

Annual  
Report  
1999 - 2000



# Minnesota Judicial Branch

“More effective,  
responsive and  
connected to the  
people  
we serve.”



# Table of Contents

A Message from the Chief Justice .....	1
Strategies and Priorities .....	2
Access to Justice	
Children’s Justice	
Public Trust and Confidence	
Technology	
Supreme Court .....	5
Preventing Frivolous Litigation	
Keeping in Touch	
Celebrating History	
Responding to the Public	
Educating Citizens	
Supreme Court Dispositions	
Court of Appeals .....	8
Tapping into a Wealth of Experience	
Changing Hands	
Going “Back to School”	
Reaching Out	
Increasing Efficiency, Reducing Costs	
Working for Children	
Court of Appeals Dispositions	
District Courts .....	11
Initiating a Fundamental Transformation	
Increasing Efficiency with Technology	
Teaching Teens Responsibility	
Dealing with DWI Faster	
Bridging the Cultural Gap	
Repairing Communities	
Battling Domestic Violence	
Removing Roadblocks	
Conference of Chief Judges .....	14
Statewide Initiatives .....	15
Studying Treatment of Jurors	
Improving Access to Justice	
Helping Children	
Reducing Family Tension	
Simplifying the Process	
Mentoring Newcomers	
Addressing Caseload Demands	
Assessing Employee Compensation	

# A Message from the Chief Justice

## Kathleen A. Blatz, Chief Justice



For decades, members of Minnesota's judicial branch have strived to provide for the just and timely resolution of cases. We also recognize that the public deserves a judicial branch that is accessible, fair, consistent, responsive, free of discrimination, independent and well-managed.

Minnesota's judges and court personnel are committed to this vision and have already laid the foundation. We have worked aggressively to find more effective ways to protect children through the Children's Justice Initiative, updating our child protection rules and establishing a pilot project to open child protection hearings. We are continuing to assess the presence of racial bias in our system and are working to eliminate it. And through our community, drug and domestic violence courts, we are targeting the problems that bring people into the courts in the first place. Further information about these and other innovations are contained in this report.

But there is still much work to be done to build a more effective judiciary.

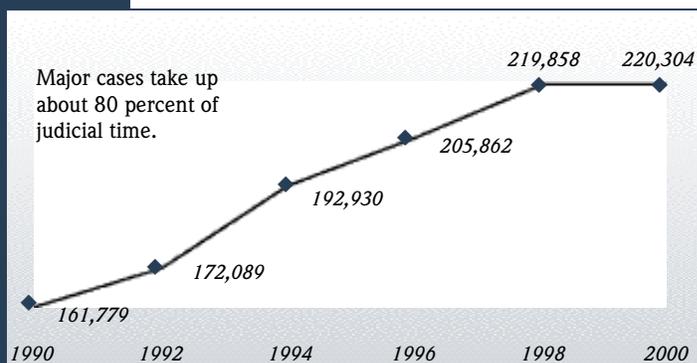
We have identified four strategic areas on which to focus our attention: Access to Justice, Public Trust and Confidence, Children's Justice and Technology.

Minnesotans understand that an adequately funded, just and accountable judiciary is fundamental to protecting public safety and providing citizens with the justice system that they expect and deserve. That is why I am optimistic about the future of the judicial branch and its ability to provide access to justice and leadership into the 21st century.

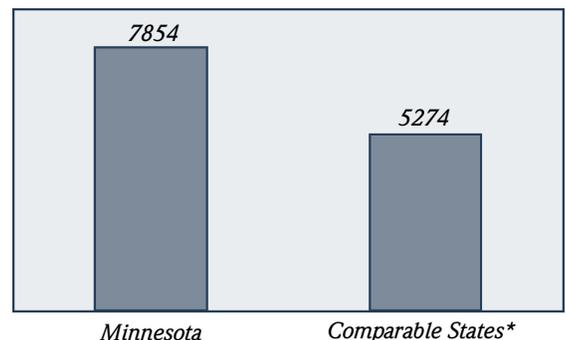
Kathleen A. Blatz  
Chief Justice

## Judicial Caseloads at a Glance

### Major Case Filings



### Median Filings Per Judge in Minnesota and Comparable States\*



\*The States are: Illinois, Iowa, Kansas, Missouri, North Dakota, South Dakota and Wisconsin

Source: Office of Legislative Auditor District Courts  
(State of Minnesota 2001):p. 23.

# Strategies and Priorities

The following describes judicial branch strategies and priorities for the future.

## Access to Justice

Minnesota's judges are struggling to keep pace with their burgeoning caseloads. This past year, each judge was required to handle nearly 8,000 cases. If the last 25 years are any indication, our judges will continue to see substantial caseload growth. Since 1975, major caseloads have increased more than 700 percent.

Judges are handling too much, too quickly and with too little information. Time constraints allow judges only 11.3 minutes for DWI cases, 20.5 minutes for domestic abuse cases and 2 to 5 minutes per case on arraignment calendars. The judicial branch is determined to slow down this assembly line of justice in order to provide adequate time to each individual case. More judges are needed to do so.

We are especially concerned about providing access to justice for the citizens who need us the most.

Children who are alleged to have been abused and neglected must have a special advocate, a "Guardian ad Litem," appointed by law. Currently 40 percent of Minnesota's maltreated children have no Guardian ad Litem and therefore no representation in the court proceedings that determine their future.

Also of great concern is the fact that the cost of interpreters for non-English speaking people has increased 30 percent a year. In Hennepin County courts, more than 10,000 proceedings required an interpreter in 1999. In Worthington, MN, one in four cases is heard in a language other than English. Language barriers can double or triple court time.

The state's judges and court administrators have worked hard to address the underlying problems that lead to crime by initiating programs like community and domestic violence courts. To continue these innovations, the judiciary must build and maintain a base of competent employees.

Doing so is a great challenge. While Minnesota judges have among the highest workloads in the country, they rank 33rd nationally in compensation. Moreover, a job classification study completed in December 2000 documented the need for many adjustments for judicial branch employees. In a tight labor market, the judiciary's ability to attract and retain employees is hindered. In addition, the judicial branch has sustained skyrocketing health care costs.

