



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 District has 36 judges and more than 250 staff who handled more than 90,000 cases in 2020 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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Dakota County Earns National Achievement Award for Family Dependency Treatment Court

The Dakota County Family Dependency Treatment Court has been recognized with an Achievement Award from the National Association of Counties (NACo). The Award honors innovative, effective county government programs that strengthen services for residents.

“The collaborative, intensive work done by the Family Dependency Treatment Court team helps set parents on a path of long-term sobriety, breaking trauma cycles and keeping parents and their children together,” said Dakota County Judge Michael Mayer. “This Award reflects the team’s dedication and compassion, and represents what we can do together as a justice community to support individuals in achieving recovery, reducing recidivism, and ensuring children have a safe, stable, and nurturing environment.”

Dakota County implemented the Family Dependency Treatment Court (FDTC) program in 2006 in an attempt to proactively address chemical substance issues negatively impacting families. It was one of the first counties to lead the family drug court effort in Minnesota.

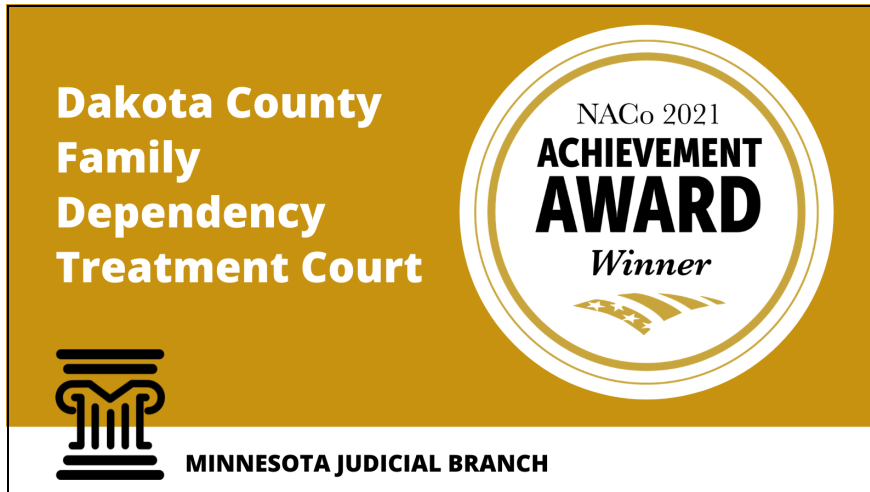
The problem-solving alternative court process uses the power of the juvenile court in collaboration with other participants, including county and court-appointed attorneys, treatment providers, social workers, guardians ad litem, and community leaders, to provide professional and peer support in assisting parents whose children have been removed from their care in child protection actions due to substance abuse. Through the FDTC, participants receive the support needed to help them with ongoing sobriety, mental health, stable housing, reliable

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transportation, employment, and long-term sober supports.

NACo President Gary Moore said, "Over the past year, county officials and frontline employees have

demonstrated bold, inspirational leadership. This year's Achievement Award-winning programs illustrate the innovative ways counties build healthy, safe, and vibrant communities across

America."

Started in 1970, NACo's annual Achievement Awards program is designed to recognize county government innovations. Awards are given in 18 different categories that reflect the vast, comprehensive services counties provide, including those for children and youth, criminal justice and public safety, county administration, information technology, health, civic engagement, and many more. Each nominee is judged on its own merits and not against other applications received.

The Honorable Kevin F. Mark Elected to Serve as First Judicial District Chief Judge

The Honorable Caroline H. Lennon Elected to serve as Assistant Chief Judge

The [Honorable Kevin F. Mark](#) has been elected to a two-year term as chief judge of Minnesota's First Judicial District. The position is filled by an election conducted by district judges who serve in the First Judicial District. His term as chief judge began on July 1, 2021.



Judge Mark was appointed to serve on the First Judicial District bench in January 2003. Before serving as a judge, he spent eight years as sole practitioner, and 16 years as an attorney at Holst, Vogel, Erdmann, and Vogel in Red Wing. He graduated with his juris doctorate degree from Marquette University Law

School, and has a Bachelor of Arts degree *magna cum laude* from Minnesota State University, Mankato. Judge Mark's chambers are located in the Goodhue County Justice Center in Red Wing.

