



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.

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[First Judicial District Public Website](#)

The First Judicial District has 36 judges and more than 250 staff that handle over 115,000 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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WINTER 2021

State Courts Limit In-Person Activities in Court Facilities for Additional 45 Days

New order creates standing criteria to hold in-person criminal jury trials

Minnesota Supreme Court Chief Justice Lorie S. Gildea issued a [statewide order](#) effective February 1, 2021 that limits in-person activity in courthouses for an additional 45 days and creates standing criteria to hold criminal jury trials during that time.

“We are keeping the doors to justice open in a manner that prioritizes health and safety,” said Chief Justice Lorie S. Gildea. “Through online hearings, socially-distanced courtrooms, and our self-help centers, Minnesotans have had a place to turn to find support, resolve their disputes, and protect their rights during this unprecedented time.”

Under the order, no new criminal jury trials will commence before March 15, 2021, unless the chief judge in the district where the trial is to be held grants an exception. Exceptions shall be granted for criminal cases that meet three criteria – the defendant has requested a speedy trial, the defendant is in custody, and the case involves a felony or non-felony person crime – unless the chief judge determines that a trial cannot be held

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*State Courts Limit In Person Activities for Additional 45 Days
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safely due to local conditions.

No in-person civil jury trials will be held before March 15, 2021, unless an exception is granted by the chief judge in the district where the trial will be held after consultation with the Chief Justice. The order does allow a civil jury trial to take place remotely if all parties and the judge are in agreement.

The new order extends provisions that were included in a [November 20, 2020 order](#) that limited in-person activities in court facilities due to a significant increase in COVID-19 infection rates across the state. These include:

Remote Hearings: Hearings across all case types will be conducted remotely to the extent possible. Exceptions may be granted by the district chief judge for in-person proceedings under limited circumstances.

Appellate Courts: Proceedings in appeals pending before the Minnesota Court of Appeals and the Minnesota Supreme

Court will continue as scheduled by those courts.

Civil Commitment: Proceedings that are before the Commitment Appeal Panel shall continue as scheduled and be conducted remotely to the extent possible.

Case Filings: Courts will continue to accept filings in all case types.

Public Service Counters: At least one public service counter in each county, and one in the appellate courts, will be accessible between 8 a.m. and 4:30 p.m., Monday – Friday, excluding court holidays. Counter service can be provided remotely, by appointment, or in person.

Self-Help Services: Self-Help Services will be conducted by appointment, remotely or by telephone.

District courts may be contacted directly by [phone](#) or [email](#) for more information on

their operations.

Media: The order continues the process in place for media to attend in-person proceedings held in courtrooms, and to record those proceedings as permitted by Court Rules. Media must contact the [State Court Information Office](#) or the [Hennepin County District Court Communications Specialist](#) to provide 24-hours advance notice of a request to attend a hearing or trial. No recording or broadcasting of any proceedings, whether held in person or remotely, is authorized other than as provided by Court Rules. Public access terminals (courthouse terminals) will be available during established hours by the district court or by appointment. Media may also contact the Court Information Office to request documents.

For more information, see [ADM20-8001: Order Governing Operations of the Minnesota Judicial Branch](#).



New Court Rules Targeting Non-Public Information in Court Filings Effective January 1, 2021

A series of important amendments to the [Minnesota Rules of Court](#) took effect on January 1, 2021. Among other provisions, the amendments expand rejection of documents by district court staff when filers fail to separate public and non-public information, and authorize district court staff to strike documents from the record if non-compliance is detected after a document has been added to the court record.

To address common errors in court filings, the amendments provide clarity, reduce complexity and emphasize that anyone who files court documents is responsible for removing restricted identifiers and other non-public information. Restricted identifiers are defined in General Rule of Practice 11, and described in the [Case Records Table](#). Filers may include attorneys, paralegals, self-represented litigants, and anyone else who files documents with Minnesota's state courts.

