.07 of the Civil Rules to mandate that courts provide and pay for interpreters in all civil cases. This change was made in order to bring the rule into conformity with the existing statute, and to support the Judicial Branch's continuing efforts to ensure racial fairness in the system.



## Ensuring Racial Fairness

The way the Judicial Branch communicates with court users must be as diverse as the users themselves. The Supreme Court Racial Fairness Committee held several meetings in the past year with community groups to discuss issues of importance to people of color and the courts.

A discussion at the Brian Coyle Center in Minneapolis focused primarily on the Immigrant Women's Advocacy Project, which provides culturally appropriate domestic abuse services to Somali women, civil legal services clinics to community members, and an immigration clinic.

Other community meetings involved CLUES (Chicanos Latinos Unidos en Servicio) in St. Paul and Turning Point, an African American social and health services program, in North Minneapolis. These meetings focused on the availability of interpreter services, the need for culturally appropriate treatment services, and the need for basic understanding of how the courts work to improve public trust and confidence.



*The Supreme Court Racial Fairness Committee met with members of the Brian Coyle Center in July 2005.*

## Helping Court Users Help Themselves

The Fourth Judicial District's nationally-recognized Self Help Center (SHC) provides multi-lingual resources for self-represented litigants. The Center receives about 26,000 visits annually. Center staff and volunteers help with divorce, paternity, parenting time, child support, motor vehicle issues, criminal expungement, housing, and other cases by providing forms and general guidance about the law and procedures. Through partnerships with the local Bar Association and with Legal Aid Services, visitors can also receive legal advice.

The Self Help Center contributes to the efficient processing of pro se cases, and is a critical part of the Judicial Branch strategic commitment to providing equal access to justice for all. In 2005, the Self Help Center developed an online tutorial, videos, and forms-assembly software. Work is under way to develop an online self-help center that will be accessible through the Internet.



*The Fourth Judicial District's Self Help Center offers many services to pro se litigants.*

## DWI Court

**DWI**Courts are specialty courts established to better address the problem of repeat drunk drivers by providing focused and individualized attention to the offender. Innovative sentences and incentives are used with the aim of improving public safety by keeping drunk drivers off the road.

Rather than continuing the cycle of being arrested for DWI, going to court, and serving jail time, repeat offenders are encouraged to stay sober and change their lives. Reduced jail sentences can be earned, but participants who choose to be part of the program must go through treatment, be tested randomly for alcohol use, receive random field visits from police, and possibly wear an ankle bracelet that detects alcohol use. Attendance at frequent court sessions is also required. Funded by federal grants, DWI courts have been established in Ramsey and Koochiching counties.

## Rewarding Students Who Stay in School

**B**lue Earth County Truancy Court, a pilot program launched in 2005, is the first of its kind in the state. Dedicated professionals in the education and criminal justice fields, including those from Mankato Area Public schools, juvenile probation, juvenile corrections, human services, the Blue Earth County Attorney's office, and Blue Earth County District Court have collaborated to fight truancy.

Truancy Court convenes weekly at East Junior and Senior High Schools in Mankato, MN. The judge meets with students, parents, and support staff in the auditorium, which is set up like a courtroom. The focus of the program is on building a rapport with the students. The goal is to reach decisions together based on what will get them back on track and help them in the long run by increasing their attendance and academic achievements. In each case, punishment or incentives are assigned by the judge, depending on the circumstances. The most severe penalty is electronic monitoring. The program has resulted in improvements in student grades, and fewer behavior problems at school.

## Serving Domestic Abuse Victims

**T**he nationally-recognized Domestic Abuse Service Center (DASC) in the Fourth Judicial District provides a full range of services to domestic abuse victims and their families, including help with getting orders for protection, legal advice from city and county attorneys, as well as assistance in formulating safety plans and finding temporary housing.

In 2005, the DASC moved into a new space in the Hennepin County Government Center, specifically designed to provide a secure and welcoming environment. Special additions include a children's playroom, a quiet room with a crib and rocking chair, conference areas for staff members, and secure entrances.

The Fourth Judicial District has taken great strides to raise awareness about domestic abuse services with under-served population groups, and to provide support services related to the abuse of seniors and vulnerable adults. Services are also provided in multilingual and culturally-specific formats.



*The lobby of the Domestic Abuse Service Center in the Fourth Judicial District.*



## Helping Homeless Veterans

On August 5 in Minneapolis, Tenth Judicial District Court Judge Jenny Walker Jasper and Fourth Judicial District Court Judge John J. Sommerville presided over special court sessions to resolve outstanding low-level criminal charges for homeless veterans. More than 20 Minnesota defense attorneys and prosecutors also participated, and approximately 45 cases were heard.

The sessions were held as part of Minnesota StandDown 2005. StandDowns are typically one- to three-day events in which homeless veterans are provided food, clothing, medical services, VA and Social Security benefits counseling, and referrals to needed services. The annual event helps homeless veterans put their lives back on track.

The special court sessions provide veterans an opportunity to appear before a judge and, with the assistance of other justice agencies, fulfill their obligations to the criminal justice system. Most of the charges dealt with are traffic offenses or misdemeanor crimes associated with poverty and homelessness.