"I'm gratified by the confidence shown by my colleagues in the First District," said

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*Hon. Kevin F. Mark Elected to Serve as First Judicial District Chief Judge
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Judge Mark. "We've been blessed with great leadership in our District, and I hope to continue that legacy. I look forward to working with Judge Lennon and all my fellow judges, the court staff, and our justice partners in the coming term."

The [Honorable Caroline H. Lennon](#) was elected to serve a two-year term as assistant chief judge in the First Judicial District. Her term will also begin on July 1, 2021. Judge Lennon joined the bench in November 2008. Prior to joining the bench, she spent 18 years as an assistant Hennepin County attorney in Minneapolis, and being appointed as

special assistant county attorney in Ramsey, Dakota, Washington, and Scott counties on individual cases. Judge Lennon is chambered in the Scott County Justice Center in Shakopee.

According to state statute, the chief judge of a judicial district exercises general administrative authority over the courts within the district, including assigning judges to serve in locations throughout the district. The chief judge of each judicial district also serves as a member of the administrative policy-making authority for the Minnesota Judicial Branch, the Minnesota Judicial Council. No judge may serve as chief judge or

assistant chief judge for more than two consecutive two-year terms.

About the First Judicial District

The State of Minnesota's First Judicial District has 36 judges and 250 staff who handled more than 90,000 cases in 2020 in the counties of Carver, Dakota, Goodhue, Le Sueur, McLeod, Scott, and Sibley. The District's mission is to provide justice through a system that assures equal access for the fair and timely resolution of cases and controversies. For more information, please visit www.mncourts.gov.

Chief Justice Delivers 2021 State of the Judiciary Address



Minnesota
Supreme Court
Chief Justice Lorie
S. Gildea has
delivered the

annual State of the Judiciary address. The speech was delivered to viewers on Thursday, June 24, 2021 as a part of the

remote Minnesota State Bar Association annual convention. The text of her speech is below.

2021 MSBA Annual Convention - State of the Judiciary

Good afternoon, members of the Minnesota bar. It is an honor to be with you today.

Thank you for the invitation to share the State of the Judiciary.

Before I get too far into my remarks, I want to take this opportunity to thank Dyan Ebert for her outstanding service as MSBA President over the past year.

Dyan has provided a steady hand and strong

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*Chief Justice Delivers State of the Judiciary
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leadership for the state bar during a year full of challenges, and we are forever grateful for her service.

And let me be among the first to officially congratulate Jennifer Thompson on her new role. Jennifer has held many leadership positions in our state's legal community, and I know she will be an excellent partner for our courts while serving as the bar's next president.

Jennifer, I'm looking forward to working closely with you in the year ahead. Thank you for taking on this new challenge.

As I come before the state bar today, I am proud to report that—despite a year-and-a-half of daunting challenges – the state of Minnesota's judiciary remains strong.

Thanks to the hard work, dedication, and innovation of our judicial officers and court staff, we have maintained an open door to justice in our state during a once-in-a-century public health crisis.

Working hand-in-hand with our state's attorneys and justice partners, we have remained resilient, and we have successfully

navigated the trials of the past year. Working together, we have ensured that Minnesotans have always had a safe place to protect their rights and resolve their disputes, and we have fulfilled our Constitutional mission each and every day of this pandemic.

As we look ahead, our justice system is prepared to emerge from the pandemic more unified than ever before. And our judiciary is committed to using the lessons we've learned and successes we've achieved during this crisis to build an even stronger justice system.

During my remarks today, I'm going to highlight some of those key lessons we've learned during this time of crisis and change. And I'm going to share with you how our courts plan to leverage those lessons as we continue to emerge from this pandemic.

One of the most important lessons we learned during the pandemic is how we can use online court hearings to increase access to justice in our state.

Over the past year, roughly 80 percent of all court hearings in the state have been held in

online courtrooms. If you look just at this calendar year, since the start of 2021, 93 percent of all district court hearings have been held online.