To assist attorneys, legal professionals, and court filers, including self-represented litigants, a Continuing Legal Education (CLE) presentation, "Important

Key provisions in the Rules changes:

- Authorize district court staff to reject incoming documents in many case types if the filer has failed to properly separate non-public information or documents. Excluded from this provision are criminal, [juvenile delinquency](#), juvenile protection, and [civil commitment](#) cases.
- Restrict access to court documents that contain non-public information. Filers will receive a notice from district court staff to re-file the document with the non-public information removed. If the filer doesn't re-file within three days, the document is marked "stricken" and updated so that judges cannot view it or consider it as part of the court record. This does not apply to criminal, juvenile delinquency, or civil commitment cases, or to medical records in any type of case. Striking in juvenile protection cases is only authorized for restricted identifiers.
- Except in civil commitment cases, medical records are public unless the person who filed them designates them as non-public. District court staff are not authorized to reject or strike medical records.
- Make [paternity](#) cases public from their inception. This is on a day-forward basis only. Paternity cases initiated before January 1, 2021, will only become public after a final adjudication of paternity.
- Require a new universal cover sheet or eFiling code for identifying all non-public documents, except for the cover sheet already used in juvenile protection cases.
- Require a two-step process for eFilers to both identify and designate non-public documents.

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New Court Rules (Continued from page 3)

New Amendments to the Court Rules: What You Need to Know," was provided via Zoom on multiple dates. Presentation slides, a recording of the presentation, and additional resources are available at: <https://www.mncourts.gov/SupremeCourt/Court-Rules/Rules-Amendments-CLE.aspx>.

Also available is an updated Registered User Guide for those who need assistance filing electronically, and other updated eFiling resources.

For more information, the orders regarding the Court Rules amendments can be found at:

- [Rules of Public Access to Records of the Judicial Branch](#)
- [General Rules of Practice for the District Courts](#)
- [Rules of Civil Procedure](#)

Children's Justice Initiative Celebrates 20th Anniversary *Nation-leading effort has improved outcomes for children in the child protection system*

In December 2000, the Minnesota Judicial Branch and Minnesota Department of Human Services partnered together to launch the [Children's Justice Initiative](#) (CJI), a nation-leading effort to produce better outcomes in the state's child protection system. Through the CJI, these two state entities work closely with local stakeholders in each of Minnesota's 87 counties to find safe, stable, and permanent homes for abused and neglected children in a timely manner. The goal of the CJI has been to operate "through the eyes of the child" and to ensure the child protection system is focused on child safety, permanency, and well-being.

At the December 2000 Annual Conference of

Judges, then Chief Justice Kathleen A. Blatz, who spearheaded the establishment of the CJI for the Branch, said, "Let me tell you why I think this issue is so important. The cases that come before us from the child protection system are not cases involving countless or nameless children. Each case represents at least one child – and the disposition of that case will often have ramifications that transcend any notion of juvenile jurisdiction."

The first several years of the CJI focused on developing teams in each county, bringing together teams consisting of judges, court administration, social services, Guardians ad Litem, attorneys for parents and children, county attorneys, and tribal representatives

to improve oversight of child protection cases in each county.

"For the past 20 years, the Children's Justice Initiative has brought together all sides of Minnesota's child protection system to improve the lives of our state's most vulnerable children," said current [Chief Justice Lorie S. Gildea](#). "We are proud to celebrate everything we have achieved through the Children's Justice Initiative, and to mark this important anniversary."

In 2005, Minnesota hosted the first [National Judicial Leadership Summit on the Protection of Children](#), which was attended by the chief justices and high-level child protection system representatives from across the

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*Children's Justice Initiative Celebrates 20th Anniversary
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country. The Summit provided an opportunity for Minnesota to showcase its CJI model. Following the Summit, nearly every state implemented a model similar to the one pioneered in Minnesota, with many states adopting the Children's Justice Initiative moniker.

The CJI offers an array of training and resources to help judges and CJI teams better manage child protection cases. Since the beginning of the Initiative, these training

opportunities have been received by thousands of judges, attorneys, social workers, Guardians ad Litem, tribal representatives, and law enforcement officers across the state.

"We are so thankful for the visionary leaders who came together to form the Children's Justice Initiative 20 years ago, and for all of the judges, staff, and stakeholders who have been part of this incredible effort," said Chief Justice Gildea. "We share no greater

responsibility than ensuring we have the best possible child protection system in place in our state. And there is no greater duty than the one we owe to vulnerable children; children who deserve nothing less than safety, security, permanency, and happiness."

Through the CJI, Minnesota continues to pioneer collaborative and innovative strategies for managing child protection cases.

Key Milestones:

December 2000: The CJI commenced at the Minnesota Annual Conference of Judges with a meeting of its first 10 CJI judges to talk about the Initiative and its theme, "through the eyes of the child."