Minnesota courts became involved with Minnesota StandDown more than a decade ago under the leadership of Anoka County Judge Lynn Olson. Since she retired, the Coon Rapids City Attorney has taken the lead on coordinating the event, and Judge Walker Jasper has continued to participate along with Anoka County law clerks and court administration employees.

Judges in Stearns County have also participated in the program.

## Amending the Rules of Public Access to Court Records

Courts are often in the position of having to balance competing rights, like the public's right to access court records and individual privacy rights. This balancing act has become especially difficult in the age of the Internet and online content search services. The Supreme Court, which oversees the rules by which Minnesota courts operate, undertook a study in 2004 and 2005 to review its rules of public access to court records in light of these changing technologies.

That study concluded July 1, 2005, when the Minnesota Supreme Court ordered amendments to the Rules of Public Access to Records of the Judicial Branch. The amendments addressed access to both electronic and paper records.

### What's Public?

- Internet access is limited to registers, calendars, indexes, judgment dockets, judgments, orders, notices, and appellate opinions.
- Calendars, including pre-conviction criminal cases, can be on the Internet if reasonable efforts are made to prevent them from being electronically searched by defendant name.
- Internet access to pleadings is allowed on a case-by-case basis if authorized by court order.
- Appellate briefs are available on the Internet provided appendices are redacted.
- Juror qualification records in criminal cases are available subject to a balancing of interests test.

### What's Not Public?

- Restricted identifiers (SSN, EID, financial account numbers) for all case types are not available on public access terminals or the Internet, and are not available on paper if litigants follow correct procedure to protect such information.
- Financial source documents (tax returns, wage stubs) for all case types are not available on public access terminals or the Internet, and are not available on paper if litigants follow correct procedure to protect such information.
- Race data, except summary statistics, are not available on public access terminals or the Internet, but some race data is available on paper (e.g., description of a defendant contained in a criminal complaint).
- Pre-conviction criminal records are not published on the Internet unless reasonable efforts are made to prevent them from being electronically searched by defendant name. (A pre-conviction criminal record, including but not limited to motions, orders, and other documents in a case file, is a record for which there has been no conviction accepted and recorded by the court in the form of a plea, jury verdict, or court finding of guilty.)

A copy of the Court's order, rules as promulgated showing the changes adopted, and revised tables for case, administrative, and vital statistics records are available at <http://www.courts.state.mn.us>.

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# BRINGING THE COURTS TO THE COMMUNITY

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In 2005, Judicial Branch outreach programs included special events, judge visits to schools and civic groups, and thousands of student and adult visitors to courthouses across the state and to the Minnesota Judicial Center in St. Paul. More than 4,300 students and adults visited the Minnesota Judicial Center to observe court and meet with appellate judges.

## Traveling Oral Arguments

In an effort to teach Minnesotans about the courts, the Supreme Court continued its tradition of holding oral arguments in schools across the state. Twice a year, the Court hears its oral arguments in schools and then opens the program to questions from students. Attorneys from local bar associations volunteer to review case briefs and prepare students for oral arguments.

The Court visited Stillwater Area High School in the Tenth Judicial District in the spring of 2005. The morning program consisted of oral arguments and a question and answer period followed by lunch. In the afternoon, members of the Court traveled to surrounding middle and elementary schools to visit with students not able to participate in the argument session.

In October of 2005, the Court visited the Grand Rapids area in the Ninth Judicial District. The Itasca Community College (ICC) sponsored an evening with the Supreme Court where members of the community, local district court judges and staff, and Supreme Court justices visited during a dinner in the student commons. The Court convened for oral arguments the following morning in the Myles Reif Performing Arts Center at the Grand Rapids Area High School. Students from ICC and Greenway Senior High School also observed the arguments live via cable television at ICC. Following the morning session, members of the Supreme Court traveled to local schools and visited students in their classrooms.

Nearly 4,000 students and community members participated in the two visits.



*Minnesota Supreme Court justices and Washington County District Court judges joined students and staff for lunch after the program at Stillwater Area High School.*



*The Supreme Court justices introduce themselves before the question and answer session at Grand Rapids Area High School.*

## Constitution Day

Students and faculty from Metropolitan State University participated in the “Constitution Day 2005 Conversation with Members of the Supreme Court of Minnesota” program in September 2005. Attendees of the program took part in a discussion on “Freedom of Speech and Academic Freedom.” The program featured Associate Justices Paul Anderson and G. Barry Anderson and was centered on “The Academic Bill of Rights” that was introduced during the 2005 Minnesota legislative session.

The program, sponsored by and held at Metropolitan State University St. Paul campus, gave students and faculty the opportunity to learn about and debate First Amendment and freedom of speech issues with members of the Minnesota Supreme Court.