At the appellate level, all of our oral arguments have been held online since April 2020. But I'm pleased to report that our Court is going to hold our first in-person oral argument, in over a year, in August, and we plan to resume a normal schedule of in-person arguments beginning in September.

By and large, our justice system had a remarkably successful transition to this world of online hearings. Sure, we've had our hiccups – from occasional technology errors, to issues around remote hearing decorum – but there can be no question about the vital role remote hearings have played in our pandemic response.

While this extensive use of remote hearings resulted from a public health emergency, we shouldn't ignore the very real and valuable lessons we've learned about how these technologies can be used.

Not only have these technologies allowed us

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*Chief Justice Delivers State of the Judiciary
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to hear cases safely and effectively throughout the pandemic, but we have also seen our court users and stakeholders embrace the convenience and efficiency of online hearings.

Throughout the pandemic, we have used surveys, focus groups, and other methods to gather feedback from court participants about the use of remote hearings. We've gathered input from judges, court staff, attorneys, justice partners, and the litigants who seek justice in our courts through this process.

Among each group we've heard from during the pandemic, two common themes emerged.

First, the belief that conducting court hearings online serves to increase access to justice. Second, we heard strong support for the idea that we should continue to conduct at least some portion of court hearings online even after the pandemic. This is especially true when we asked about uncontested hearings – hearings where there is no evidence being presented or testimony taken.

Attorneys gave several reasons why they prefer to conduct uncontested hearings remotely. Of course, health and safety were primary concerns during the pandemic. But attorneys also cited reduced travel time and costs, more reliable scheduling and hearing start times, and the fact that remote hearings make it easier for their clients to make their court appearances.

Law enforcement and corrections agencies have advocated for the continued use of remote hearings, as they reduce the costs and security concerns related to transporting incarcerated individuals to court.

Victim advocate groups reported that victims feel safer and more empowered to participate in court hearings remotely and would like to see the ability to participate in court hearings remotely continue after the pandemic.

In surveys of litigants, we heard a strong preference for attending court hearings remotely. Many litigants said they prefer remote hearings because they reduce travel time and costs, and they are easier to attend without taking as much time off from work or

finding childcare.

Given feedback like this, it's no wonder that a significant majority of litigants we surveyed believe the Judicial Branch should continue to conduct hearings remotely after the pandemic is over.

Based on all of the positive feedback and input we've received related to the use of remote hearings during the pandemic, we are presently undertaking a statewide effort to determine what role remote hearings should play in our courts going forward.

Of course, no one is suggesting that we'll continue to conduct 90 percent of our hearings online. We're already beginning the process of gradually increasing in-person trials and hearings across the state. Our goal needs to be finding the right balance – determining what matters are best handled in the courtroom, and where we can offer increased flexibility and convenience through remote hearings.

Throughout the pandemic, we've had a small team of judges and court administrators strategizing about our post-pandemic future.

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That Workgroup, which we've affectionately dubbed the "Other Side" Workgroup, just finished holding 50 listening sessions with judges, court staff, attorneys, and court users across the state. Those listening sessions were focused specifically on how stakeholders believe we should strike that right balance.

Tomorrow afternoon, as part of the conference agenda, you will have the opportunity to hear directly from members of the Other Side Workgroup about their work and what they've heard as part of these listening sessions. And you'll be hearing from them at a really crucial time.

Next month, the Other Side Workgroup is scheduled to present its recommendations regarding the future of remote hearings to the Minnesota Judicial Council. The Judicial Council will then use the recommendations to develop a roadmap and guidelines around the statewide use of remote hearings in our courts.

Ultimately, the lessons we have learned about the value and effectiveness of remote hearings has the potential to have a positive

and lasting impact on the way we deliver justice in Minnesota. Through the strategic use of remote hearings, I believe we can increase access to justice and create a more efficient and user-friendly court experience.

I thank the bar and our justice partners for all of your efforts to support the transition to online courtrooms during the pandemic. I know that this transition wasn't always easy, and that it was a steep learning curve for all of us. I also know that much of our success is owed to the creativity and flexibility all of you exhibited in translating the practice of law into this new environment.