September 2005: Multidisciplinary CJI teams were implemented in all 87 counties, and Minnesota hosted the first National Summit on the Protection of Children. The goal of the Summit was to introduce the United States to the CJI and the concept of a "statewide model," where there is a multidisciplinary team in every county led by a juvenile court judge.

2014: Minnesota was asked by the federal Children's Bureau to pilot-test the national Indian Child Welfare Act curriculum. In 2015, Minnesota customized the national curriculum, and over the last five years, has provided competency-based skills training to more than 1,000 judges, attorneys, social workers, Guardians ad Litem, tribal representatives, law enforcement representatives, and others.

2017: Minnesota implemented the Emergency Protective Care (EPC) Hearing Experiential Learning training. The purpose of this training is to provide child protection stakeholders with an opportunity to participate in experiential EPC hearing simulations, with the goal of improving the quality of EPC hearings throughout. The trainings are provided by Mitchell Hamline School of Law and supported by the CJI.

2018: The CJI began overseeing a pilot in Minnesota's Eighth Judicial District, through which two judges ([Judge Jennifer Fischer](#) and [Judge Laurence Stratton](#)) are presiding over all CHIPS proceedings across seven counties. This specialized approach has been well-received by stakeholders and partners in the Eighth District, and appears to be positively impacting how quickly children are being placed in permanent, safe living situations. The pilot concluded on December 31, 2020.

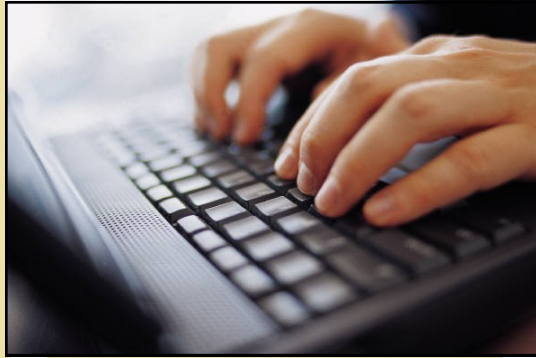


Online Court Records Project Begins

The Judicial Branch's much-awaited effort to provide online access to many district court case documents will reach a major milestone in January, as a small group of pilot users will begin using the new Minnesota Court Records Online (MCRO) application.

MCRO is a new application that once fully developed and implemented will replace the existing [MPA - Remote application](#) and provide online access to appropriate Minnesota district court documents.

MCRO is being rolled out in three phases. The Phase One pilot began on January 5 and will run for approximately four weeks. Pilot users - which include a small group of private attorneys, support staff, one state organization, one non-



profit organization, and county law libraries - will test the application in real-life settings, including in their homes and offices, and on mobile devices. Pilot users will provide regular feedback to the MCRO project team and Steering Committee. This feedback will be used to fine tune the application and identify any outstanding issues.

Depending on the feedback received during the pilot, the project team hopes

to make this first phase of the MCRO application available to the general public in early 2021. During this first phase, users will be able to search and retrieve some public documents by case file number without having to visit a courthouse. The existing MPA-Remote application will remain available during this time.

Future phases of MCRO will include access to Registers of Actions, the ability to search for cases using party and attorney names, the use of advanced search features that includes calendar and judgment searches, and access to public Civil Commitment cases. Full statewide implementation of the new application, along with the sunset of MPA-Remote, is expected to be complete in 2022.

Judy Nord Honored with Children's Law Center Award

State Court Administration staff attorney Judith (Judy) Nord was honored by the Children's Law Center of Minnesota (CLC) for her 30-year legal career spent improving the lives of abused and neglected children.

Nord was presented the Rosalie E. Wahl Justice for Children Award during the [CLC's virtual 25th Anniversary Annual Benefit](#) on October 8.

The CLC presents the Rosalie E. Wahl

Justice for Children Award annually to an individual who has dedicated his or her life to fighting for justice for at-risk or underprivileged children. The late Honorable Rosalie E. Wahl (the first woman to serve on

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*Judy Nord Honored with Children's Law Center Award
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Minnesota's Supreme Court) earned a reputation as a voice for those living on the edges of society – the poor, the accused, and the powerless. Nord was chosen for the award in recognition for her many years of dedicated work on behalf of Minnesota's foster care children.



