



Judicial Council Minutes

December 15, 2022

9:00 a.m.

Via Zoom

The Judicial Council met via Zoom on Thursday, December 15, 2022. Chief Judge Susan Segal, Court of Appeals, was not in attendance.

1. Approval of Draft November 17, 2022, Meeting Minutes

Amendments, aimed at clarifying the discussions, were suggested.

A motion was made and seconded to approve the November 17, 2022, Meeting Minutes, as amended. The motion prevailed.

Council Action

The Judicial Council approved the November 17, 2022, Meeting Minutes, as amended.

2. Discussion Item: Current COVID-19 Data

Jennifer Super, Emergency Management Analyst, State Court Administration, presented the most up to date COVID data.

3. Decision Item: Legislative Advisory Workgroup Recommendations on 2023 Legislation

Judge Lucinda Jesson, Court of Appeals, Legislative Advisory Workgroup (LAW) Chair, reviewed the Workgroup's activities and Judicial Council Policy 900, Legislative Strategy. It was noted that the Workgroup's recommendations were developed under the guidance of the Policy and in recognition that the Judicial Branch will be pursuing a significant biennial budget request.

The four proposals that the Workgroup recommends go forward include:

- Permit electronic service for OFP/HRO orders.
- Increase the time and dollar requirements for the establishment of interest-bearing trust accounts for condemnation proceedings.

- Protection of jurors who work differential shifts – Support in concept with further development for possible placement in a jury related legislative package for 2024 Session.
- Judicial and Court Staff Safety and Privacy Act.

In addition, LAW recommends that the Judicial Council take no action on the proposal to establish Juneteenth as a state holiday and that the Branch support this effort if pursued by another entity.

A discussion ensued. It was noted that the LAW recommendation to give further review to the proposal to request permanent funding for county law libraries, was based on the need to review the funding issue from a statewide basis and the need to include the State Law Librarian and county government representatives in the review.

A discussion ensued on the Juneteenth proposal. It was noted that the LAW recommendation that the Branch take no action on the proposal was primarily based on Judicial Council Policy 900 which provides that the Branch generally will take no position on proposals that address substantive law or other legislation that is not directed at the internal operations of the court or the handling or resolution of cases.

A discussion ensued on the Judicial Branch’s commitment to diversity, equity, and inclusion and whether this proposal advances the commitment. The possible avenues for expressing support of the proposal, e.g., verbal, letter, were discussed. It was suggested that LAW re-examine the proposal and report back at the January Judicial Council meeting.

A motion was made and seconded to support the electronic service for OFP/HRO orders proposal. Concern was expressed that it may be more difficult to prove that service was accomplished. It was noted that the proposal only applies to circumstances when the respondent appears for a hearing remotely and is notified of the OFP or HRO Order at the hearing.

A vote was taken on the proposal and prevailed.

Council Action

The Judicial Council approved the electronic service for OFP/HRO orders proposal.

A motion was made and seconded to support the proposed changes to the condemnation interest bearing account requirements. The motion prevailed.

Council Action

The Judicial Council approved the proposed changes to the condemnation interest bearing account requirements.

A motion was made and seconded to support, in concept, the protection of jurors who work differential shifts proposal, with further development for possible placement in a jury related legislative package for the 2024 Session. The motion prevailed.

Council Action

The Judicial Council approved support, in concept, for the protection of jurors who work differential shifts proposals, with further development for possible placement in a jury related legislative package for the 2024 Session.

A motion was made and seconded to support the Judicial and Court Staff Safety and Privacy Act. The motion prevailed.

Council Action

The Judicial Council approved support for the Judicial and Court Staff Safety and Privacy Act.

4. Discussion Item: Other Business

- a. **January 2023 Judicial Council Meeting** – It was announced that the meeting will be one day, live in Saint Paul.

- b. **December 14 Justice Partner Meeting** – Chief Justice Gildea reported that a meeting was held with justice partners to discuss ways to work together to make public safety a priority for the 2023 Legislative Session. Various strategies were discussed including a joint editorial, joint meetings with legislative leadership and committee chairs, a “Day on the Hill” event, and joint press conferences.

There being no further business the meeting adjourned.