## Recognizing Law Day

Many efforts statewide recognized Law Day 2005.  
The theme was *“The American Jury: We the People in Action.”*

Law Day events included:

- Approximately 100 students observed court at the Fillmore County Courthouse and went on a tour of the jail.
- High school students visited the Wabasha County Courthouse and participated in a mock trial.
- The judges in Steele County served as presiding judges for local high school mock trial team tournaments.
- Steele County District Court staff gave presentations to local elementary and alternative school classes and hosted college students who observed court sessions.
- Houston County District Court conducted a mock trial co-sponsored by the American Legion.
- The Dakota County Law Library, Dakota County District Court, and the First District Bar Association collaborated to draft a proclamation, signed by the County Board of Commissioners, declaring May 1 a Law Day and May 2-6 as Juror Appreciation Week. During the week, jurors were given commemorative bookmarks and garden (flower) seeds and a local radio station interviewed a local attorney about the American jury.
- Court administration in Kanabec County conducted a mock trial for local third grade students. The students also learned about all facets of the court system and received a tour of the courthouse and the jail.
- Roseau County Judge Donna Dixon and the court administrator’s office hosted more than 200 local students in grades 2-4 who toured the courthouse and took part in a mock trial.
- The district courts in Hibbing and Virginia presented a mock trial, with Cinderella as the plaintiff, for hundreds of fifth grade students.
- Minnesota Supreme Court Associate Justice Russell Anderson visited Park Rapids in Hubbard County and spoke to students in the area about the Judicial Branch.
- Minnesota Supreme Court Associate Justice Sam Hanson spoke to District 11 of the Minnesota State Bar Association in the Sixth Judicial District.



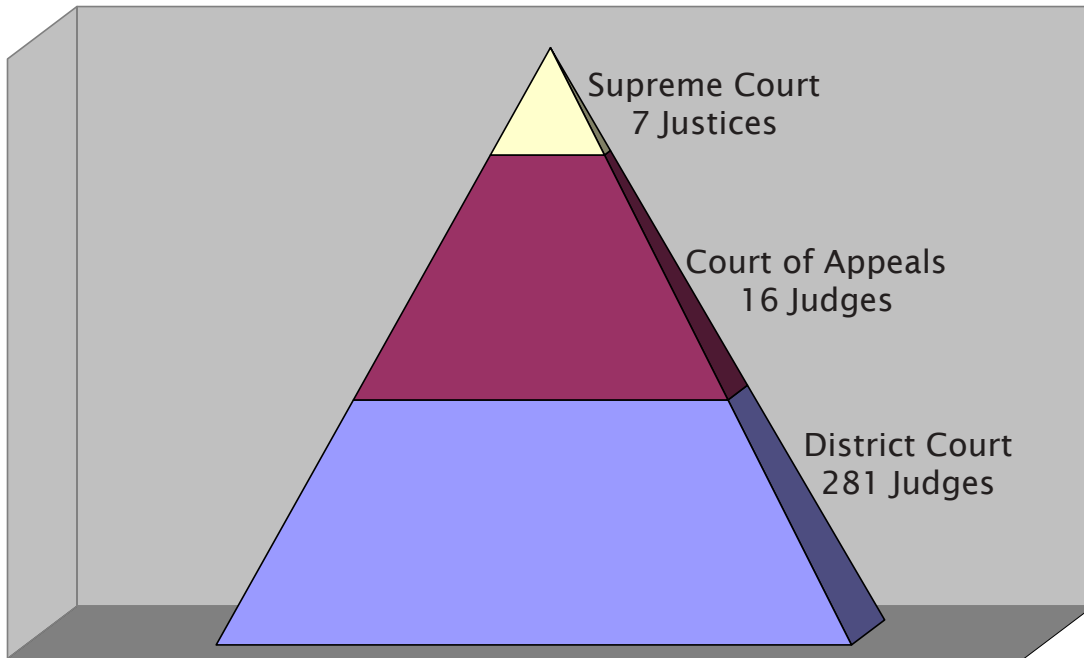
*Characters from “Cinderella” listen to court proceedings during a mock trial presented in recognition of Law Day by the Hibbing and Virginia district courts.*

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# JUDGES IN MINNESOTA

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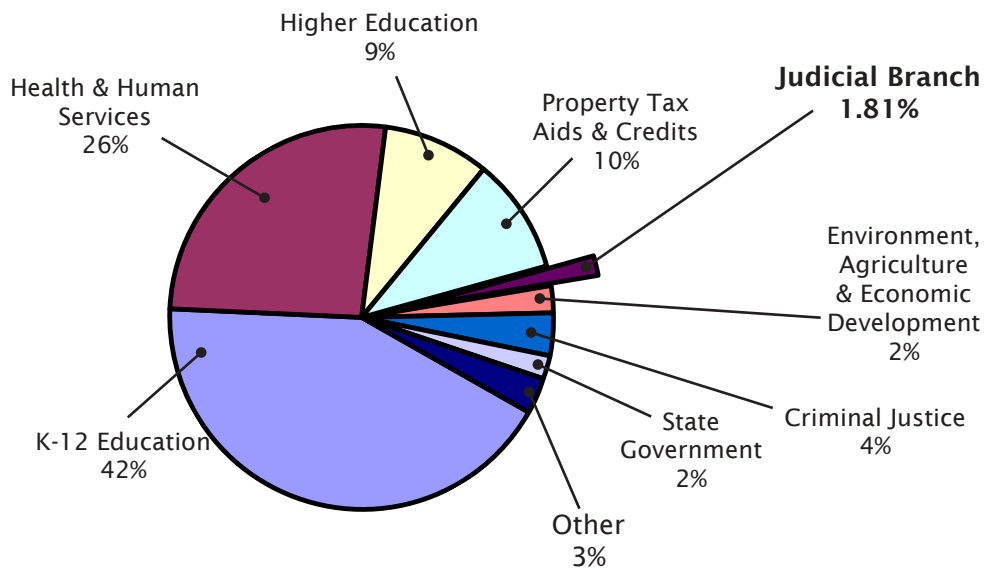
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## WHERE THE STATE'S GENERAL FUND DOLLARS GO

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# DISTRICT COURTS

The more than 2 million cases per year that are filed in Minnesota's Judicial Branch begin in the state's district courts. The 281 district court judgeships, divided amongst 10 judicial districts, handle a wide variety of case types.

