



Judicial Council Agenda

August 15, 2024

9:00 a.m.

Room 230, MN Judicial Center and via Zoom

The Judicial Council met on Thursday August 15, 2024, in St. Paul, Minnesota and via Zoom. MDJA Vice President Judge Richard Kyle attended for MDJA President Judge Mahler. Eighth Judicial District Assistant Chief Judge Rodney Hanson attended the meeting for Chief Judge Beckman, though Chief Judge Beckman attended the first half of the meeting remotely. Sixth Judicial District Assistant Chief Judge Rachel Sullivan attended the meeting remotely for Chief Judge Beiers.

1. Decision Item: Approval of Draft July 18, 2024, Meeting Minutes

A motion was made and seconded to approve the draft July 18, 2024, Meeting Minutes, as submitted. The motion prevailed.

Council Action

The Judicial Council approved the draft July 18, 2024, Meeting Minutes, as submitted.

2. Discussion Item: Special Topic – Jury

Presenters: Jeff Shorba, State Court Administrator; Kayla Littler, State Jury Program Coordinator, Court Services Division, State Court Administration; Hon. Leonardo Castro, Second Judicial District; Camille Bessler, Statewide Programs Unit Supervisor, Court Services Division, State Court Administration; Dan Ostdiek, Director, Finance Division, State Court Administration; Karen Jaszewski, Senior Attorney, Legal Counsel Division, State Court Administration

The special topic objectives were to learn about the Statewide Jury Program including history, goals, and initiatives; understand the laws governing the jury program and recent legislative and court rule changes; understand the juror source list creation process and the concepts of inclusiveness and representativeness; and recognize the current and future budget needs to support the work.

Judicial Council’s role in jury program oversight and jury management is governed by Judicial Council Policy 509 Jury Management, and the General Rules of Practice Jury

Management Rules, which were amended in 2023 to recognize the statewide jury process and Judicial Council's authority.

The purpose of the Special Topic was to provide an opportunity for Judicial Council to learn about the history and current state of the Statewide Jury Program so the Judicial Council can confidently set strategic direction for a sustainable, efficient, and effective long-term approach to providing the mandated service under the governing policy and court rule.

A discussion ensued around jury source lists and jury responsiveness. Presenters explained that Minnesota's jury source list is created from the Secretary of State's registered voter list and the Minnesota Department of Public Safety list of those issued a driver's license or State ID card, which includes those whose licenses are currently suspended or revoked. Ideas were exchanged on how to increase juror responsiveness. A suggestion was made to combine the court's efforts with voter registration efforts; presenters noted the presence of voter registration information on the program's Called to Serve webpage, flyer, and poster, as well as the automatic voter registration laws, which may increase the number of names of the jury source list. State Court Administration staff will report back to Judicial Council on that issue, and on Judicial Council members' requests for additional information and data on the state's failure to respond, undeliverable summons, and hardship excusal rates, including any available demographic data.

3. Discussion Item: Artificial Intelligence Response Committee Update

Judge Stoney Hiljus, Tenth Judicial District, and Jason Betz, Director, Information Technology Division, State Court Administration provided an update on the Artificial Intelligence Response (AIR) Committee.

The AIR Committee proposed a new Judicial Council Policy 704, Artificial Intelligence. Judicial Council Policy 704 establishes guidelines and technical guardrails and requires judicial officers and Judicial Branch employees to follow ethical principles in the use of artificial intelligence. A suggestion was made to reevaluate the use of the word "promote" in the policy.

The AIR Committee will return to Judicial Council in September for a decision on Judicial Council Policy 704, Artificial Intelligence.

4. Discussion Item: Recommendations on IFP Transcript Rates for Court Reporter Transcript Rate Policy 221

During the February Judicial Council meeting, Judicial Council approved to consider IFP transcript rates during the next biennial budget development cycle and obtain information as needed from relevant sources. A small workgroup was convened, and the group developed recommendations for consideration in the current budget development process and developed a biennial process and timeline for future transcript rate policy reviews.

Aaron Lauer, Policy and Planning Consultant, Strategy, Performance, and Projects Office, State Court Administration presented recommendations on IFP Transcript Rates for Court Reporter Transcript Policy 221. Three IFP rate options were considered. Option 1 was to maintain the current rate, Option 2 was to eliminate the IFP transcript rate, and Option 3 was to increase the IFP rate to \$5.00 per page. The workgroup recommended that the IFP rate should be increased, but there were differing opinions whether to eliminate the IFP rate or increase the rate to \$5.00 per page. The workgroup also recommended a new transcript rate review process.

The topic will return to Judicial Council in September for a decision.

