



# Judicial Council Minutes

March 17, 2022

9:00 a.m.

Via Zoom

The Judicial Council met via Zoom on Thursday, March 17, 2022. Chief Judge Leonardo Castro, Second Judicial District, was not in attendance. Jason Betz, Information Technology Division (ITD), was introduced. Mr. Betz will assume the position of ITD Director, upon the retirement of Dean Buker.

## 1. Approval of Draft February 17, 2022, Meeting Minutes

Two technical amendments to the February Minutes were suggested.

A motion was made and seconded to approve the minutes, as amended. The motion prevailed.

### Council Action

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

## 2. Discussion Item: Current COVID – 19 Data

Jennifer Super, Emergency Management Analyst, State Court Administration, presented information on the most current COVID-19 data.

A discussion ensued on whether the Branch should move to Mitigation Strategies Level 1, considering the data. A motion was made and seconded to move to Mitigation Strategies Level 1. The motion prevailed.

### Council Action

The Judicial Council approved moving from Mitigation Strategies Level 2 to Level 1.

It was noted that the implementation date for the In-Person and Remote Hearings Recommendations will be discussed at the April Judicial Council Meeting.

**3. Discussion Item: Legislative Update**

**a. Minnesota Court Records On-Line (MCRO) Legislation**

Jeff Shorba, State Court Administrator, reported that the bills introduced to address the access fee to view or download documents through Minnesota Court Records Online (MCRO), have been heard in House and Senate Committees and have been held over for possible inclusion in an Omnibus bill. He noted that the Branch has not taken a position on the bills. He also noted that the request was made to keep the fee structure simple and consistent, and not cause any undue hardship to the public and courthouse staff or delay final development of the MCRO application.

**b. Competency Legislation – Letter to Legislative Authors and Committee Chairs**

Jeff Shorba, State Court Administrator, reported that a letter was sent to the authors and applicable Committee Chairs, expressing the Branch’s concerns with the sections of the competency legislation which established forensic navigators within the Judicial Branch. It is anticipated that the bill will be amended to remove Judicial Branch responsibility for this function. Bill progress will be monitored.

It was noted that the Governor’s FY23 Revised Supplemental Budget Request was being released on March 17.

**4. Discussion Item: Performance Measures Reports**

Jennifer Ogunleye, Research Analyst, State Court Administration, presented the statewide summary.

Time to Disposition

- Statewide results for Time to Disposition increased slightly in 2021 compared to 2020 for Major Civil and Family cases.
- Impacted significantly by the pandemic, results for Major Criminal cases disposed beyond the 99th percentile worsened in 2021 compared to 2020.
- Time to Disposition results for Minor Criminal and Juvenile Delinquency cases improved slightly from 2020 to 2021.

Statewide Clearance Rates

- Clearance rates improve in 2021 compared to 2020 for all except two case groups.
- The Clearance Rate for Family cases is unchanged and slightly down for Major Civil compared to the previous year.
- Clearance Rates in Major and Minor Criminal cases show the largest improvements.
- Juvenile and Minor Criminal cases are the only case groups to maintain Clearance Rates above 100% in 2021.

### Age of Pending Cases

- Similar for Family cases in 2021 compared to 2020.
- Statewide results show an increased percentage of Major Civil cases pending beyond the 99th percentile in 2021 compared to the previous year.
- Results for Major Criminal, Minor Criminal, and Juvenile Delinquency cases pending beyond the 99th percentile remain in the red in 2021.

### Children In Need of Protection

- Statewide results for children reaching permanency by 18 months drop to 74% in 2021 from 79% in 2020 (goal is 99% in 18 months).
- There is variation among districts for the percentage of children reaching adoption within 24 months (goal is 60%) in 2021. District results range from 63% to 14%. Statewide, 33% of children reach adoption within 24 months of removal from the home in 2021 compared to 40% in 2020.

The ten judicial districts and the appellate courts reported on individual results. Most noted as challenges were staff turnover and justice system partner shortages. It was noted that the ability to hire temporary staff, temporary referees, and senior judges has greatly aided districts in processing cases and addressing backlogs.

## **5. Discussion Item: Other Business**

- a. It was announced that the April Judicial Council meeting will be held in a hybrid manner – in-person at the Judicial Center and via Zoom.
- b. Karen Mareck, Deputy Director, Court Services Division, State Court Administration, was recognized for her service to the Judicial Branch.

## **6. HR/EOD Report on 2021 Quality Court Workplace Recommendations for Judges and Justices**

Chief Judge Tamara Yon, Ninth Judicial District and Chair, HR-EOD Committee, and Aaron Lauer, Strategic Planning and Projects Office, State Court Administration, presented the HR-EOD Committee 2021 Quality Court Workplace Survey Action Planning Recommendations for Judges/Justices. Statewide and district approaches underway were reviewed. Recommended statewide and district strategies for consideration were also reviewed.

## **7. Executive Session – Personnel Matters**

A motion was made and seconded to go into Executive Session to discuss personnel matters. The motion prevailed. Following discussion, a motion was made and seconded to exit Executive Session. The motion prevailed.

There being no further business the meeting adjourned.