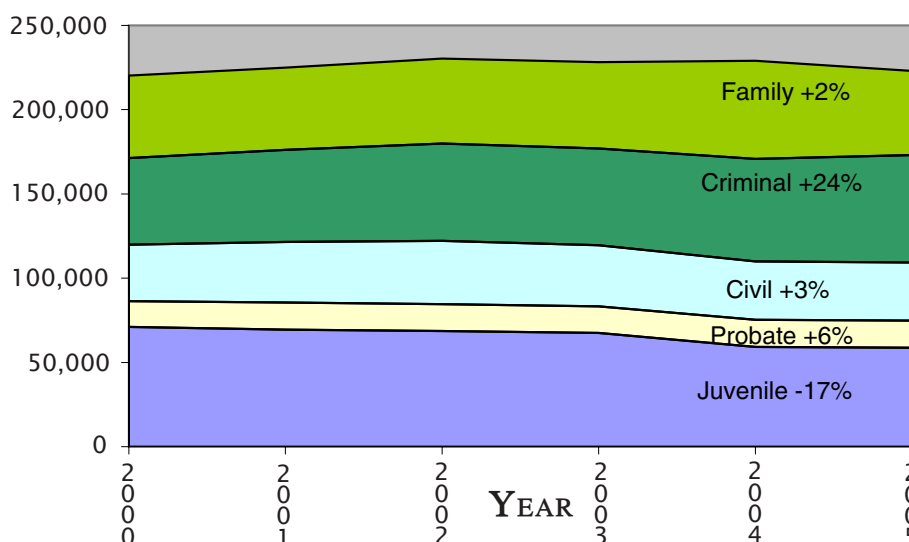
## District Court Judges Who Left the Bench in 2005:

<b>Ramsey County District Court</b> Judge Louise D. Bjorkman	<b>Kandiyohi County District Court</b> Judge John C. Lindstrom	<b>Becker County District Court</b> Judge William E. Walker
<b>Winona County District Court</b> Judge Lawrence T. Collins	<b>Nicollet County District Court</b> Judge Warren E. Litynski	<b>Otter Tail County District Court</b> Judge Kathleen A. Weir
<b>Hennepin County District Court</b> Judge Diana S. Eagon	<b>Washington County District Court</b> Judge Gary L. Meyer	<b>Waseca County District Court</b> Judge Renee L. Worke
<b>Hennepin County District Court</b> Judge Jeanne J. Graham	<b>Washington County District Court</b> Judge Stephen L. Muehlberg	
<b>Hennepin County District Court</b> Judge Myron S. Greenberg	<b>Polk County District Court</b> Judge Dennis J. Murphy	

## New Judges in 2005:

<b>Ramsey County District Court</b> Judge Diane R. Alshouse	<b>Anoka County District Court</b> Judge Sean C. Gibbs	<b>Wright County District Court</b> Judge Michelle A. Larkin
<b>Ramsey County District Court</b> Judge Robert A. Awsumb	<b>Hennepin County District Court</b> Judge Lorie S. Gildea	<b>Wright County District Court</b> Judge Kathleen A. Mottl
<b>Hennepin County District Court</b> Judge Susan N. Burke	<b>Otter Tail County District Court</b> Judge Barbara R. Hanson	<b>Beltrami County District Court</b> Judge Shari R. Schluchter
<b>Waseca County District Court</b> Judge Larry M. Collins	<b>Wright County District Court</b> Judge Johnathan N. Jasper	<b>Kandiyohi County District Court</b> Judge Michael J. Thompson
<b>Washington County District Court</b> Judge B. William Ekstrum	<b>Washington County District Court</b> Judge Kenneth L. Jorgensen	<b>Nicollet County District Court</b> Judge Todd W. Westphal

## CASE FILINGS 2000-2005





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# COURT OF APPEALS

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The Minnesota Court of Appeals hears appeals from the state's district courts and other state agencies. The court's 16 judges work in rotating three-judge panels and hear cases in St. Paul and across greater Minnesota. The court strives to provide Minnesotans with impartial, clear, and timely appellate decisions made according to law.

The court remains a national model of efficient case processing and delay reduction. It has also become one of the more diverse appellate courts in the country, with more than one-third of its judges being women and four of its judges being of color.

