



MINNESOTA JUDICIAL BRANCH

First Judicial District

Mission: To provide justice through a system that assures equal access for the fair and timely resolution of cases and controversies.

Hon. Kathryn D. Messerich
Chief Judge
(651) 438-4352

Brian E. Jones
Judicial District
Administrator
(651) 438-8230

[First Judicial District Public Website](#)

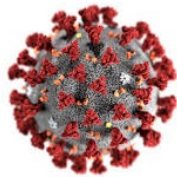
The First Judicial District has 36 judges and more than 250 staff that handle over 120,000 cases annually in the counties of Carver, Dakota, Goodhue, Le Sueur, McLeod, Scott and Sibley.

The First Edition

A Newsletter about the First Judicial District of the State of Minnesota

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‘Unprecedented’

Minnesota’s Judiciary Responds to the COVID-19 Pandemic

The Minnesota Judicial Branch took a series of dramatic steps in March to preserve essential court operations and protect judicial officers, court staff, and court users as governments across the globe raced to respond to the COVID-19 pandemic.

The impact of COVID-19 on Minnesota grew rapidly in March. State officials confirmed the first positive case of COVID-19 in Minnesota on March 6. Within a few weeks, much of public life in the state had ground to a halt. On March 25, Governor Tim Walz issued a two-week-long [stay-at-home order](#) to temporarily curb the spread of the disease which had already sickened hundreds of Minnesotans and tens of thousands of people across the country.

The disease's impact on Minnesota's judiciary spread just as quickly. Throughout March, Chief Justice Lorie S. Gildea, in close consultation with the Minnesota Judicial Council, issued several statewide orders to scale back in-person court operations during the pandemic.

The Minnesota Judicial Council held an

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'Unprecedented' Minnesota's Judiciary Responds to the COVID-19 Pandemic
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emergency meeting on March 13 to respond to Gov. Walz's [Emergency Executive Order 20-01](#), which declared a peacetime emergency in the state. Following that meeting, Chief Justice Gildea issued a [statewide order](#), effective Monday, March 16, for all Minnesota courts. The order stated that all court facilities would stay open, but temporarily suspended all proceedings in case types designated "Medium Priority" or "Low Priority" in the [Limited Court Service Case Priorities List](#) and discouraged the public from making any non-essential visits to court facilities.

Less than a week later, the Minnesota Judicial Council held their regularly scheduled monthly meeting via WebEx and discussed additional steps the Judicial Branch should take as the pandemic continued to worsen.

The following day, on March 20, the Chief Justice issued a [new order](#) that contained further restrictions for in-person courthouse access, intending to minimize the number of people working in and visiting court facilities. Among other measures, the order suspended most in-person district court proceedings for 30 days; limited public access to court facilities and courtrooms; and closed courthouse service windows and

self-help centers. The order also made clear that courts could continue processing cases using remote hearing technology to the extent feasible, and that staff should continue processing case filings as they were submitted.

"We are committed to protecting the safety of all who must enter into a courthouse during this unprecedented time," Chief Justice Gildea said at the time of issuing the March 20 order. "The Minnesota Judicial Branch is where people access justice and defend their constitutional rights. The balancing of public health and access to justice during this time is testing our systems and procedures. The steps we announce today will help us maintain that delicate balance."

The Chief Justice subsequently issued two additional orders – on [March 23](#) and [March 26](#) – amending the March 20 order.

In support of the Chief Justice's March 20 order, the Judicial Council directed that most judicial officers and court staff begin working from home when not needed at the courthouse to conduct vital in-person court business.

The Judicial Branch's shift to remote working conditions ensured courts were

ready to comply with Gov. Walz's stay-at-home order, which was issued just a few days after the Chief Justice's March 20 order. The Governor's order specifically listed the Judicial Branch as a "critical sector" organization, meaning judicial officers and court staff deemed essential to maintain court operations were still free to travel to and from their work locations, though they were directed to continue working from home when not needed at a court facility.

As of April 1, courts across the state are continuing to adjust to this new, temporary normal. Judicial officers and staff are implementing innovative approaches, such as hearing cases through "virtual courtrooms"; processing emergency and high priority cases with small numbers of in-courtroom participants; and shifting much of the business of Minnesota's judiciary online and to other remote services.

Meanwhile, staff in State Court Administration are working to maintain statewide consistency in court operations in light of these extensive changes, provide training and resources to judicial officers and staff, maintain a taxed IT infrastructure, and support the district and appellate courts as they navigate these uncharted waters.



Expanding Electronic Access to Court Records

Judicial Council supports in-house development of MPA Remote

The Minnesota Judicial Council has approved a plan to use internal Judicial Branch staff to develop a new online application that will replace the current public access application

known as Minnesota Public Access (MPA) Remote. The new application will also provide online access to Public1 district court documents and provide a way to purchase those documents.

The district court documents available will be those with a Public1 security classification, as defined by the Minnesota Rules of Public Access (page 4). The current plan would allow users to view the first page of such documents as a preview, and would charge users to view subsequent pages and download or print the entire document.