To ensure the provision of and access to justice, Minnesota's court system will:

- Seek more judges and staff to meet increasing demands.
- Provide adequate compensation to attract and retain qualified employees.
- Continue the transformation from county-based funding to state funding.
- Plan for needed technology improvements, Guardians ad Litem and interpreters for non-English speaking Minnesotans.

"We are especially concerned about providing access to justice for the citizens who need us the most."

Since 1975, major caseloads have increased 719%.

# Children's Justice



*Supreme Court Chief Justice Kathleen Blatz meets elementary school students during a Child Abuse Prevention Month event in Owatonna, MN, recently*

For too many children, the child protection system has become a feeder system into our adult criminal courts. Eighty percent of our nation's prison inmates have spent time in child protection. Minnesota's judiciary recognizes the link between childhood maltreatment, juvenile delinquency and adult crime.

The judicial branch has initiated a joint venture with the state Department of Human Services to systemically improve the processing and outcomes of child protection cases.

The five-year effort, called the Children's Justice Initiative (CJI), will help provide permanent homes for abused and neglected children (either through reunification or placement with another family) in a more timely manner.

Lead judges in 12 pilot counties across the state have formed teams of people from the juvenile courts, social services departments, county attorneys' and public defenders' offices, court administration, Guardian ad Litem programs and others involved in child abuse and neglect cases. Each team will study how its county currently processes child protection cases and then will implement changes that better meet the needs of maltreated children.

Each team will base its assessments on a "best practices" manual developed by the National Center for Juvenile Justice. The manual is patterned after national and state child protection guidelines and timeframes for providing permanent, safe homes for children.

In addition to the CJI, the judiciary will also establish standing advisory committees on juvenile delinquency and juvenile protection court rules to ensure the ongoing examination of procedures and rules that govern juvenile cases. The court system will continue to train juvenile justice stakeholders in a variety of disciplines to enhance their knowledge and coordination of services. "Best practice" models of juvenile delinquency case processing will be developed and implemented in multiple counties. Finally, the judiciary will examine and recommend improvements in the adequacy and coordination of existing juvenile delinquency services in five pilot counties.

## Public Trust and Confidence

The vast majority of Minnesotans have confidence in the state's judiciary as an institution. They believe judges are fair and well equipped to do their jobs, and that court staff are courteous and helpful. But they are also concerned about the timeliness and cost of bringing a case to court, and the judiciary's treatment of persons of color.

*"Minnesota's judiciary recognizes the link between childhood maltreatment, juvenile delinquency and adult crime."*

Nearly 40 percent of Minnesotans say they know little or nothing about the court system, and nearly half say they think the courts are out of touch with their communities.

“The judicial branch is committed to assessing public perspectives and educating citizens about the judicial system and its challenges.”

The judicial branch is committed to assessing public perspectives and educating citizens about the judicial system and its challenges. It will do so by initiating new opportunities for judges and court employees to reach out to Minnesotans of all ages and ethnic backgrounds. It will also use technology to improve customer service and make basic information more available to jurors, litigants, educators, students and the public.

Without a public willing to serve as jurors, access to justice would be impossible. The judiciary will improve the treatment of jurors before, during and after trial by minimizing waiting time, facilitating juror understanding and decision-making, and communicating more effectively with jurors about their role.

## Technology

When the judicial branch’s computer system was built, Ronald Reagan was president and the Court of Appeals did not yet exist. The existing technology is out-of-date, poorly integrated and difficult to use. Built to store data, but not to retrieve it, the courts’ existing databases hamper our response to public requests and policy evaluations.

Current court computer systems are unable to share information with our criminal justice partners. In addition, the state’s 1,100 separate criminal justice computer systems were not designed to communicate with each other. As a result, judges often do not know if the people in front of them are lifelong criminals or first-time offenders.

Complicating matters, nearly 100,000 felony and gross misdemeanor convictions are missing from the state’s criminal history database. Many of these “missing convictions” are not linked to fingerprints, so an alias or name change allows offenders to slip through the cracks.

Designs are underway for a new computer system (the Minnesota Court Information System or MNCIS) that will bring the judiciary’s technology into the 21st century and help us communicate effectively with other agencies and units of government. The project is also a core component of CrimNet, which will integrate the records of the state’s entire criminal justice system.



*Supreme Court Justice Paul Anderson reads to children at the Minnesota State Fair.*

“Nearly 100,000 felony and gross misdemeanor convictions are missing from the state’s current databases.”

Chief Justice  
Kathleen Blatz  
1998 - Present  
Associate Justice  
Lan Page  
1996 - 1998

Associate Justice  
Lan Page  
1993 - Present

Associate Justice  
Paul Anderson  
1994 - Present

Associate Justice  
Edward Stringer  
1994 - Present

Associate Justice  
James Gilbert  
1998 - Present

Associate Justice  
Russell Anderson  
1998 - Present

Associate Justice  
Jan Ericksen Lancaster  
1998 - Present

# Supreme Court

Seven justices make up the Minnesota Supreme Court, the state's court of last resort. The Supreme Court hears appeals from the Minnesota Court of Appeals, the Workers' Compensation Court of Appeals and the Tax Court. In addition, the Court hears lawyer and judge discipline matters, as well as all first-degree murder conviction appeals from the trial courts.

The Court also oversees the administration of Minnesota's statewide judicial system. Supreme Court justices serve as liaisons to the state's 10 judicial districts and to various boards and task forces that regulate and study justice system issues.

Minnesota's Supreme Court has worked to improve the efficiency and effectiveness of the judicial branch through systemwide efforts in the administration of justice, collaborative programs and public outreach.

## Preventing Frivolous Litigation

On September 1, 1999, the Court promulgated new rules intended to curb frivolous litigation that burdens the courts, parties and litigants. The rules give courts the ability to sanction litigants and attorneys, and limit their abilities to file future motions and litigation if they consistently engage in oral or written tactics that are frivolous or intended to cause delay.