## Court of Appeals Judges:

**Chief Judge Edward Toussaint, Jr.**  
1995 – Present

**Judge Harriet Lansing**  
1983 – Present

**Judge R. A. "Jim" Randall**  
1984 – Present

**Judge Thomas Kalitowski**  
1987 – Present

**Judge Robert Schumacher**  
1987 – Sept. 2005

**Judge Roger Klaphake**  
1989 – Present

**Judge Randolph Peterson**  
1990 – Present

**Judge James Harten**  
1992 – March 2005

**Judge Bruce Willis**  
1995 – Present

**Judge Gordon Shumaker**  
1998 – Present

**Judge Jill Flaskamp Halbrooks**  
1998 – Present

**Judge Terri Stoneburner**  
2000 – Present

**Judge David Minge**  
2002 – Present

**Judge Natalie Hudson**  
2002 – Present

**Judge Wilhelmina Wright**  
2002 – Present

**Judge Christopher Dietzen**  
2004 – Present

**Judge Renee Worke**  
June 2005 – Present

**Judge Kevin Ross**  
Dec. 2005 – Present

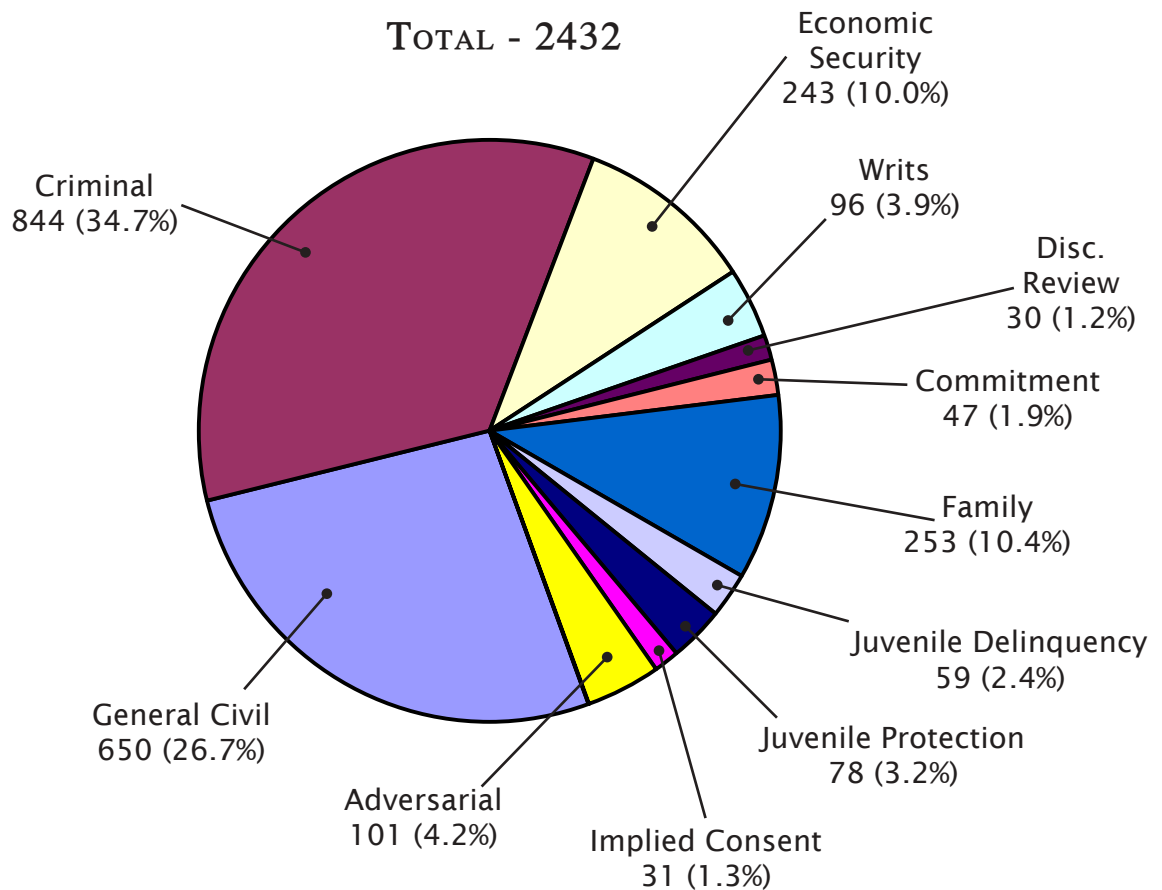


Standing (left-right): Judge Renee L. Worke, Judge Wilhelmina M. Wright, Judge David Minge, Judge Jill Flaskamp Halbrooks, Judge Gordon W. Schumaker, Judge Terri J. Stoneburner, Judge Natalie E. Hudson, Judge Christopher J. Dietzen, Judge Kevin G. Ross

Sitting (left-right): Judge Randolph W. Peterson, Judge Thomas J. Kalitowski, Judge Harriet Lansing, Chief Judge Edward Toussaint, Judge R.A. "Jim" Randall, Judge Robert M. Klaphake, Judge Bruce D. Willis



# 2005 COURT OF APPEALS CASE FILINGS



## COURT OF APPEALS DISPOSITIONS

Disposition	2005
Affirmed	1048
Modified	14
Reversed	256
Mixed	164
Dismissed	635
Other	53
<b>Total Dispositions</b>	<b>2170</b>

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# SUPREME COURT

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Seven justices make up the Minnesota Supreme Court, the state's court of last resort. The court hears appeals from the Minnesota Court of Appeals, the Workers' Compensation Court of Appeals and the Tax Court. Justices hear attorney and judge discipline matters and all first-degree murder conviction appeals from the district courts. Supreme Court justices also oversee the administration of the Judicial Branch by serving as liaisons to the state's 10 judicial districts, and to various boards and task forces that set policy and study justice system issues.