The project, once officially begun, is planned to have a phased development approach lasting approximately 24 months. An Executive Steering

Committee will be appointed by the Chief Justice of the Supreme Court. The project scope or timeline may be adjusted based on direction provided by the Steering Committee and lessons learned during development. The Judicial Council will receive monthly updates on the project.

The Judicial Council began discussing options for providing online access to court documents early in the Judicial Branch's successful eCourtMN transformation.

The current version of MPA Remote allows members of the public to access

Registers of Action and other case information online, but public access to court documents is only available through courthouse terminals (MPA Courthouse) or at court counters.

Over the past several years, the Judicial Branch has explored a variety of options to replace the current MPA Remote with a new portal that would provide access to public documents (those with a Public1 security classification). This included working with an outside vendor, and exploring whether Minnesota could partner with other states to jointly develop a new portal.

After extensive efforts to explore other options, SCAO ultimately recommended internal development as the best and most cost-effective option for providing this additional service to the public. The Judicial Council approved that recommendation during their March 2020 meeting.

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*Expanding Electronic Access to Court Records
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The following documents are classified as Public1 and will be available through MPA Remote:

For documents filed on or after July 1, 2015:

- Orders, appellate opinions, and notices prepared by the court, but excluding any other documents, in the following public case types: 1. Custody, Dissolution With Child, Dissolution Without Children, Other Family, and Support (encompasses all family case types); 2. Post-Adjudication Paternity Proceedings.
- Orders, appellate opinions, notices prepared by the court, and any other documents, in the following case types: 1. All Major and Minor Civil Case Types; 2. Formal Probate, Other Probate, Guardianship and Conservatorship, and Trust; 3. All Major and Minor Criminal Case Types; and 4. All electronic case records that are accessible to the public under Rule 4 and that have been in existence for more than 90 years.
- Note: public documents in public Civil Commitment, Domestic Abuse, Harassment, Delinquency Felony, and CHIPS cases do not have a Public1 classification and will not be available on MPA Remote.

For documents filed from July 1, 2005, to June 30, 2015: Judgments, orders, appellate opinions, and court-generated notices to the parties when filed in case types that were publicly and remotely accessible.

Governor Tim Walz Appoints Amber Donley to Fill First Judicial District Vacancy

On April 22, 2020, Governor Tim Walz announced the appointment of Amber Donley as a District Court Judge in Minnesota's First Judicial District. Ms. Donley's appointment will fill a vacancy occurring upon the retirement of the Honorable Timothy J. Looby. She will be chambered in Sibley County.

"Amber Donley is active in her community, has proven leadership experience, and has



Amber Donley

wide-ranging legal experience that will make her successful in this role," said Governor Walz. "I want to thank Judge Looby for his years of service to our state and am honored to appoint Ms. Donley as his successor."

"Ms. Donley is both exceptionally qualified and deeply committed to serving her community," said Lieutenant Governor Peggy Flanagan. "We're

honored to appoint her to the First Judicial District."

About Amber Donley

Ms. Donley is currently an attorney at Melchert Hubert Sjodin, PLLP. Her practice areas include family law, child protection, and general court-appointed work. Ms. Donley is an Early Neutral Evaluator and a Qualified Neutral/Mediator under Rule 114. Previously, Ms. Donley handled municipal and

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Governor Tim Walz Appoints Amber Donley to Fill First Judicial District Vacancy
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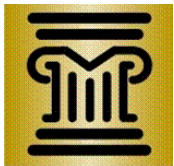
prosecution matters for various municipalities in McLeod and Sibley counties. Ms. Donley's community involvements include serving as the current chair of the McLeod/Sibley Early Case Management and Initial Case Management Conference (ICMC) Steering Committee, a volunteer attorney

for Southern Minnesota Regional Legal Services (SMRLS), a member of the SMRLS fundraising committee, a member and past president of the Eighth District Bar Association, a mock trial attorney coach, and an active member of the Waconia-West Carver Rotary Club.

Ms. Donley received her BA from Concordia College in Moorhead and her JD from William Mitchell College of Law.

For more information about the judicial selection process, please visit our website: <https://mn.gov/governor/administration/judicialappointments/>

New Court of Appeals Documentary Released



The Minnesota Court of Appeals has released a short documentary highlighting the origin and workload of

Minnesota's intermediate appellate court. *Doing Minnesota Justice* is an update to a documentary commissioned to recognize the 25th anniversary of the Court of Appeals, in 2008. The thirty minute video is a teaching tool for incoming Court of Appeals law clerks and available for educators and all students of history to stream on-demand via the [Minnesota Judicial Branch YouTube](#).

"The Court of Appeals has served the citizens of Minnesota for almost four decades. The updated *Doing Minnesota Justice* video will be a key tool to help Minnesotans, young and old, understand the role of our court. This updated version breathes new life into the story of the Court of Appeals," said Minnesota Court of Appeals

Chief Judge Edward J. Cleary.