Tours include community luncheons, breakfast meetings with local organizations and panel discussions highlighting new justice initiatives. In 1999, the Chief Justice toured Northwest Minnesota's Ninth District. April 2000 took her to Southwest Minnesota (the Fifth District), and in October 2000 she traveled to Central Minnesota's Seventh District.

## Celebrating History

The Supreme Court celebrated its 150th anniversary with events that began in 1999 with a riverboat ride on the St. Croix River, where Minnesota's first jury trial occurred in 1840. A celebration in Stillwater included the Great American History Theatre's production of "Trial of the Wind," based on Minnesota's first criminal jury trial held in Stillwater in 1847.

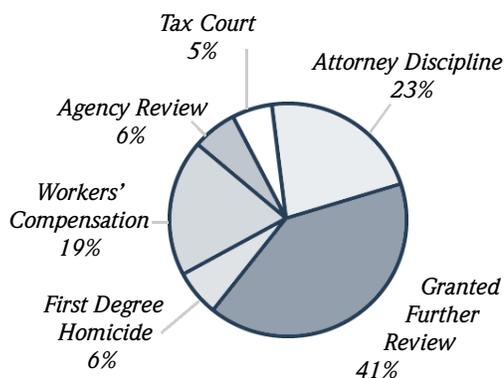
An engaging and educational video about the judicial branch was produced in cooperation with the court system's Sesquicentennial Committee and students from St. Paul Central High School. The video premiered at St. Paul Central on Law Day, May 1, 2000. On October 13, 2000, copies of the video accompanied 200 judges and attorneys when they visited more than 6,000 middle and high school students across the state for Minnesota Constitution Day.

## Keeping in Touch

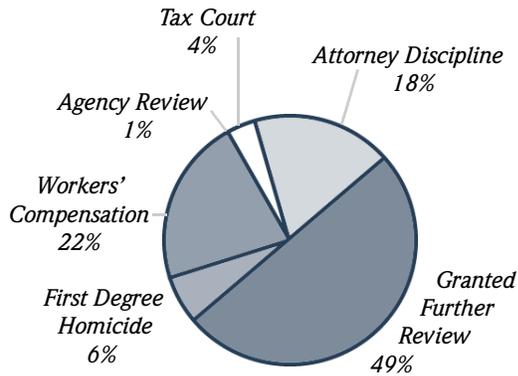
In 1999, Chief Justice Kathleen Blatz initiated "Court Innovations Tours," which take place twice a year in different judicial districts. The tours give the Chief Justice an opportunity to learn from the experiences of jurors, litigants and concerned citizens throughout the state. They also allow the Chief Justice to meet with trial court judges and local attorneys, increase public awareness of the challenges the courts face and high-

light local innovations undertaken by judges and court staff.

### Supreme Court Dispositions 1999



## Supreme Court Dispositions 2000



## Responding to the Public

In summer 2000, the Court launched a new web site for the state court system ([www.courts.state.mn.us](http://www.courts.state.mn.us)). It was re-designed to provide more useful information about the judicial branch and easier access for users. Features include appellate court calendars, opinions, biographies, basic information about the courts and links to the state's judicial districts. The site also provides information about Alternative Dispute Resolution and the statewide Court Interpreter Program.

## Educating Citizens

In an effort to demystify the court system to Minnesotans, the Supreme Court takes its oral arguments into schools across the state. This program reaches more than 4,000 students annually.

Twice a year, the Court hears oral arguments of actual cases in a school setting and then opens the program to questions from students in attendance. The visits include stops at other local schools. Attorneys from local bar associations volunteer to review case briefs and prepare students for the oral arguments.

The Court visited North High School in Minneapolis in April 1999, Johnson High School in St. Paul in October 1999, Bemidji High School in April 2000 and Apollo High School in St. Cloud in October 2000.

The Bemidji and St. Cloud visits also included community-wide dinners attended by several hundred people who represented a cross-section of the local communities. The dinners offered justices and local judges an opportunity to meet the people they serve and to also learn about the challenges and innovations of the justice system in those communities.



*Supreme Court Justice James Gilbert has lunch with Bemidji High School students during a Supreme Court visit.*

*Supreme Court Justice Alan Page talks with two students during a Supreme Court visit.*



*Minnesota Supreme Court Chief Justice Kathleen Blatz congratulates a Mankato, MN area student for his participation in Mankato's Teen Court.*



The Supreme Court's traveling oral argument program teaches more than 4,000 students a year about the court system.

## Supreme Court

Dispositions	1999	2000
PFR Denied	563	621
Summary Affirmance	22	24
Dismissed and Other	15	15
Affirmed	82	44
Affirmed as Modified	2	0
Affirmed in Part, Reversed in Part	0	2
Affirmed in Part, Remanded in Part	3	1
Affirmed in Part, Reversed in Part and Remanded	10	8
Question of Law Answered	1	0
Per Curiam	11	8
Closed	32	31
Remanded	15	15
Reversed	21	20
Reversed and Remanded	29	24
Total by Opinion	206	153
Total Dispositions	806	813

The Minnesota Supreme Court is nine years older than the state itself. The Court was established by a Territorial Act in 1849.

# Court of Appeals

Chief Judge  
Edward Toussaint, Jr.  
1985 — Present

Judge Harriet Lansing  
1983 — Present

Judge R. A. "Jim" Randall  
1984 — Present

Judge Gary Crippen  
1984 — Present

Judge Thomas Kalitowski  
1987 — Present

Judge Robert Schumacher  
1987 — Present

Judge Roger Klaphake  
1989 — Present

Judge Randolph Peterson  
1990 — Present

Judge Roland Amundson  
1991 — Present

Judge James Harten  
1992 — Present

Judge Bruce Willis  
1995 — Present

Judge Gordon Shumaker  
1998 — Present

Judge G. Barry Anderson  
1998 — Present

Judge Jill Flaskamp  
Malbrooks  
1998 — Present

Judge Terri Stoneburner  
2000 — Present

Judge Sam Hanson  
2000 - Present

The Minnesota Court of Appeals was created in 1983 to hear appeals from the state's trial courts and other agencies. Since then, it has become a national model of efficient case processing and delay reduction.