Even beyond our use of remote hearings, our response to the COVID-19 pandemic highlighted the meaningful way technological innovations can benefit our justice system and court users.

In the decade preceding the pandemic, our court system had gone through a major technological transformation. The innovations we developed during that time played a fundamental role in our ability to deliver justice during this crisis. Just imagine what the past year would have looked like without

all of the electronic tools we have today.

As the pandemic set in, we saw court users embrace the online services offered by our courts. For example, usage of our Guide & File system, which helps self-represented litigants complete and file common court forms online, surged during the pandemic.

We knew that many people were looking for ways to conduct more and more of their business online during the pandemic. But even as the pandemic subsides, I think we will see customers continuing to prefer the ease and convenience of these online services, and I believe our justice system needs to be ready to meet those evolving customer expectations.

Even during the pandemic, the Minnesota Judicial Branch has continued to focus on innovation and building new technologies. Last year, we introduced Hearing eReminders, which allow parties in eligible case types to receive text or email reminders of their upcoming hearings.

This past April, we launched a new online version of the statewide Public Defender application, allowing court users to complete

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and submit a request for a public defender from a home computer, smartphone, or tablet.

Most notably, earlier this year, we finally reached one of the Branch's long-term goals: providing the public with remote online access to district court case documents.

After years of coming before the MSBA and telling you that online access to district court documents was coming in the future, no one in the state was happier to see the first phase of this project finally come to fruition than me.

We officially launched Minnesota Court Records Online – or MCRO – on March 17 of this year. It was clear from the start that there was much pent-up demand for this level of record access. The day we launched MCRO, more than 3,700 users from across the country downloaded more than 10,000 case documents using the application. Three months in, we continue to receive positive feedback about the usability and functionality of this new tool.

Right now, we're working on the second phase of MCRO development. In Phase 2,

we plan to add more functionality, including the ability to search for cases by a person's name, business name, and attorney name or bar number, plus case number and citation number. A redesigned Register of Actions, with case information including case events, document index numbers, hearings, parties, and financial information, will also be available. The goal is to pilot the Phase 2 development later in 2021.

In the third and final phase, coming next year, we will add judgment search and calendar search functionality.

Once this third and final phase is complete, we also plan to implement an access fee. The current plan is to allow users to view the first page of documents as a preview, and then users would have the option of paying an access fee to view subsequent pages and download or print entire documents. The planned fee will be per document, and users will be charged the same amount as they would when purchasing a document at a courthouse. That fee is currently \$8 and is set by state statute. As with paper copies, the revenue from that fee goes to the state

General Fund.

I'm proud to say that MCRO was approved, developed, and launched all during the COVID-19 pandemic, which I think is a great credit to the judges and court staff involved in this important effort. The launch of MCRO and its continued development is a huge step forward in increasing access, transparency, and convenience in our court system. I'm really grateful to our entire project team for being part of this successful rollout.

Each of these new tools and innovations reflects our court system's commitment to using technology to increase access to justice, and to make our courts more customer-focused. And while we're extremely proud of how far we've come in the past decade, we know that rapidly evolving technology means we need to continue to adapt and grow.

Right now, we have a statewide project team building a long-term roadmap for enhancing and expanding our online services. This includes not only thinking about how we can improve our website and existing electronic tools but looking ahead to the new types of

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innovations and technologies our courts may employ in the future.

I look forward to sharing more about this work with the bar in the future.

Now, not every lesson we learned during the pandemic had to do with online hearings and new technologies. We already knew, of course, how important all of you – Minnesota attorneys – are to the cause of justice, but we were reminded again of the essential role our justice system plays during times of crisis, especially as so many Minnesotans have been forced to deal with the economic and societal impacts of this pandemic.

Our statewide Self-Help Center had its highest call volume ever in 2020, fielding more than 30,000 calls from Minnesotans working to resolve legal issues. And I know that our state's civil legal aid organizations saw huge increases in requests for support in the past year-and-a-half, as well.

Across our justice system, attorneys and organizations have been stepping up to meet the needs of Minnesotans during this challenging time.

One excellent example is Lawyers Step Up

for Minnesota, which is a joint venture of the MSBA, the courts, and civil legal aid.