Appellate court history buffs may recall that in the 1960s and 1970s, the number of appeals soared. As a result the Minnesota Supreme Court became overburdened with an intense workload that was threatening the right to a meaningful first appeal for all Minnesotans. The solution was the creation of the Minnesota Court of Appeals, an intermediate court. The documentary follows the robust [1982 constitutional amendment](#) campaign to establish the Court of Appeals. Minnesota voters overwhelmingly supported the constitutional amendment, which netted 77 percent of votes cast. The passage of the amendment established the Court of Appeals and helped ensure impartial, clear, and timely appellate decisions.

The Court of Appeals handles all first appeals except for first degree murder. This allows the Minnesota Supreme Court to

spend time considering and resolving other constitutional and public policy cases. Court of Appeals' decisions are the final ruling in about 95 percent of the approximately 2,000-2,400 appeals heard by the court each year. Typically, around five percent of the Court's decisions are accepted by the Minnesota Supreme Court for further review.

By law, the Court must issue a written decision, called an opinion, within 90 days of oral arguments. If no oral argument is held, a decision is due within 90 days of the case's scheduled conference date. This deadline is the shortest imposed on any appellate court in the nation. In order to expedite justice and to make the appellate system more accessible, the Court's 19 judges sit in three-judge panels and travel to locations throughout Minnesota to hear oral arguments. Other states frequently look to Minnesota as a model for case-processing and delay-reduction.



Guide & File Divorce Interviews Now Available in All Divorce Types

This helpful tool and many others are available while court services are limited

The Minnesota Judicial Branch has launched the [Guide & File](#) interview for “Starting a Divorce in MN,” which is now available for all divorce types. This tool will assist litigants in creating all of the required forms to start a divorce with or without children, or a joint petition with or without children. Learn more by visiting the [Guide & File Help Topic](#).

“The Judicial Branch is committed to assisting court customers during this unprecedented time. Many services and online tools, including the new Guide & File interview, are available for the public to get their questions answered and complete documents for their cases” said State Court Administrator Jeff Shorba.

The Statewide Self-Help Center accepts calls at (651) 435-6535, Monday through Friday, from 8:30 a.m. to 4 p.m., and also responds to email questions sent through its [contact form](#). [Find basic information](#) about more than 40 common legal topics, court forms, videos and tutorials, and more on the Judicial Branch public website.

Guide & File – An online interview tool for certain case types

Guide & File is a free, online, mobile-friendly interview tool that asks simple questions and uses the answers to complete the appropriate court forms. It also gives helpful information throughout the interview to explain legal terms and concepts. The resulting forms can be printed, and many may be electronically-filed with the court.

Litigants who plan to file by paper are asked to [contact the court](#) for the current process for filing paper copies. [Guide & File](#) is available for the following case types:



- Conciliation Court
- Eviction
- Affidavit of Service (for Conciliation Court and Eviction)
- Restraining Orders (Orders for Protection and Harassment Restraining Orders)
- Starting a Divorce (now for all Divorce types)

Contact the Statewide Self-Help Center or gfhhelp@courts.state.mn.us with questions or to request support with Guide & File.

Fillable Smart Forms – Forms with built-in intelligence

Fillable Smart Forms can be used to make it easier to complete forms and electronically file cases. Responses in Fillable Smart Forms can auto-populate to fields that ask for the same information, “hide” questions that do not apply, and allow for longer answers in some answer fields. Fillable Smart Forms reduce extra and unnecessary pages, and can easily be saved and prepared for eFiling. The Forms can also be printed and completed on paper.

The answers to [FAQs](#) explain how users can change their internet browser settings to more easily open the Forms. Fillable Smart Forms cannot be used on mobile devices or with Chromebooks.

eFile – Submitting documents to the court electronically

Documents may be submitted to the court electronically using the eFile and eServe (eFS) system. More information

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*Guide & File Interviews Now Available In All Divorce Types
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about eFiling is available at www.mncourts.gov/efile, with helpful training materials on the eFile and eServe Training tab.

Contact the eFile Support Center with questions or for support with eFS: (612) 902-9585, or (844) 918-1724 for those calling long distance from a land line phone. Support is available Monday through Friday from 8:30 a.m. to 4:30 p.m.

Minnesota State Law Library – Online tools and support available by phone and email

Minnesota State Law Library (MSLL)



staff will continue to deliver legal information services via the [MSLL website](#), by [email](#) (quickest response time), and by phone (651) 297-7651. The Library has access to many online legal resources and can assist people looking for legal information. Since physical access to the Library is not currently available, Library staff may mail items to

patrons when emailing is not an option.

Contacting the Court

In order to make it easy for the public to find their county-specific district court information, an easy-to-find drop-down menu has been added to the Minnesota Judicial Branch [COVID-19 webpage](#). Each district court's phone number and email contact form, along with any courthouse-specific information, will show up based on the county selected. For information about filing and cases at the Court of Appeals and the Supreme Court, please contact the [Office of the Clerk of Appellate Courts](#).



The First Edition Editorial Team:

Editor: Brian E. Jones

Formatting Editor: Rita Miest, *RM graphic design*

Comments and story ideas may be submitted to:

brian.jones@courts.state.mn.us