The 16 judges of the Court of Appeals work in rotating three-judge panels and hear cases in St. Paul, as well as in cities throughout Greater Minnesota. The Court strives to provide Minnesotans with impartial, clear and timely appellate decisions made according to law.

## Tapping into a Wealth of Experience

The success of Minnesota's appellate court relies greatly on the vast experience of its judges. Three Court of Appeals judges — Gary Crippen, Roger Klaphake and Robert Schumacher — have logged 75 years on the bench combined.

## Changing Hands

Judge Marianne Short resigned from the Court, effective January 31, 2000, to return to private practice. Governor Rudy Perpich appointed her to the Court in 1988. While on the Court of Appeals, Judge Short became known for her public outreach efforts.

On March 8, 2000, Governor Jesse Ventura appointed Judge Terri Stoneburner, Assistant Chief Judge of the Fifth Judicial District, to replace Judge Short. Judge Stoneburner was Governor Ventura's first Court of Appeals appointee and the 30th judge appointed to the Court. She took her oath on April 28 at the Brown County Courthouse in New Ulm.

Judge Jack Davies announced June 7, 2000 that he would retire effective September 1. Governor Perpich appointed Davies to the Court in 1990. Before his service to the Court, Judge Davies was a professor at William Mitchell College of Law for 25 years and a Minnesota state senator for 24 years.



*Judge Sam Hanson (left) is sworn in as the 31st judge of the Court of Appeals by Supreme Court Justice Edward Stringer (right) as Hanson's father stands by.*

On November 27, 2000 Judge Sam Hanson was sworn in as the Court's 31st judge. Prior to taking the bench, Hanson specialized in civil litigation and regulated industries.

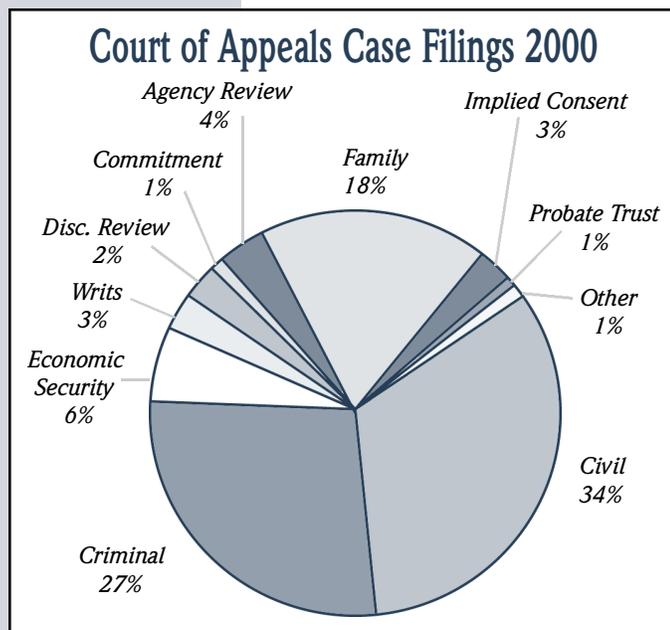
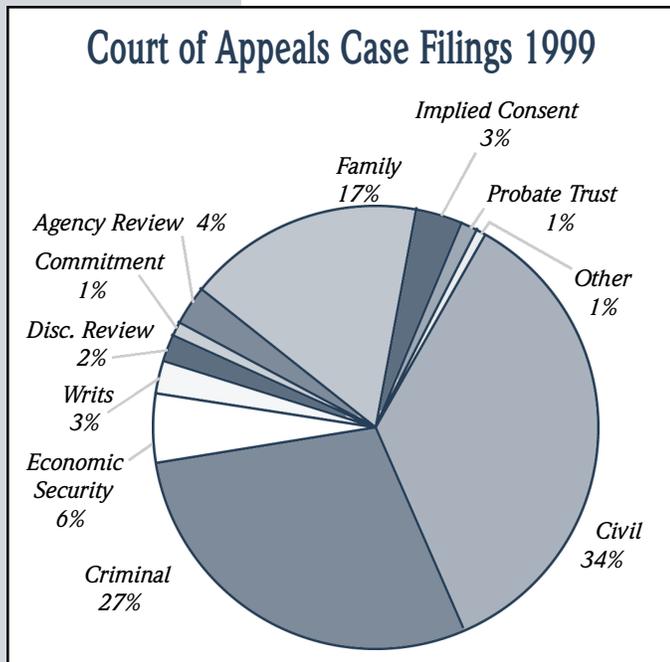
## Going “Back to School”

Judge Jill Flaskamp Halbrooks coordinated the court system’s statewide “Back to School” program, which paired judges and attorneys with middle and high schools across the state. The judges and attorneys visited schools on Minnesota Constitution Day, October 13, 2000, to show an educational videotape and discuss issues related to the Constitution and the court system.

More than 200 volunteer judges and attorneys spoke with more than 6,000 Minnesota students during the effort, which was supported by the Minnesota Department of Children, Families and Learning and Governor Jesse Ventura.

During their visits, judges and attorneys played a video entitled “Inside Straight: The Third Branch.” The engaging and educational videotape was produced by the court system and distributed to all Minnesota middle and high schools for use as a teaching tool about the judicial branch. The Minnesota Center for Community Legal Education developed curriculum guides that accompanied the videotape and were made available on-line.

Information about the videotape and the accompanying curriculum are available at [www.courts.state.mn.us](http://www.courts.state.mn.us).



## Increasing Efficiency, Reducing Costs

Interactive video conferencing played a key role in the Court of Appeals’ efforts to remain one of the most efficient appellate courts in the nation. The technology allows judges and attorneys to conduct oral arguments and meetings without leaving their communities, considerably reducing travel time and expenses.