This new pro bono campaign was launched in response to increasing legal needs caused by the pandemic. This effort will recognize lawyers who are already volunteering with civil legal aid, as well as encourage new volunteers to come forward.

If you haven't already, I would encourage you to visit LawyersStepUpMN.org to learn more about this important effort. From there, you can express interest in taking a case in one of the areas most impacted by the pandemic: family, housing, or consumer law. You will answer a few short questions and will be matched with a legal aid organization. Training will be included if you need it.

If you've never done pro bono work before, this is the perfect opportunity. At the end of this effort, we will host a special event in early 2022 to recognize all of the attorneys who "step up" as part of this initiative. I hope to see many of you there.

Another example of how our justice system is stepping up to meet the increased need for legal services is the Legal Paraprofessional

Pilot Project, which officially launched on March 1.

This two-year, statewide Pilot Project allows approved legal paraprofessionals to represent and advise clients in select housing and family matters with oversight by a licensed Minnesota attorney. The Project is intended to increase access to legal representation in civil case types where parties are disproportionately unrepresented.

We have set up a page on the Judicial Branch website with an application and instructions on how to participate in the Pilot. You can see the URL here on the screen.

The list of legal paraprofessionals approved to serve under the Pilot is growing and includes professionals from across the state.

If you know a paraprofessional in your organization who might be a good candidate for this Pilot, please encourage him or her to apply. We know the need for civil legal services is increasing, especially right now as many Minnesotans are involved in landlord/tenant disputes that have been impacted by the eviction moratorium.

I'm also happy to share that Minnesota
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Lawyers Mutual supports this Program, and during the Pilot they have agreed to extend coverage to qualified paraprofessionals employed by a supervising attorney who is insured by MLM. Be sure to check out the Minnesota Lawyers Mutual website for more details.

At the same time we recognize how our profession is helping to meet the needs of Minnesotans struggling during the pandemic, we can't ignore the very real challenges and stresses faced by our friends and colleagues inside the legal community.

I'm sure many of you will remember the 2017 ABA study that found devastating levels of mental and chemical health issues among our nation's attorneys – particularly among those in their first 10 years of practice. You may also remember the call-to-action event the Supreme Court hosted in 2019 to help respond to that study's findings.

I believe the challenges to attorney well-being have only increased since then, especially given the stress and uncertainty caused by the pandemic.

One of the primary ways our state helps to support attorney well-being is through grants provided to Lawyers Concerned for Lawyers. Each year, Lawyers Concerned for Lawyers provides support to hundreds of Minnesota attorneys struggling with addiction, depression, anxiety, or other challenges.

Funding for Lawyers Concerned for Lawyers comes through the Supreme Court's Lawyers Assistance Program, which, in turn, is funded by your annual lawyer registration fees.

In order to ensure Lawyers Concerned for Lawyers can continue to meet the needs of our state's attorneys, the Supreme Court recently approved a modest increase to the lawyer registration fee.

This October, the fee will go up by 3.1 percent. This will be the first fee increase in more than a decade, and it will cost those of you paying the highest registration fees about \$8 a year. Every dollar of this increase will go toward Lawyers Concerned for Lawyers.

The Supreme Court also approved 3 percent fee increases in each of the next two years

as well – 2022 and 2023 – with those fee increases going to support the vital work of the Office of Lawyers Professional Responsibility.

Again, it's been a long time since these fees have been raised. I hope you'll view these modest increases as worthwhile investments in lawyer well-being and professional responsibility.

Speaking of the Office of Lawyers Professional Responsibility, I wanted to take this opportunity to ask for the Bar's help in addressing a growing issue in our legal community.

During the pandemic, we witnessed the tragic loss of attorneys, many in solo practices, who did not have a plan in place to address their death or disability.

When this happens, the task falls to loved ones already overwhelmed with grief, or colleagues or friends who may step forward but are unsure what to do to close down another's practice. When no one steps in, the Court appoints the Director of the OLPR as trustee.

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While the public health crisis of the past year brought this issue into sharp focus, it was an issue that existed before the pandemic and will continue well beyond the pandemic, as we see an aging Bar and high numbers of solo or small practitioners throughout the state.