Nord has served as a staff attorney with the Minnesota State Court Administrator's Office since 1995. Under the leadership of former Chief Justice Kathleen Blatz, Nord helped establish, and continues to serve as staff attorney for the [Children's Justice Initiative \(CJI\)](#).

The CJI began in 2000 and will celebrate its 20th anniversary in December 2020. The overall objective of the CJI is to find safe, stable, permanent homes for abused and neglected children in a timely manner. When identifying and implementing improvements, the goal is for all stakeholders to operate "through the eyes of the child."

During her employment at the State Court Administrator's Office, Nord also has served

as staff attorney to the Minnesota Supreme Court Advisory Committee on the Rules of Juvenile Protection, Adoption, and Guardian Ad Litem Procedure, and the Child Support

Rules

Committee.

Nord has staffed numerous other Judicial Branch committees and task forces,

including the Advisory Committee on the Expedited Child Support Process Rules, the Visitation and Child Support Enforcement Task Force, the Guardian Ad Litem Task Force, the Child-Focused Parenting Time Guide Workgroup, the Pro Se Implementation Committee, and the Tribal Court-State Court Forum. She also provides training at the state and national level on numerous child protection topics and issues.

"We are extremely proud of Judy for receiving this much-deserved recognition from the Children's Law Center," said Kristen Trebil, SCAO's Court Services Director.

"Judy has spent her entire career working to improve the lives of Minnesota's most-vulnerable children, and improving how our courts serve both children and families. Our

state is so fortunate to have benefitted from Judy's years of service, and we couldn't be happier to celebrate her receiving this distinguished award."

Prior to her work with the State Court Administrator's Office, Nord served as a law clerk in Dakota County for then-Chief Judge Leslie Metzen and the Honorable Patrice Sutherland, both of whom were instrumental in establishing Nord's desire to focus her career on child protection law. After her clerkship, Nord practiced law as a public defender representing adult and child clients in child protection and delinquency proceedings. She also served as a guardian ad litem; represented clients in dissolution, paternity, and probate matters; and served as a court-appointed appellate attorney for child protection cases.

Nord is a member of the American Bar Association and the Minnesota State Bar Association, including past chair of the MSBA Children and the Law Section. She holds a Bachelor of Arts degree in political science from the University of Minnesota. Nord received her Juris Doctor degree from Hamline University School of Law in 1990, where she was on Law Review and served as Production Editor of the Journal of Law and Politics.





Minnesota Judicial Branch FY2022-23 Budget Request

Overview

Over the past decade, the Minnesota Judicial Branch has embarked on an ambitious redesign agenda aimed at improving the efficiency and effectiveness of Minnesota's justice system.

This includes the eCourtMN transformation, Minnesota's historic transition to an electronic case record. The eCourtMN initiative has made it easier for Minnesotans to interact with and access their court system, and enhanced information sharing between the courts and justice partners.

We have also overseen a significant expansion of drug courts and other treatment court programs in the state. These programs have been proven to reduce recidivism among offenders facing chemical and mental health issues, and reduce costs in the justice system.

The Judicial Branch FY2022-23 budget request is focused on positioning the Judicial Branch to continue building on this decade of innovation, and on continuing efforts to meet the challenges posed by the pandemic and the Branch's ability to fulfill the Constitutional responsibility to provide justice freely, promptly and without delay.

Addressing the Judicial Branch Workforce Challenges

The biennial budget request reflects the difficult fiscal challenges the Governor and lawmakers will confront in the next legislative session. At the same time, it recognizes the incredible work of judges and staff during the current crisis, as well as the vital role judges and staff will play in addressing the long-term impact of the pandemic on the state's courts.

To that end, the Judicial Branch seeks a two-part budget request:

- In FY22, the Judicial Branch asks the Governor and Legislature to hold Minnesota's courts harmless while the state wrestles with the projected budget shortfall. The only new funding the Judicial Branch seeks for FY22 is money to cover the employer share of unavoidable health care cost increases. Anticipated insurance increases: 4.32% (FY21); 5.32% (FY22); 5.35% (FY23).
- In the second year of the biennium, FY23, the Judicial Branch seeks funding for a 3% compensation increase pool for Judicial Branch employees and a 3% salary increase for judges, in addition to funding to offset employer health care cost increases. The Judicial Council is hopeful that the state will be on more solid financial footing by FY23, thereby allowing for this needed investment in the state's courts.