The Court began using interactive video conferencing in late 1998. In 1999, 68 cases were heard via interactive television. In 2000, the Court heard 61 cases using the technology.

## Working for Children

In accordance with new juvenile rules, which apply to all juvenile protection matters filed on or after March 1, 2000, the Court began expediting opinion releases in all juvenile protection appeals filed after March 1. The opinions are released within 60 days after the case is submitted.

Pursuant to its own internal rules, the Court also expedites the scheduling of oral arguments or nonoral submission of cases that involve child custody or parental rights termination.



*Court of Appeals Chief Judge Edward Toussaint spends time with reading buddy Teonna Green.*

## Reaching Out

During her time on the bench, Judge Marianne Short became well known for her “You Be the Judge” program that she developed to teach Minnesota students about the court system and the law. She started the program in 1992 with eight judges and by the time she resigned on January 31, 2000, 25 judges were participating.

The program partnered judges with educators, who worked together to supplement civics and law education in the schools. When judges visited classrooms, they used timely news issues to create activities that encouraged students to “be the judge” and discuss legal concepts while they developed decision-making skills.

Other Court of Appeals judges routinely met with groups of students and adults who toured the Minnesota Judicial Center several times each month. Hundreds of visitors participated in such meetings in 1999 and 2000.

Judges also met with international delegations, including a group of Russian judges who learned about Minnesota’s judicial branch in September 2000 as part of the Library of Congress Russian Leadership Program. The program sought to foster professional and cultural contacts between United States and Russian representatives of government, business and non-profit organizations.

## Court of Appeals

Dispositions	1999	2000
Affirmed	1079	962
Affirmed as Modified	22	20
Affirmed in Part, Reversed in Part	45	39
Affirmed in Part, Remanded in Part	7	18
Affirmed in Part, Reversed in Part and Remanded	80	82
Vacated	5	3
Written Denial	52	57
Remanded	17	6
Reversed	126	129
Reversed and Remanded	115	153
Total by Opinion	1548	1469
Order Opinion	40	72
Question of Law	1	4
Denied/Discharged	31	40
Dismissed/Other	445	510
Stayed, Remanded	0	0
<b>Total Dispositions</b>	<b>2065</b>	<b>2095</b>

# Chief Judges

of July 1, 2001)

Judge Richard Spicer  
First District



Judge Lawrence Cohen  
Second District



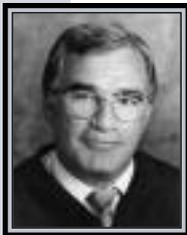
Judge Gerard Ring  
Third District



Judge Kevin Burke  
Fourth District



Judge Norbert Smith  
Fifth District



Judge Gary Pagliaccetti  
Sixth District



# District Courts

The more than 2 million cases per year that are filed in Minnesota's judicial branch begin in the District Courts. These courts handle a wide variety of civil and criminal matters including probate, family and juvenile cases. Minnesota is divided into 10 judicial districts in which 268 judges work. Their innovations have built the foundation of a judiciary known nationwide for its efforts to improve the administration of justice. The following are some examples of the innovative programs undertaken across the state during this reporting period.



*Fillmore County District Court Judge Robert Benson teaches international students from the Lions Youth Exchange Program about the American legal system.*

## Initiating a Fundamental Transformation

On July 1, 2000, the court operations costs of all 55 counties in the Fifth, Seventh, Eighth and Ninth Judicial Districts were transferred to state funding in an effort to place court costs under one roof, reduce funding inconsistencies across county boundaries and work towards the equitable delivery of judicial services statewide. Collective bargaining for the "new" state employees was completed on time and within budget.

By 2005, there will be one source of funding for court operations statewide instead of 87 individual county sources.

## Increasing Efficiency with Technology

A 1999 National Center for State Courts study on an Interactive Television pilot project in the Ninth Judicial District called the project "impressive" and one that "should be held up as an example to other jurisdictions nationwide." The independent study said that ITV "clearly appears to save money for the taxpayers of Minnesota."

ITV is used for court hearings, as well as other government meetings and training sessions that take place between county facilities throughout the district. Fifty-eight percent of those who used ITV since its 1998 inception said that the most important benefit of the project was time savings. Other important benefits included money savings and convenience.

The study found that staff was well trained, the judges and attorneys were prepared, and the attorneys, litigants and witnesses used the system as if they had been doing so for years, even though this was a first experience for many of them.



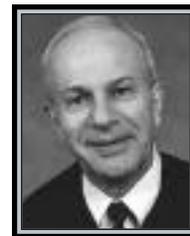
Judge Vicki Landwehr  
Seventh District



Judge Gerald Seibel  
Eighth District



Judge Dennis Murphy  
Ninth District



Judge R. Joseph Quinn  
Tenth District

## Teaching Teens Responsibility

Dakota County convened the first Peer Court of its kind in the Twin Cities in May 2000. Peer Court is an alternative sentencing program in which juvenile offenders tell their stories to juries of their peers, who then recommend sentences

that often include community service, drug or alcohol counseling, and jury service in Peer Court.

Peer Court teaches participants individual accountability and responsible decision-making skills. The program was featured on French television as an exemplary method of combating juvenile violence and crime.

**“Peer Court teaches participants individual accountability and responsible decision-making skills.”**



*Dakota County District Court Judge Karen Asphaug works with a middle school student during a mock trial activity.*

Similar teen courts are underway in Blue Earth, Martin, Brown and Lyon counties.

Also in 2000, Dakota County started a program that ensures that most teenagers who commit petty offenses are seen within two weeks of their crime instead of the typical three months. The offenders often receive sentences that involve community volunteer work and an apology to the victims.

Six district court judges, the county attorney's office, police officers and local schools collaborate to offer the program, called "Operation JOLT."

## Dealing with DWI Faster

Hennepin County District Court started a new program in summer 2000 that significantly cuts DWI case processing time, which can take up to 400 days from offense to resolution. Under new timelines implemented in Hennepin County, DWI cases are set for trial within 45 days.