I encourage the Bar step up to tackle this issue, perhaps through the development of a list of volunteer attorneys willing to take on these types of cases, or a handbook on succession planning that attorneys could use to plan for these unexpected events.

The Bar's work in this area could go a long way to reduce the burden on family members, peers, and the court who need to step in when there is no succession plan.

Turning back to the lessons we've learned in the past year, I want to talk about some of the ways we are working to strengthen public trust and confidence in our courts.

This was a year when the eyes of the entire world were focused on Minnesota's justice system. And when we were reminded of our shared obligation to earn that trust by ensuring the fairness, equity, and

transparency of our judiciary.

An essential part of maintaining the public's trust and confidence is keeping court proceedings open and accessible. This has proved challenging during the past year, as we were forced to limit access to our court facilities to protect public safety.

Thankfully, technology allowed us to keep a window to our courts open even when access to our court facilities was limited.

For example, this spring, cameras, and livestreaming technology were used to provide public access to one of the most high-profile trials in our state's history.

This was an unprecedented decision in our state. Historically, as all of you know, Minnesota has taken a cautious approach to the use of audio and video recording devices in district courts. Now, for the first time, Minnesotans were able to watch on TV and online gavel-to-gavel coverage of a criminal trial in state court.

I have seen it estimated that some 23 million people watched at least part of this livestreamed trial.

While the decision to allow camera coverage of this trial was based on the unprecedented public health restrictions in place during the pandemic, it would be a mistake for us not to reflect on the lessons learned and experiences gained through this process.

To that end, last week, the Supreme Court issued an order that directs the Advisory Committee for the Rules of Criminal Procedure to once again consider whether we should modify or expand the current requirements for audio and video coverage of criminal proceedings in Minnesota.

We hope the Committee will use the lessons we've learned not only during the pandemic, but also in the five years since we last modified these rules, to guide their recommendations. We've asked them to file their recommendations with the Court by July 1, 2022.

Public interest in and access to judicial proceedings is vital to the fair, open, and impartial administration of justice. I hope the Bar and our entire justice system will be active in these discussions and will keep an

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open mind as we once again explore this important issue.

While access and transparency are crucial ways we ensure public trust and confidence in our courts, it is equally important that we continue striving toward our goals of fairness, equity, and equality.

Over the past two years, the Judicial Branch's Committee for Equality and Justice has done outstanding work in support of those important ideals.

As part of its most recent strategic plan, the CEJ developed new tools to help educate jurors about implicit or unconscious bias, helped support expanded community outreach by our courts, and developed recommendations and strategies for increasing diversity in our Judicial Branch workforce.

The Committee also began longer-term efforts to help ensure that the racial composition of our juries reflects the diversity of our state, and to develop

recommendations to address disparities found in a recent report on probation revocations by the Minnesota Sentencing Guidelines Commission. The Committee's work on those two issues, along with a host of other important initiatives, will continue as part of the CEJ's next two-year strategic plan. That plan was just approved by the Judicial Council last week.

Earning the public's trust and confidence remains among the highest priorities of our court system, and a foundational part of our work at the Judicial Branch. Through the leadership of our statewide Committee for Equality and Justice, and the partnership of our entire justice community, we will continue striving every day to promote a more fair and equitable system of justice in Minnesota.

The final lesson I'm going to share today as I close my remarks is one that I believe all Minnesotans should take great comfort in.

Over the past year-and-a-half, we have learned just how strong and resilient our

justice system can be in the face of crisis. Through a combination of hard work, technological innovation, and a commitment to our Constitutional mission, we kept the door to justice open in Minnesota.

And our commitment to providing equal access to justice has never faltered.

I am confident that we will emerge from this pandemic stronger than ever, armed with a year-and-a-half of important lessons that will help us build a better future for the justice system in Minnesota.

On behalf of the judges and staff of the Minnesota Judicial Branch, I want to thank the bar and all of our justice system allies for your incredible partnership and resilience during this time of challenges and crisis. I look forward to working with you in the weeks, months, and days ahead as we continue to provide a system of justice worthy of this great state and its people.

