

To: Counsel and parties in civil cases pending in Hennepin County District Court:  
From: Laurie J. Miller, Presiding Judge, Civil Division  
Re: Partial suspension of Civil Division court operations due to COVID-19  
Dated: March 24, 2020

We previously outlined the steps we are taking to safeguard the health and safety of our court customers, our staff, and all of our justice partners in accordance with Chief Justice Lori Gildea's March 13, 2020 order suspending all low and medium priority court proceedings through March 30, 2020, and suspending civil jury trials for the next 30 days. In light of Chief Justice Gildea's superseding order, issued on March 20, 2020, we are modifying these steps in Civil Division matters, in the following ways.

Pending and Future Hearings:

1. All non-emergency civil motions between now and April 22, 2020, in matters where all parties have appeared, presumptively will be submitted without oral argument. This does not apply to cases in which only one side has appeared.
2. Currently scheduled hearings in cases where all parties have appeared will keep the scheduled hearing date for purposes of briefing timelines and commencement of the under advisement period.
3. Parties should contact the judge's clerk to "schedule" a motion hearing for motions not currently scheduled, in order to set briefing deadlines and the date when the matter will be taken under advisement.
4. Oral argument may occur through remote means, if and only if:
  - a. All parties and the Court agree and are able to appear remotely (e.g. by Skype, Zoom, Facetime, etc.) AND the parties provide for and pay a certified court reporter who can report remotely, or
  - b. All parties and the Court agree that the oral argument will be off the record.
5. If due to the COVID-19 pandemic and related closures, an attorney or party is unable to meet briefing deadlines for submission of a scheduled motion, the judges will consider suspending or rescheduling motions depending on individual circumstances.
6. Please contact the judge's clerks to address scheduling. Email is preferred, as the clerks will be working from home, to the greatest extent possible.

7. DO NOT send any papers to be delivered to a judge's chambers without first confirming that someone is there to receive them. If you have been requested by a judge to send hard copies of documents for motions, please check with the judge's clerks to see if paper copies are still needed and confirm that someone will be present to receive documents before sending them to be delivered.

Telephone Conferences: Each judge may continue to schedule and hold informal, off-the-record telephone conferences to address scheduling and discovery issues. The judge may request counsel to initiate the telephone conference. *See* Minn. Gen. R. Prac. 115.09.

Evidentiary Hearings: All non-emergency evidentiary hearings, such as name changes or court trials, are continued and will need to be rescheduled, unless all parties, all witnesses, and the Court agree and are able to appear remotely AND the parties provide for and pay a certified court reporter who can report remotely.

Emergency Hearings: The only civil division hearings included within the category of hearings for which in-person hearings are still permitted at the courthouse are housing/eviction matters when there is a showing of individual or public health or safety at risk, and garnishment exemption hearings requested under Minn. Stat. § 571.914, subd. 1 (2018). For other emergency matters, including temporary restraining order hearings and temporary injunction hearings, the Court will consider whether an emergency exists and whether remote participation for these hearings is appropriate on a case by case basis.

Scheduling Orders: The Court will liberally entertain requests to extend scheduling orders, briefing deadlines, or motion scheduling, depending on individual circumstances and constraints resulting from the COVID-19 pandemic.

We are committed to safeguarding the safety of court users and personnel, while making our best efforts to move civil matters forward, within the parameters permitted by Chief Justice Gildea's orders. The situation we all face is fluid and subject to change. Like all of you, the Court and its personnel may be affected by closures or the spread of the virus. For general information about the Court's response to the pandemic, please refer to our COVID-19 Information Guide on the Fourth Judicial Court website for the most current version of the document, available via this link:

[http://www.mncourts.gov/mncourtsgov/media/fourth\\_district/documents/4thDist-COVID-19-Info-Guide.pdf](http://www.mncourts.gov/mncourtsgov/media/fourth_district/documents/4thDist-COVID-19-Info-Guide.pdf)

We hope that parties and counsel exercise patience with any delays encountered in responses to their inquiries to the Court.