The effort enables parties to move through the process faster so healing and recovery can begin earlier. In addition, reduced processing time leads to a decreased likelihood that offenders will re-offend.

## Bridging the cultural gap

Todd County District Court collaborated with county and local officials to establish the Todd County Community Hispanic Liaison Program in 1999.

The program was initially established to provide court interpreters for the county's rising Latino population. It has grown to include a Latino youth mentoring program, English and Spanish classes, a summer reading project and other programs that promote cultural awareness.

## Repairing Communities

Ramsey and Hennepin counties formed community courts to devote more judicial attention to "livability crimes," lower level offenses that affect a community's quality of life. The programs, started in 1999 and 2000, focus on community service as a method to repair and restore neighborhoods injured by offenders' actions.

Ramsey County participants logged about 13,000 community service hours in local neighborhoods since the beginning of the program, which has greatly improved compliance rates. Hennepin County's community court has shortened the arrest-to-sentencing process of its low-level felonies, misdemeanor livability crimes and nuisance abatement cases from a minimum of six weeks to two weeks. It has also reduced bench warrants and improved court order compliance rates.

In Washington County, Judge Gary Schurrer initiated a unique Community Circles program, which involves the judiciary, law enforcement, business people, school officials and residents. Defendants who plead guilty to minor crimes may request to meet with a "circle" of community members, who act as mentors to the defendants.



*Kandiyohi County District Court Judge Kathryn Smith speaks to an English as a Second Language class at Jefferson Elementary School in Willmar, MN.*

Circle members may require defendants to undergo treatment or other programs. Once a defendant demonstrates an ability to change, a sentencing circle that involves the greater community is held. Through consensus of everyone involved, defendants receive their sentences and continue to work with the Circle to successfully complete them.

In 1999 and 2000, eight cases were referred to Community Circles. The Circles, which also work to resolve family, school and community conflicts, are active in the cities of Cottage Grove, Stillwater and Woodbury.

## Battling Domestic Violence

Hennepin County created a domestic violence court in fall 2000 in collaboration with the city attorney's office and the Family Violence Coordinating Council. The court consolidates domestic crimes from arraignment to sentencing into one court, allowing judges to expedite the cases so that trials are held within 45 days of arraignment.

The innovation reduces the number of times victims must tell their stories and it streamlines case handling so the court can process cases more efficiently and effectively.

## Removing Roadblocks

The Mower County License Return Program helps motorists reinstate their licenses while under court supervision and prevents repeat arrests for driving after revocation, cancellation or suspension. The effort lessens the burden on overcrowded local jails and reduces

court calendar caseloads by as much as 10 percent. It also simplifies the license reinstatement process for the public and keeps unlicensed drivers, who are often uninsured, off the streets.

The two-year-old program is a collaborative effort of the courts, Correctional Services, public defenders, offenders and prosecutors. Several Minnesota counties — including Faribault, Rice, Freeborn, Waseca and Steele — have inquired about or have initiated similar programs.



*Hennepin County District Court Chief Judge Kevin Burke announces a recent court innovation in Minneapolis.*

**St. Paul judges sorted books for donation to school libraries as part of a 1999 citywide book drive spearheaded by Ramsey County District Judge Margaret Marrinan. Judge Marrinan initiated the event after hearing that the average library collection in St. Paul schools was 30 years old.**

# Conference of Chief Judges



**Judge Leslie Metzen** provided exemplary service to Minnesota's courts during her 1999 - 2001 tenure as the Chair of the Conference of Chief Judges (CCJ), the policy-making body for the District Courts. Her election marked the first year in state history in which women served as the Chief Justice, the CCJ Chair and the Minnesota District Judges Association President.

Under Judge Metzen's leadership, the CCJ secured emergency funding for insurance cost increases and the adoption of a statewide compensation plan that would bring court system salaries in line with other state government employees. It also developed an aggressive 2001 legislative agenda to move the trial courts from county to state funding and to secure adequate funding to improve access to justice for all Minnesotans. The CCJ also supported the reorganization of the Intercourt Committee, representing all levels of court. The Intercourt Committee, working with the courts and administration, designated four areas (Access to Justice, Children's Justice, Public Trust and Confidence, and Technology) on which the judicial branch would focus its attention in the coming years.

In July 2001, Judge J. Thomas Mott was elected as the 2001 - 2002 CCJ Chair and Judge Gary Pagliaccetti was elected Vice-Chair.

## 1999-2000 Chief Judges

- First District: Leslie Metzen
- Second District: Lawrence Cohen
- Third District: Gerard Ring
- Fourth District: Daniel Mabley
- Fifth District: Bruce Gross
- Sixth District: John Oswald
- Seventh District: William Walker
- Eighth District: Gerald Seibel
- Ninth District: Lois Lang
- Tenth District: Gary Meyer

## 2000-2001 Chief Judges

- First District: Leslie Metzen
- Second District: Lawrence Cohen
- Third District: Gerard Ring
- Fourth District: Kevin Burke
- Fifth District: Bruce Gross
- Sixth District: Gary Pagliaccetti
- Seventh District: William Walker
- Eighth District: Gerald Seibel
- Ninth District: Lois Lang
- Tenth District: R. Joseph Quinn

# Statewide Initiatives

*Minnesota's Court System is recognized nationwide for its efforts to make systemic improvements in its administration of justice. Court officials from other states look to Minnesota for guidance on issues involving the accessibility of courts for non-English speaking citizens, children in need of protection and citizens who serve on juries.*

*From the district courts to the Supreme Court, Minnesota judges take seriously their responsibility to improve the functions of the judicial branch.*

Minnesota is a national leader in jury management because:

- It has one of the highest flat rate jury fees in the nation (\$30 per day).
- It is the only state that reimburses jurors for day care.
- It has a lower than average "failure to appear" rate.

*-National Center for State Courts, 1999*

## Studying Treatment of Jurors

In March 2000, the Supreme Court established the Jury Reform Task Force and instructed it to recommend improvements in jury trial procedures and juror treatment. Task Force membership includes judges, county attorneys, public defenders, bar members, business leaders, union officials, citizens and former jurors.