5. Discussion item: Review of FY24 Operational Plan Accomplishments, District and Appellate Court Working Plan Accomplishments for FY24-25

Katie Schurrer, Director, Strategy, Performance, and Projects Office Division, State Court Administration, reviewed the FY24 operational plan accomplishments. Highlights include:

1. Implementing MNPAT-R, a revised pretrial risk assessment tool and form.
2. Creating new electronic signature options to replace DocuSign.
3. Updating the MNCIS Sentencing Order for juvenile delinquency dispositions and amended juvenile dispositions.
4. Adopting a new district court hearing framework.
5. Implementing a new, upgraded version of MNCIS.
6. Incorporating wellness into educational programs and creating a new Workplace Wellness Advisory Council to support individual and organizational wellness, and to support the future Quality Court Workplace Survey deployment and action planning.
7. Supporting promotion of the Branch core value of Diversity, Equity, and Inclusion and supporting the first year of the Committee for Equality and Justice's two-year strategic plan.
8. Continuing to support grant-funded enhancements to our Vulnerable Adult Care efforts, including standing up and supporting the complaint and investigation process.
9. Convening the Judicial Weighted Caseload Advisory Committee and beginning planning for a Judicial WCL time study in spring 2025.
10. Continuing work to ensure the digital accessibility of MJB applications and online resources.

Each judicial district, the Court of Appeals, and the Supreme Court reported on individual results. Common successful strategies reported by the districts include:

1. Increasing self-represented litigant training resources and opportunities.
2. Expanding access to treatment courts.
3. Installing and upgrading technology in courtrooms.
4. Remote hearing enhancements.
5. Multi-county housing and conciliation court calendars.

6. Focusing on DEI efforts.
7. Prioritizing wellness efforts for judicial officers and staff.

6. Discussion Item: Seventh and Eighth Judicial District Audit

Jamie Majerus, Internal Audit Manager, State Court Administration, presented the Seventh and Eighth Judicial District Audit. The audit found the 7th and 8th Judicial Districts internal controls were generally adequate to ensure that they safeguarded assets, produced reliable financial information, and complied with related legal requirements and judicial policies. The 7th and 8th Districts had limited internal control weaknesses and instances of non-compliance. There were several written observations that relate to internal control processes that need improvement.

7. Executive Session

A motion was made and seconded to go into Executive Session. The motion prevailed.

Following discussion, a motion was made and seconded to exit Executive Session. The motion prevailed.

8. Discussion Item: FY26/27 Biennial Budget Request

Paul Patterson, Director, Court Services Division, State Court Administration, and Carla Heyl, Director, Legal Counsel Division, State Court Administration, presented a Digital Accessibility budget presentation.

Jason Betz, Director, Information Technology Division, State Court Administration, and Paul Patterson, Director, Court Services Division, State Court Administration, presented a Justice Partner Access budget presentation.

Dan Ostdiek, Director, Finance Division, State Court Administration, presented biennial budget options for the FY26/27 budget request. Three options were proposed for consideration.

Option 1 included a 6% compensation increase for judges and a 6% compensation increase pool for staff in FY26 and FY27, increased insurance costs, and permanent funding for cyber security and mandated services deficits.

Option 2 included a 6% compensation increase for judges and a 6% compensation increase pool for staff in FY26 and FY27, increased insurance costs, permanent funding for cyber security and mandated services deficit, justice partner public access system development funding, and digital accessibility system development funding.

Option 3 included a 6% compensation increase for judges and a 6% compensation increase pool for staff in FY26 and FY27, increased insurance costs, permanent funding for cyber security and mandated services deficit, justice partner public access system development funding, digital accessibility system development funding, an increase in

contractor psych examiner rates from \$136 to \$175, and Jury per Diem from \$20 to \$50 per day in FY26/27, \$75 in FY28/29, \$100 in FY30/31.

9. Other Business

a. Public Access to Judicial Council Materials

Chief Justice Natalie E. Hudson noted this topic would be revisited after the Branch digital accessibility project is completed.

b. Referral of the Quality Court Workplace Survey to the HR/EOD Committee

Chief Justice Natalie E. Hudson referred the review of the Quality Court Workplace Survey plans to the HR/EOD Committee.

c. September Judicial Council Visit

Chief Justice Natalie E. Hudson reminded Judicial Council that the September Council meeting will be taking place at the Wright County Justice Center in Buffalo, Minnesota.

d. Mary McQueen Award

Chief Justice Natalie E. Hudson recognized and congratulated Jeff Shorba, State Court Administrator, as the recipient of the prestigious Mary McQueen award.

There being no further business the meeting adjourned.