Thank you for listening and take care.



State Courts Lift Face Covering Requirements Effective July 6, 2021

In-Person Proceedings Remain Limited to Certain Case Types through September 6, 2021

On June 29, 2021, the Minnesota Judicial Branch announced that face coverings will no longer be required in court facilities effective July 6, 2021.

“As the pandemic’s impact on Minnesota continues to recede, so too will some of the health and safety protocols that were in place in our district and appellate courts,” said Chief Justice Lorie S. Gildea.

Judges, employees, and courthouse visitors will still be allowed to wear face coverings in court facilities if they choose to do so, although judges may direct people to remove face coverings as necessary to conduct court hearings.

There will continue to be limitations on the types of in-person activities that take place at court facilities through September 6, 2021. The following is summary of current court operations:



- **In-Person Hearings and Trials:** Criminal Jury Trials; Civil Jury Trials; court trials in Major Criminal, Juvenile Delinquency and Juvenile Protection (including Child in Need of Protection or Services and Permanency case types); Criminal Settlement Conferences; and Grand Jury Proceedings continue to take place in-person. Mandatory misdemeanor criminal trials and contested hearings in these cases can be held in person beginning August 2, 2021.
- **Remote Hearings:** All other district court proceedings are being held remotely unless the chief judge of the judicial district grants permission for an in-person proceeding based on extenuating circumstances.
- **Appellate Courts:** Proceedings in appeals before the Minnesota Court of Appeals and the Minnesota Supreme Court will continue as scheduled by those courts.
- **Civil Commitment:** Proceedings before the Commitment Appeal Panel will continue as scheduled by the Panel, and may be conducted by remote technology.
- **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** continue to be conducted by remotely, by appointment or by telephone.
- **Courthouse (public access) Terminals** are available based on hours established by the local district court.

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*Face Covering Requirement Lifted
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The presiding judge may limit the number of persons in attendance at an in-person proceeding, other than the parties, attorneys representing the parties, and necessary court staff, if required by local conditions.

Other than media representatives attending proceedings and permitted to record as allowed by court rules or court order, the only recording permitted for any

proceeding, whether in-person or remote, is the official recording created by the court. Requests by media representatives to attend in-person proceedings must be coordinated through the Judicial Branch Court Information Office, or, in Hennepin County, through the Hennepin County District Court Information Officer.

Also, effective July 6, 2021, the Judicial Branch will suspend requirements in its

COVID-19 Preparedness Plan and Jury Management Resource Team recommendations for jury trials during COVID-19.

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

Minnesota Supreme Court Orders Evaluation of Audio and Video Coverage of Criminal Proceedings

The Minnesota Supreme Court has [issued an order](#) directing the Advisory Committee on the Rules of Criminal Procedure to consider whether the current requirements for audio and video coverage of criminal proceedings in Minnesota should be modified or expanded.

Audio and video coverage of court proceedings has been a critical component of public access during the COVID-19 pandemic. The use of remote technology and livestreaming for appellate court oral arguments, district court hearings, and a criminal trial provided increased transparency

and accessibility at a time when physical access to court facilities was limited.

“Public interest in and access to judicial proceedings is vital to the fair, open, and impartial administration of justice,” said Minnesota Supreme Court Chief Justice Lorie S. Gildea. “Technology allowed us to keep a window to our courts open during the pandemic, and provides us with the opportunity to ensure accessibility and transparency of our public proceedings. The time is right to consider whether the current requirements for audio and video coverage of criminal proceedings in courtrooms should be

amended to accommodate broader public access.”

The General Rules of Practice that govern audio and video coverage of criminal proceedings were last updated in 2018 following a two-year pilot project that included broad stakeholder and public input. The input and data gathered from that pilot project helped the Court conclude that expanded media coverage of criminal proceedings can be allowed while maintaining an appropriate balance between the fundamental right to a fair trial, society’s

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Minnesota Supreme Court Orders Evaluation of Audio and Video Coverage of Criminal Proceedings
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interest in public proceedings, and the judiciary's interest in the fair and impartial administration of justice.