## Improving Access to Justice

Minnesota has certified 36 interpreters (two Hmong, two Russian and 32 Spanish), who passed rigorous training and testing to provide the highest level of court interpretation. The judicial branch also maintains a roster of interpreters available to assist in court settings. By the end of 2000, the roster included 414 interpreters who can interpret 48 languages.

The Court Interpreter Advisory Committee distributed in 1999 a "best practices" manual to help court officials effectively use interpreters in court. The Committee also posted information about the court interpreter program, as well as an up-to-date roster of available interpreters, on the court system's web site ([www.courts.state.mn.us](http://www.courts.state.mn.us)). The on-line roster replaces an annual paper version that proved costly to reproduce and mail, and was frequently out-of-date.

In April 2000, two Minnesotans were among the first in the nation to be certified as Hmong court interpreters. They are currently developing a legal glossary and

curriculum materials for a Hmong Court Interpreter Training Program that will be shared with other states through the National Consortium of State Court Interpreters. Minnesota State Court Administrator Sue Dosal was a leader in forming the 25-state consortium in 1995, for which she received recognition in 2000 from the National Conference of Chief Justices.

## Helping Children

### Guardians ad Litem

Rules that establish standards for the use of Guardians ad Litem in child protection cases took effect on January 1, 1999. Prior to that, no statewide rules were in place and each of Minnesota's 87 counties funded and administered its program differently. The rules established system uniformity as well as a screening process, 40 hours of training and a mentorship program for all new guardians.

Of great concern to the judiciary is the fact that 40 percent of children in need of protection receive no representation in court from a Guardian ad Litem. To meet the demand for guardians, Supreme Court Chief Justice Kathleen Blatz issued a "Pro Bono Challenge for Kids" in winter 2000.

She asked law firms in Hennepin and Ramsey counties to find 300 volunteer guardians by the year 2002. Initial responses from 21 law firms resulted in 128 volunteers for the first year.

**Child visitation**

In 1999, the Advisory Task Force on Visitation and Child Support Enforcement, in consultation with child development experts, published “A Parental Guide to Making Child-Focused Visitation Decisions.” The pamphlet emphasizes the importance of parents and judges creating visitation schedules that are predictable yet flexible enough to accommodate children’s needs.

**Open child protection hearings**

In June 1998, Minnesota’s judiciary began a pilot project in 12 counties to open to the public child protection hearings and records. The goal was to improve system-wide accountability and increase public awareness about abuse and neglect, the number of cases filed each year and the lack of resources available for these cases.

The judicial branch contracted with the National Center for State Courts to evaluate the pilot project. A second and final round of surveys were sent to child protection stakeholders in spring 2001. The final report is due in fall 2001.

**Child support**

The Advisory Committee on the Rules of the Expedited Child Support Process completed more than a year of work at the end of 2000. The Committee’s recommendation includes a reorganization of the rules, with separate sections for paternity establishment, modification and enforcement proceedings. The final rules took effect July 1, 2001.

**Juvenile protection**

New juvenile protection rules took effect March 1, 2000 after a two-year review. The changes make the court rules a “one-stop shop” for all information about child protection cases and bring the rules into conformity with state and federal law. The changes are meant to provide safe, permanent homes for children through: greater court responsibility for case management; mandatory appointments of Guardians ad Litem in all child protection cases; shorter permanency timelines; and clearer definitions.

During summer 2000, the judiciary, in cooperation with the Minnesota Department of Human Services, conducted 11 workshops called “Through the Eyes of the Child” for stakeholders involved in child protection cases. Minnesota attracted nationwide attention because of its statewide training program, which trained 1,700 stakeholders, including judges, court administrators, social workers, county attorneys, public defenders and Guardians ad Litem.

State Court Administration and the Department of Human Services continue to provide training and technical assistance to all child protection stakeholders.

## Reducing Family Tension

*In 1999, the Supreme Court Advisory Task Force on Parental Cooperation recommended ways to change the focus of family law from parents to children and to reduce conflict during divorce, annulment, legal separation and paternity cases. In particular, the Task Force evaluated and recommended the use of parenting plans, which spell out financial obligations involving children’s school, extracurricular needs, specific visitation details and other issues that cause disagreements between divorcing parents.*

*During the 2000 session, the Task Force worked with the Legislature to change state statutes to allow for the use of parenting plans. The statutes took effect January 1, 2001.*

## Simplifying the Process

The Supreme Court and the Hennepin County District Court collaborated in 2000 with a “plain English” expert to revamp family court forms and produce two instructional videos for pro se, or self-represented, litigants. The effort, paid for by a State Justice Institute grant and in-kind donations, will continue through March 2002.

Improved instructions and forms will improve communication between litigants and the courts. In turn, the court can reduce case delay and make more informed decisions based on more complete and reliable information.

## Mentoring newcomers

The Continuing Education division of the State Court Administrator’s Office began a mentoring program for new judges in 1999. When judges are appointed or elected, Supreme Court Chief Justice Kathleen Blatz appoints a mentor judge for that individual. Mentors work with new judges throughout their first year in the court system to help them transition from the bar to the bench. By the end of 2000, the Chief Justice had appointed 20 mentor judges. The mentor program supplements the formal orientation program, which includes a one-week classroom orientation and a two-week “second chair” training schedule, working with and observing experienced judges.

