



MINNESOTA JUDICIAL BRANCH

DAKOTA COUNTY COVID 19 PANDEMIC FAMILY CASE PROCESSING **UPDATED SEPTEMBER 21, 2020**

Dakota County will continue to process family cases through Zoom technology through June 30, 2021. In certain limited cases, Judicial Officers will authorize in-person courtroom appearances. Accordingly, ICMCs, Pretrial Conference, Default hearings, Motion hearings and Trials are being heard through remote technology.

Public terminals are available for use at the Apple Valley Courthouse, West St. Paul Courthouse, and the Dakota County Judicial Center for court users who do not have internet or computer access. The Dakota County Law Library and the Apple Valley Library also have terminals available for use. Login information and dial-in telephone access will be provided in your Notice of Hearing.

Beginning in September 2020, Initial Case Management Conferences, Pretrial Conferences, Motion Hearings and the Default Hearings will be scheduled for mass calendars beginning at 9:00 a.m. and 1:00 or 1:30 p.m. We are moving to mass calendars to ensure that cases can be timely scheduled for hearing and to address continuance requests and settlement of cases. The Court is working diligently to timely schedule matters in this new remote setting. Counsel and Self-Represented Litigants could assist the Court by giving the Court sufficient advance notice if a trial or other matter has resolved, is resolving or if a continuance is needed.

Judicial Officers blocked to family court cases through June 30, 2021 include: Judge David Lutz, Judge Tracy Perzel and Judge Richelle Wahi. Cases will be assigned to a Judicial Officer at the time of the Pretrial Conference or the first motion hearing, whichever occurs first.

The following provides some relevant pandemic guidance for Zoom hearings:

Initial Case Management Conferences (ICMCs)

Parties will not be required to submit an ICMC statement. This requirement will be temporarily suspended throughout the period of remote hearings. However, the parties should be prepared to discuss the contents of the ICMC with the Judicial Officer. Statutory Notice of Alternative Dispute Resolution will be provided with your Notice of Hearing and with your ICMC Order. If parties agree to an Alternative Dispute Resolution prior to the ICMC, they may file a Stipulation and Order waive the ICMC. A link to such document can be found at:

- [https://www.mncourts.gov/mncourtsgov/media/ECM-ENE/Stipulation-to-Waive-ICMC-and-participate-in-ENE\(9-2020\).pdf](https://www.mncourts.gov/mncourtsgov/media/ECM-ENE/Stipulation-to-Waive-ICMC-and-participate-in-ENE(9-2020).pdf)

Pretrial Conferences

Parties will be required to submit a Parenting Financial Disclosure Statement consistent with the Rules. Parties and attorneys are encouraged to meet and confer in advance of the Pretrial Conference to address any agreements and trial issues.

Default Hearings

Prior to the Default hearing, the Judge's Staff Attorney may email the parties with information regarding deficiencies in the proposed document. If email addresses are not provided at the time of filing, and if the parties submit an incomplete Joint Petition or Proposed Judgment and Decree, a second Default hearing will be scheduled to permit the parties to address any deficiencies.

In order to process default requests prior to December 31, 2020, litigants must file the necessary paperwork by the following deadlines:

- Default hearings that require hearing must be filed no later than October 30, 2020.
- Default hearings that do not require hearing must be filed no later than December 6, 2020.

Contested Motions

Contested motions will be scheduled for 1 hour in length and will occur primarily on Thursdays, but also throughout the week. Subject to exceptions set forth by Minnesota law, the moving party shall, within 7 days of filing a motion, initiate a settlement conference either in person, or by telephone or in writing in an attempt to resolve the issues raised. A Certificate of Settlement Efforts shall be filed no later than 24 hours before the hearing. Unless excused by the Court for good cause, no motion shall be heard unless the parties have complied with Rule 303 of the Minnesota Rules of District Court Practice Family Court Procedure.

Trials

Trials are occurring through Zoom technology. The parties are expected to adhere to the Trial Scheduling Order. Each Judge's Law Clerk will meet with the parties or attorneys three to five business days before trial to address any questions regarding trial by Zoom. During this conference, the Law Clerk can assist you with the technical features of Zoom including, but not limited to, sharing documents/exhibits, the use of break out rooms, simultaneous interpretive services as well as ground rules for remote witness testimony. We encourage individuals to utilize this conference so that trial time can be used efficiently. Please notify the Court as soon as possible on case settlements so that trial dates may be provided to other litigants.

Alternative Dispute Resolution

Under Minnesota Law, alternative dispute resolution is required in all family law matters in district court, unless exempted by General Rules of Practice 310.01. Alternative dispute resolution includes mediation, arbitration, early neutral evaluation (ENE), and other processes as set forth in the district court rules. Parties may choose which method of alternative dispute

resolution that best meets their needs. If you are a victim of domestic abuse by the other party or threats as defined in Minnesota Statutes, Chapter 518B, you are not required to try alternative dispute resolution and you will not be penalized by the court in later proceedings. Additional information can be found here:

- Alternative Dispute Resolution Webpage on Minnesota Judicial Branch Website: <http://mncourts.gov/Help-Topics/AlternativeDisputeResolution.aspx>
- State Early Case Management/Early Neutral Evaluation Program Webpage on Minnesota Judicial Branch Website: <http://mncourts.gov/Help-Topics/ENE-ECM.aspx>

Self-Help Centers

The Minnesota Judicial Branch has various self-help centers located throughout the state and online services. Self-Help Centers located in the State (locations and hours available online):

- <http://mncourts.gov/Help-Topics/Self-Help-Centers.aspx#tab02SHCLocations>