STANDING (LEFT - RIGHT); *Associate Justice G. Barry Anderson, Associate Justice Helen Meyer, Associate Justice Sam Hanson, Associate Justice Lorie Gildea*

SITTING (LEFT - RIGHT); *Associate Justice Alan Page, Chief Justice Russell Anderson, Associate Justice Paul Anderson*

## Supreme Court Justices:

**Chief Justice Russell A. Anderson**  
Jan. 2006 - Present

**Associate Justice Alan C. Page**  
1993 - Present

**Associate Justice Paul H. Anderson**  
1994 - Present

**Associate Justice Helen M. Meyer**  
2002 - Present

**Associate Justice Sam Hanson**  
2002 - Present

**Associate Justice G. Barry Anderson**  
2004 - Present

**Associate Justice Lorie Skjerven Gildea**  
Jan. 2006 - Present

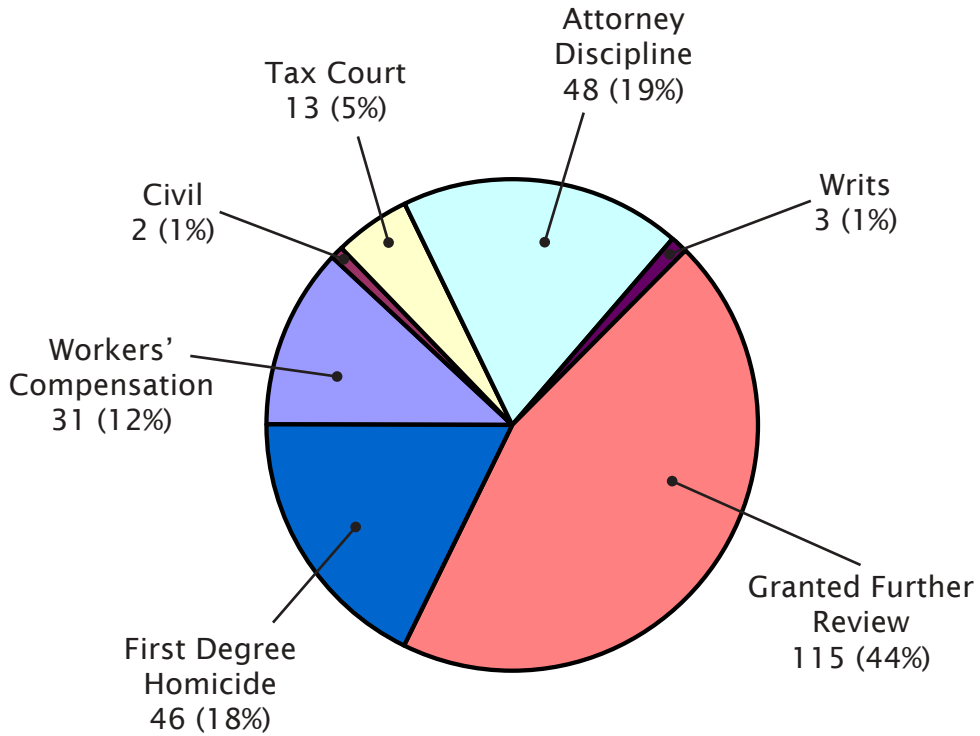
**Former Chief Justice Kathleen A. Blatz**  
1996 - Jan. 2006 (*not pictured*)



*The Supreme Court following former Chief Justice Kathleen A. Blatz's final oral arguments at the Capital.*

# 2005 SUPREME COURT FILINGS

TOTAL - 258



## SUPREME COURT DISPOSITIONS

Disposition	2005
PFR Denied	523
Affirmed	82
Reversed	51
Mixed	16
Dismissed	51
Other	30
<b>Total Dispositions</b>	<b>753</b>

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# MINNESOTA JUDICIAL COUNCIL