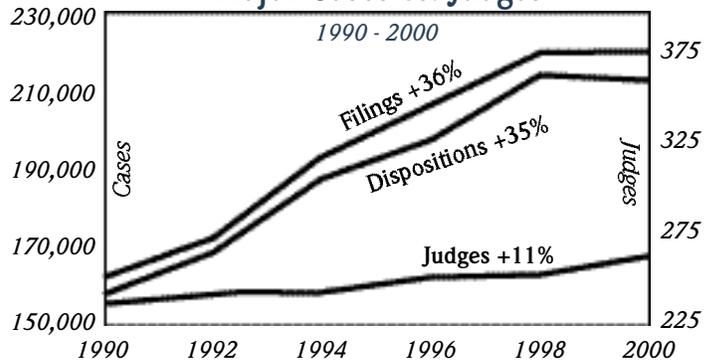
## Assessing Employee Compensation

On December 14, 2000, the Supreme Court approved a new job classification and compensation plan for state judicial branch employees. The plan was developed by the National Center for State Courts based on three primary objectives: to develop a classification plan that encompasses the broad range of jobs performed by Minnesota’s 2,500-plus court employees; to develop a classification structure that incorporates internal equity and external requirements using an appropriate and easily implemented method; and to propose appropriate compensation schedules for employees that compare to the executive and legislative branches, and other relevant employment markets.

## Addressing Caseload Demands

In 1999, the Minnesota Legislature approved 13 of the 18 additional judgeships sought by the judicial branch to address the more than 2 million cases filed in the state’s court system each year. The judgeships were phased in, with eight being filled by the end of 2000. The remaining five judgeships were filled early in 2001.

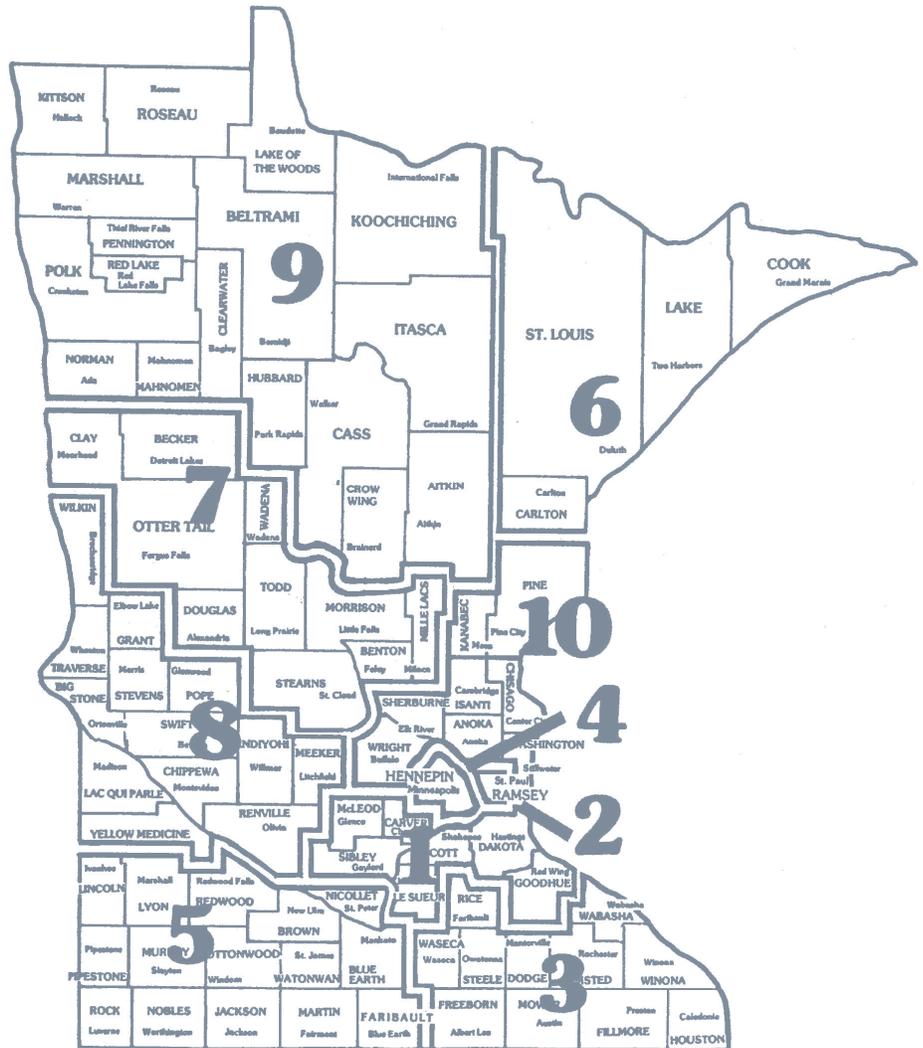
Major Cases vs. Judges



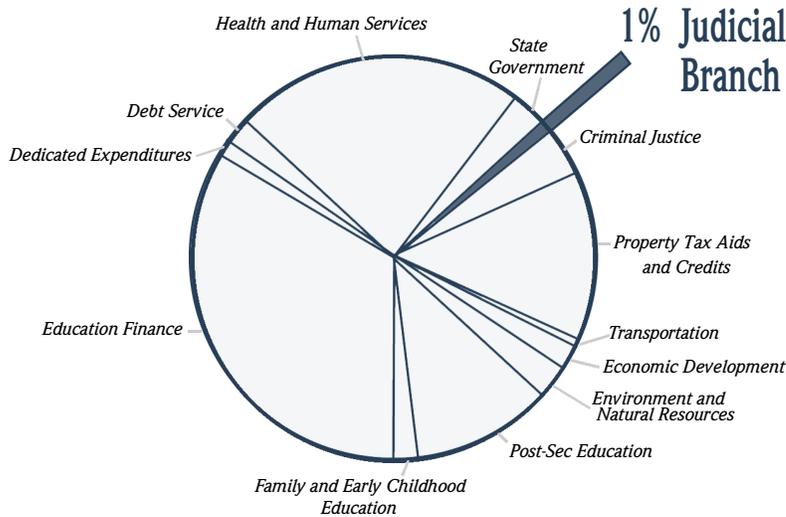
# Minnesota's Judicial Districts

## District Court facts:

- 2 million cases filed per year
- 268 judges
- 10 judicial districts



## Where Minnesota's General Fund Dollars Go 2000-01 Biennium



State Court Administration Office  
25 Constitution Avenue  
St. Paul, MN 55155

[www.courts.state.mn.us](http://www.courts.state.mn.us)

Annual report cost: \$6,400 for 2,000 copies.