This request does not address every funding need facing the courts. It does prioritize our most important asset: our people. It also reflects the Judicial Branch's ongoing commitment to being good stewards of public resources and responsible partners with the other two branches of state government.

Budget Request Items

FY22-23 Request

Judge/Staff Benefit Costs	\$8.876
Judge/Staff Compensation Costs	\$8.850M
Total Request	\$17.726 M

The Judicial Branch is seeking an increase of 2.24% over the Branch's biennial base budget in FY2022-23.

Request : \$17.7million (2.4%)

The Judicial Branch FY2022-23 budget request seeks funding to:

- Increase judge compensation by 3%/year
- Provide a 3% compensation pool each year for court employees
- Fund the employer share of unavoidable health insurance

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FY2022-23 Budget Request

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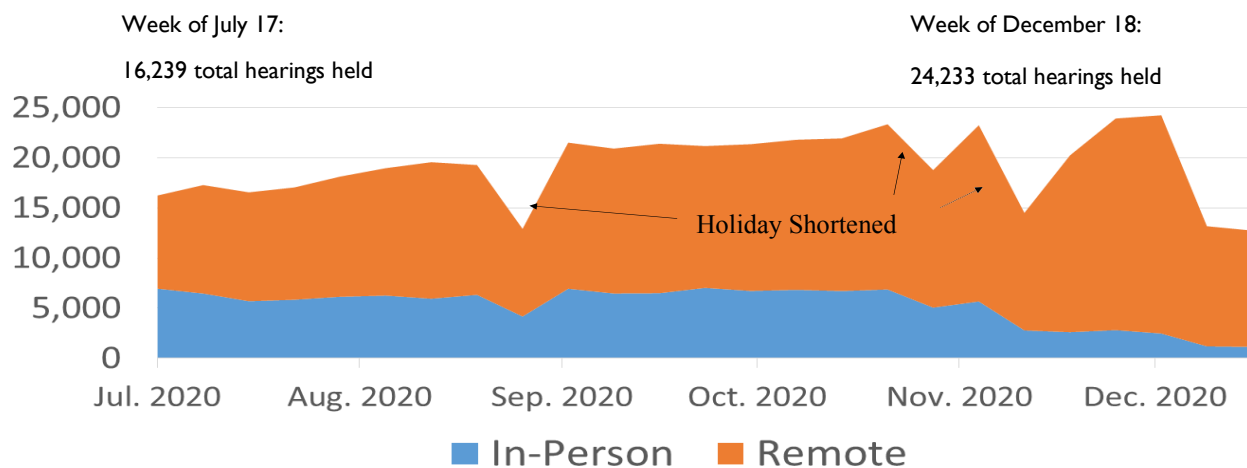
State Court Administrator's Office
135 Minnesota Judicial Center
(651) 296-2474
www.mncourts.gov

Judicial Branch Pandemic Response

Over the past ten months, the Minnesota Judicial Branch has been actively responding to the changing dynamics of the COVID-19 pandemic. The focus has always been on determining how the courts can provide access to justice in a manner that prioritizes the health and safety of court users, judges, and staff.

Judges and staff have undertaken incredible efforts to maintain court operations during this time of crisis. In mid-July district courts held approximately 16,000 hearings per week, about 60% of which were being held with remote hearing technology. For reference, prior to the pandemic, district courts were holding more than 26,000 hearings per week. The week ending December 18, district courts held more than 24,000 hearings, more than 90% of our pre-pandemic normal. Since courts suspended most in-person court activity at the end of November, more than 90% of all hearings have been conducted remotely.

District Court Hearings Held July 17, 2020—January 1, 2021



Moving Forward

The Judicial Branch looks forward to expanding on lessons learned and on continuing to provide court services in a manner that is focused on court user convenience and access, and that ensures the public trust and confidence in the Judicial Branch through efficient and effective court operations.

This pandemic has made clear the importance of the remote hearing and online services courts already offer, and the appetite attorneys and the public have for doing more of their business with the courts online.

The Judicial Branch is exploring expansion of online services going forward. The Branch is working to develop a web-based services expansion plan to increase online and remote services options for litigants. This expansion plan will represent a positive step forward and hopefully spur a long-term conversation about expanding the online services available to court users. There are so many incredible opportunities for the courts to explore, from online chat or video conferencing, to online dispute resolution, to mobile apps, to so much more. If the Branch is going to meet customer's expectations both now and in the future, the Branch needs to bring more and more court business online.