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## CHAIR

**Hon. Russell A. Anderson**  
Chief Justice, Minnesota Supreme Court

## VICE- CHAIR

**Hon. John P. Smith**  
Chief Judge, Ninth Judicial District

## SUPREME COURT

**Hon. Sam Hanson**  
Associate Justice, Minnesota Supreme Court

## COURT OF APPEALS

**Hon. Edward Toussaint Jr.**  
Chief Judge, Court of Appeals

**Hon. Wilhelmina M. Wright**  
Judge, Court of Appeals

## DISTRICT COURTS

**Hon. William E. Macklin**  
Chief Judge, First Judicial District

**Hon. Gregg E. Johnson**  
Chief Judge, Second Judicial District

**Hon. Bill Johnson**  
Chief Judge, Third Judicial District

**Hon. Lucy A. Wieland**  
Chief Judge, Fourth Judicial District

**Hon. George I. Harrelson**  
Chief Judge, Fifth Judicial District

**Hon. David P. Sullivan**  
Chief Judge, Sixth Judicial District

**Hon. Michael L. Kirk**  
Chief Judge, Seventh Judicial District

**Hon. Steven E. Drange**  
Chief Judge, Eighth Judicial District

**Hon. Gary R. Schurrer**  
Chief Judge, Tenth Judicial District

**Hon. James W. Hoolihan**  
Judge, Seventh Judicial District

**Hon. Catherine L. Anderson**  
Judge, Fourth Judicial District

**Hon. Denise D. Reilly**  
Judge, Fourth Judicial District

**Hon. John R. Rodenberg**  
Judge, Fifth Judicial District

**Hon. Gerald J. Seibel**  
Judge, Eighth Judicial District

**Sue K. Dosal**  
State Court Administrator

**Jeffrey G. Shorba**  
Deputy State Court Administrator

**Gerald J. Winter**  
District Administrator, First Judicial District

**Mark S. Thompson**  
District Administrator, Fourth Judicial District

**Richard H. Fasnacht**  
District Administrator, Fifth Judicial District

**Judith A. Besemer**  
Court Administrator, Blue Earth County

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## CHALLENGES AHEAD

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The Minnesota Judicial Branch has made great progress in recent years in creating a unified, professionalized, more efficient court system, and is nearing its goal of being able to take advantage of the latest information-processing technology in its day-to-day work. But several major challenges remain.

Having completed the transition to full state funding of our trial court operations, the focus now must shift to achieving the goals of state funding: ensuring equitable levels of judicial services across the state; consolidation of policymaking and funding responsibilities; and enhancing cost efficiency and effectiveness in all court operations.

A second challenge involves the impact of drug and alcohol abuse on crime and, by extension, the justice system. The arrival of the methamphetamine epidemic, which began in the Northwest region of the nation and moved eastward in the past decade, has brought with it new pressures on our police, our courts, and our prisons.

Serious felony drug cases have risen significantly, fueled mostly by meth related cases, which rose from 472 in 1999 to 3,948 in 2004. The Department of Corrections estimates that 90 percent of the 8,300 inmates it supervises are chemically dependent or chemically abusive. As many as 60 percent have been determined to need primary treatment. Research shows that without treatment, 95 percent will return to regular drug and alcohol use, with two-thirds being rearrested within three years.

Child protection efforts in many parts of the state have experienced major new demands in the need to intercede for children whose parents are involved in meth abuse, production, or trafficking. In some courts, officials estimate that as many as 70-80 percent of their child protection cases involve meth abuse by parents. Court officials note that the often violent behavior of meth abusing parents, and the hazardous nature of meth production, are forcing officials to remove an increasing number of children from their homes to protect them.

The meth epidemic, combined with ongoing concern about alcohol and drug related abuse, led to the formation of a task force to study their impact on the courts, and to recommend ways the courts can better address these cases. A Supreme Court Task Force has called for a "broad and fundamental shift" in how courts deal with alcohol and other drug (AOD) addicted offenders, including increased use of specialty "problem-solving courts", such as drug and mental health courts, increased treatment

options, and greater collaboration among justice system partners. Use of these new strategies will expand in 2006, along with efforts to monitor their effectiveness.

"For years we've been struggling to find better ways to deal with the large numbers of people who end up in our courts mainly because they're addicted to alcohol or other drugs," said Judge Joanne Smith, who served as task force chair. "Courts around the country and in Minnesota are now developing much more effective approaches for holding addicted offenders accountable and setting them dependably on the path to sobriety and recovery."

The final major challenge facing the Judicial Branch involves nothing less than the public's faith in the fairness of the courts. Major decisions by the U.S. Court of Appeals for the Eighth Circuit and the U.S. Supreme Court have eliminated significant components of the process the state has been using to select its judges. Gone now are restraints on judicial candidates seeking partisan endorsement in judicial elections and personally soliciting campaign contributions. Also gone are prohibitions against judicial candidates making statements about their personal views on controversial matters that may come before them.

The federal court decisions striking down these ethical rules in Minnesota have many in the judiciary and larger community worried that, absent any efforts to deter it, what will come next are highly partisan, expensive, negative campaigns for judicial seats. If other states that have already traveled this path are any example, that change will likely bring an erosion in public confidence in the fairness and impartiality of judges, and by extension, in the justice system.

Court leaders will be participating in an extensive conversation with Minnesotans over the next year about this challenge, including participation in a citizen's commission led by former Governor Al Quie, to determine what can be done to maintain the public's confidence in the fairness of the courts in light of these changes. The commission is expected to make recommendations in January to the 2007 Legislature.

These are major challenges facing our courts and our employees. They don't lend themselves to easy solutions. But they must be addressed successfully to ensure that Minnesota's Judicial Branch remains a national leader in innovation, effectiveness and efficiency, and retains the high level of trust and respect of our citizens.

