



# Judicial Council Minutes

April 20, 2023

9:00 a.m.

**Room 230, MN Judicial Center and via Zoom**

The Judicial Council met in Saint Paul, Minnesota, and via Zoom on Thursday, April 20, 2023.

Jeff Shorba, State Court Administrator, was not in attendance.

## **1. Approval of Draft March 16, 2023, Meeting Minutes**

A motion was made and seconded to approve the draft March 16, 2023, Meeting Minutes as submitted. The motion prevailed.

## **2. Discussion Item: Statewide Audit – Receipts and Fines/Fees**

Jamie Majerus, Internal Audit Manager, State Court Administration, presented the results of the Statewide Receipts and Fines/Fees Audit. It was noted that the Judicial Branch internal controls were generally adequate to ensure that they safeguarded assets, produced reliable financial information, and complied with legal requirements and judicial policies.

## **3. Discussion Item: COVID 19 Related Items**

Jennifer Super, Emergency Management Analyst, State Court Administration, presented the current COVID data.

Ms. Super reported that the Federal Public Health Emergency, first declared by the Secretary of the Department of Health and Human Services in late January 2020, will expire on May 11, 2023. As a result, the COVID processes and practices followed by the Judicial Branch will no longer be needed. It was recommended that the Branch:

- Sunset the MJB Post Pandemic Mitigation Strategies.
- Sunset the Continued Operations Guidance document.
- End the Supreme Court Order filed on March 2, 2022, which governs face coverings.

Sunsetting the Mitigation Strategies includes discontinuation of weekly COVID reports, discontinuation of the tracking of judicial officer and employee COVID-19 cases, and discontinuation of the use of the juror COVID-19 postponement and put over codes. It also includes discontinuation of the jury practices put in place during the Health Emergency, e.g., jurors may now report for jury duty in large groups, voir dire may be conducted in a group setting, and jury deliberations may return to spaces that do not allow for social distancing.

There being no objection to acting on the recommendations at the present meeting a motion was made and seconded to adopt the recommendations. The motion prevailed.

**Council Action**

The Judicial Council adopted the recommendations to:

- Sunset the MJB Post Pandemic Mitigation Strategies.
- Sunset the Continued Operations Guidance document.
- Recommend that the Chief Justice end the Supreme Court Order filed on March 2, 2022, which governs face coverings.

**4. Discussion Item: Emergency Management Update**

Jennifer Super, Emergency Management Analyst, State Court Administration, presented proposed amendments to Judicial Council 605, to reflect the Judicial Branch’s expanded efforts toward safer court facilities. The amendments are aimed at broadening the Policy’s purpose to include personal safety, physical security, and emergency preparedness. Judicial Branch efforts under the amended policy would include comprehensive emergency management planning, comprehensive physical security planning, and personal safety training.

Ms. Super also reviewed the new State Court Administrator Policy and Procedure which sets out the procedure to be followed to report security incidents.

**5. Discussion Item: 2023 Access and Fairness Survey Plan and Questionnaire**

Ellen Bendewald, Strategic Planning and Projects Office, State Court Administration, reviewed the planning to-date and proposed timeline for the 2023 Access and Fairness Survey. The survey will be deployed in August – November 2023, with results to be reported to the Judicial Council in the spring of 2024. Plans include gathering information from court users who participate via in-court and remote proceedings.

**6. Decision Item: Modification of the Standard Conditions of Probation for Felony Cases, Judicial Council Policy 522; Standard Conditions of Probation. (see [2023 Minn. Laws ch. 12](#), restoring the right to vote effective July 1, 2023, for individuals with a felony conviction during any time the individual is not incarcerated for the offense)**

It was noted that the Judicial Council approved temporary changes to the Standard Conditions of Probation for Felony Cases, in recognition of voting rights restoration for individuals with a felony conviction during any time the individual is not incarcerated for the offense. It was agreed that the Judicial Council would consider if the change should be made permanent.

Following discussion on other options, a motion was made and seconded to permanently adopt the temporary changes made to the Felony Standard Conditions of Probation, and necessary amendments to Judicial Council 522; Standard Conditions of Probation, to reflect the changes. The motion prevailed.

**Council Action**

The Judicial Council approved amendments to the Felony Standard Conditions of Probation and Judicial Council Policy 522, Standard Conditions of Probation.

**6. Discussion Item: Other Business**

- a. Artificial Intelligence** – It was noted that a discussion on the use of artificial intelligence on Judicial Branch owned devices will occur at the May meeting. In the interim, judges and employees are advised against utilizing artificial intelligence apps on Judicial Branch devices.
- b. Legislative Report** – A general discussion on legislative activities occurred.

There being no further business the meeting adjourned.