As a result of that process, [Rule 4 of the General Results of Practice](#) currently authorizes audio and video coverage in certain criminal proceedings in district court. Coverage is allowed with the consent of all parties before a guilty plea has been accepted or a guilty verdict is returned. After a guilty plea is accepted or a guilty verdict is

returned, coverage is allowed without the consent of the parties unless the judge finds good cause to prohibit coverage.

Under the new order from the Supreme Court, the Advisory Committee on the Rules of Criminal Procedure will review the current rules and update the information obtained during the previous pilot project to determine whether the requirements for audio and video coverage of criminal proceedings should be modified or expanded.

The Committee, which is composed of judges, prosecutors, and defense attorneys, will file a report with recommendations by July 1, 2022. A public comment period is typically held once the report has been filed and before the Supreme Court adopts any permanent rule changes.

For more information, read the [Supreme Court Order \(ADM10-8049\)](#).

Legal Paraprofessional Pilot Project Underway

The Legal Paraprofessional Pilot Project launched on March 1, 2021. There are currently ten (10) legal paraprofessionals and attorneys approved to participate in the Pilot Project. The participants include representatives from legal services offices, and private law firms and offices throughout Minnesota.

The Pilot Project is authorized by the Minnesota Supreme Court through Court Rule amendments that permit legal paraprofessionals, supervised by Minnesota licensed attorneys, to provide legal advice and representation to clients

in the areas of family and housing law. The two-year program is intended to increase access to civil legal representation in case types where one or both parties typically appear without legal representation.

Different states around the country and British Columbia have implemented and studied a variety of models to fill access to justice gaps in civil legal services. In Minnesota, the State Bar Association (MSBA) instituted an Alternative Legal Models Task Force that recommended adopting a program in Minnesota.

Ultimately, the recommendation was not approved by the MSBA's General Assembly. In 2019, the Minnesota Supreme Court picked up the effort and established the [Implementation Committee for the Proposed Legal Paraprofessional Pilot Project](#).

The Implementation Committee was co-chaired by Supreme Court Justice Paul Thissen and Court of Appeals Judge John Rodenberg, and members included lawyers and paralegals. Over the course of a year, they evaluated three areas of unmet civil legal needs: housing, family,

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and consumer credit disputes. Through their research and with input from licensed attorneys, district court judges, paralegal associations, and the MSBA, the Implementation Committee defined and recommended a Pilot Project that could positively impact Minnesota's access to justice gap.

The Implementation Committee's Report and Recommendations to the Supreme Court, filed in March 2020, recommended a structure, rules, and evaluation methods for the Pilot Project. In April, the Court issued an order that invited public comment and in August, the Court held a public hearing on the proposed Pilot Project. Legal paraprofessionals, attorneys, and other stakeholders provided written comments and live testimony on the proposal. A Standing Committee was established to oversee the Pilot Project. See the [Legal Paraprofessional Pilot Project](#) website for more information.

To participate in the Pilot Project, legal paraprofessionals must meet specific education, experience, and ethical requirements. They also must provide signed, written agreements with licensed attorneys who supervise their work. Once approved, legal paraprofessionals can provide advice to and appear in court on behalf of tenants in housing disputes as defined in Minn. Stat. § 484.014 and Chapter 504.

The opportunity for legal services offices and private law firms or other legal departments to help in this area of law is particularly important now as the state and federal eviction moratoriums come to an end. Assisting tenants in navigating the complexities of their housing rights in the wake of the pandemic is a critical legal need.

Additionally, participating legal paraprofessionals may provide legal services in child support cases, parenting-time disputes, paternity matters, and

informal family court proceedings. Providing advice to and/or representation in family-related mediations is also permitted for cases that involve simple property divisions, parenting time, and spousal support matters.

Legal paraprofessionals are also permitted to prepare and file certain legal documents, without the supervising attorney's signature, as outlined in the rule amendments. The Standing Committee has received several questions about the Pilot Project and offers answers on the FAQ tab of the [Pilot Project website](#). Over the next few months, the Standing Committee will evaluate the Pilot Project's progress. A final report, which will include an assessment of the success of the project and make recommendations on whether to permanently adopt the rule amendments, is due to the Supreme Court in early 2023.

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