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# HELPFUL ADDRESSES AND TELEPHONE NUMBERS

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- State Court Administrator’s Office.....(651) 296-2474  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
Saint Paul, MN 55155
- Court Information Office.....(651) 297-5532
- Appellate Court Clerk’s Office.....(651) 296-2581
- Minnesota Attorney General.....(800) 657-3787

## Related Agencies

- Minnesota State Bar Association .....(612) 333-1183  
600 Nicollet Mall, #380  
Minneapolis, MN 55402
- Minnesota County Attorneys Association.....(651) 641-1600  
100 Empire Drive, Suite 200  
St. Paul, MN 55103
- Minnesota Public Defenders .....(612) 349-2565  
Suite 900, TriTech Center  
331 Second Avenue South  
Minneapolis, MN 55401
- Minnesota State Boards of Law Examiners and Legal Certification.....(651) 297-1857  
Galtier Plaza, Suite 201  
380 Jackson Street  
St. Paul, MN 55101
- Minnesota Board of Continuing Legal Education.....(651) 297-7100  
Galtier Plaza, Suite 201  
380 Jackson Street  
St. Paul, MN 55101
- Minnesota Lawyers Professional Responsibility and  
Minnesota Client Security Boards.....(651) 296-3952  
1500 Landmark Towers  
345 St. Peter Street  
St. Paul, MN 55102-1218
- Minnesota Board on Judicial Standards.....(651) 296-3999  
2025 Centre Pointe Blvd  
Suite 180  
Mendota Heights, MN 55120
- U.S. 8<sup>th</sup> Circuit Court Clerk.....(314) 244-2400
- U.S. Supreme Court Public Information Office.....(202) 479-3211



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# WEB CASTS OF MINNESOTA SUPREME COURT

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## Oral Arguments Now Available



Features of the Web casts include video in three different sizes, including full screen, and a convenient search tool that allows easy retrieval of archived arguments. The Web casts were made possible by a partnership with Twin Cities Public Television, which is providing technical support and management of the archive. Oral argument Web casts are accessible through the Supreme Court link at [www.mncourts.gov](http://www.mncourts.gov).

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## NEW MINNESOTA JUDICIAL BRANCH WEB SITE

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The Minnesota Judicial Branch launched its new Web site on June 15, 2006. Users will find that the new site has much more content. Specific information about each of the 10 judicial districts has also been developed as part of this project, creating a more consistent experience for users. Features of the new site will include a statewide Self Help Center for pro se litigants, improved search capabilities, a media resource center, a teachers and student resource center, and a streamlined design. Please visit the new site at [www.mncourts.gov](http://www.mncourts.gov).

[www.MNcourts.gov](http://www.MNcourts.gov)

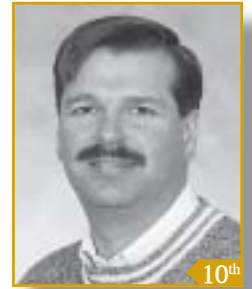
# 2005 DISTRICT COURT CHIEF JUDGES



*Judge John Smith*



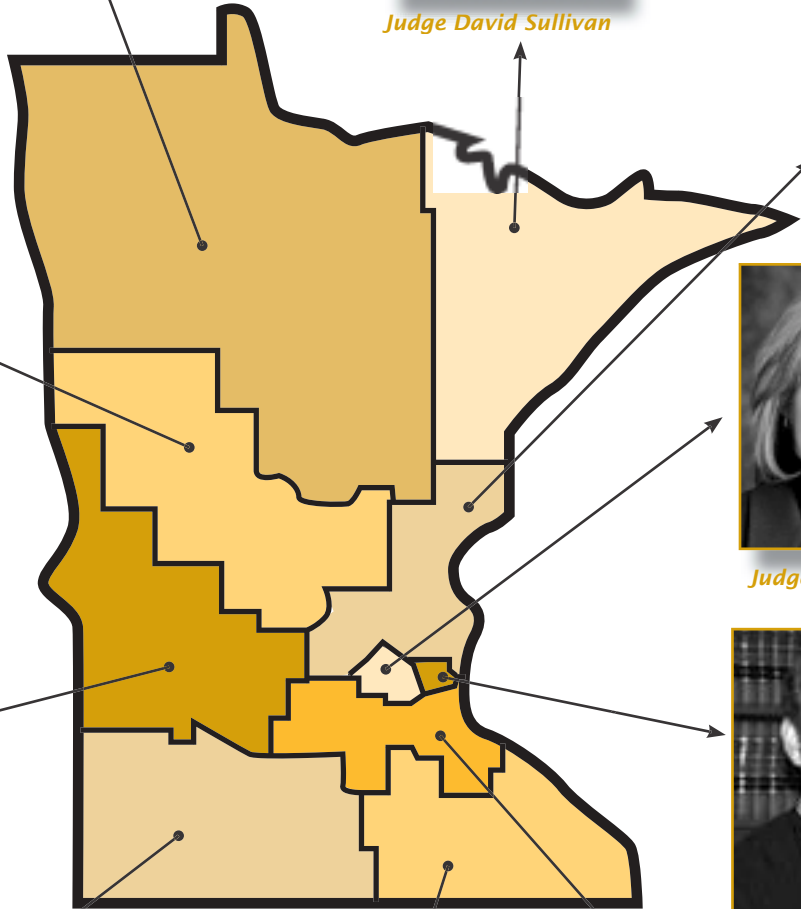
*Judge David Sullivan*



*Judge Gary Schurrer*



*Judge Michael Kirk*



*Judge Lucy Wieland*



*Judge Steven Drange*



*Judge Gregg Johnson*



*Judge George Harrelson*



*Judge William Johnson*



*Judge William Macklin*