

Committee for Equality and Justice Community Dialogue Report



Minnesota
Judicial Branch



Community Conversation and Listening Session

**You Are Invited to Participate,
We Want to Hear From You**

Come and join Minnesota District Court Judges for a conversation about how to ensure access to justice and fairness for all court participants, and promote trust in our judiciary.

 **May 23rd**

 **6:00 - 7:30 p.m.**

 **Bright Sky Apartments
3305 3rd Ave NW, Moorhead**

This is a free community event. No reservations required.
Pizza and refreshments will be provided.

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7th DISTRICT REPORT

INTRODUCTION

A public listening session with 7th District Judges was held at the Churches United Bright Sky Apartments at 3305 3rd Avenue NW, Moorhead, MN, on Thursday, May 23, 2024, from 6:00 to 7:30 PM. The purpose was to answer questions about the court system, demystify court processes, provide civic education, promote access to justice, and encourage public trust in the judicial system. The event was planned following the October 6, 2022, Community Listening session, where it was suggested that lunch or dinner be provided and the venue selected be more community-centered.

Community Dialogues

Community Dialogues allow the Committee for Equality and Justice and each Judicial District Equal Justice Committee (EJC) to work together to achieve equitable treatment for all individuals in the court system. A Community Dialogue's stated purpose is to create a public forum for community members to describe their experiences and discuss ideas for advancing equality and fairness regarding race, gender, ethnicity, age, disability, socioeconomic status, religion, sexual orientation, and any other status protected by law.

7th District Session Details

The 7th District Equal Justice Committee sponsored a dinner for residents and community members on May 23, 2024, from 6:00 to 7:30 PM. Community flyers, targeted invitations, and media press releases publicized the event. Approximately 40 people were in attendance. Honorable Jade Rosenfeldt (Clay County) and Honorable Johnathan Judd (Otter Tail County) were facilitators for the event. They were joined by Chief Judge Michael Fritz (Becker County), Judge Tim Churchwell (Douglas County), Judge Leah duCharme (Clay County), Judge Greta Smolnisky (Clay County), and Judge Mark Herzing (Mille Lacs County), who served as panel members to answer questions from community members.

Thank you to Pastor Sue Koesterman, Chief Executive Officer of Churches United, for hosting the event.





SUMMARY OF THE DISTRICT SESSION

The question-and-answer session allowed the judges to interact with community members by answering questions and engaging in conversation. The following is a summary of the session dialogue.

Calendar practice differences between the Minnesota Court System and the North Dakota Court System.

An attendee asked why, in North Dakota, when a ticket is issued, you need to pay it before you can contest it. When one contests the citation, the appearance in a courtroom is scheduled in the same space and time when individuals are sentenced to multiple years in jail. The individual that appeared felt they were in the wrong place as it was merely a \$10 ticket. Judge Rosenfeldt explained the difference in Minnesota, where you often come to court for a first appearance and the return of a court trial at another time. Judge Judd explained that there are separate time slots for scheduling traffic court hearings in Minnesota.

Suggestion: Minnesota State University—Moorhead has a program for immigrants to come and tour the courthouse, which might be an opportunity other community groups would be interested in to assist those community leaders in demystifying the court system.

Also, Judicial Council is looking into Artificial Intelligence Kiosks for assisting customers in multiple languages.

Zoom Hearings: are they here to stay?

A brief history was provided on how remote hearings allowed courts to safely continue hearing cases during the pandemic. Judges found that there was improved attendance at court hearings during this time. A committee called OHI (OneCourt Hearing Initiative) was created to gather and evaluate information regarding remote hearings. In June, the report with the committee recommendations will be released to the Judicial Council.

What are the barriers people are experiencing with Zoom and Access to Court?

No responses from the community.

Can you connect to Zoom from out of state?

Yes, and you can travel out of the country if the court can see your face and hear your voice. In many instances, this is allowed; however, it may need judicial approval.

Why are some cases treated differently? I.E. Sentencing practices.

Judge Rosenfeldt explained that Minnesota has the Sentencing Guidelines that apply to all criminal cases. North Dakota has not adopted sentencing guidelines, which can lead to significant disparity in sentencing. Minnesota tries to ensure individuals in all parts of the state receive similar sanctions for their behaviors. Additionally, recently, Minnesota has modified the bail evaluation process (Pretrial Release Evaluation) to be fairer and more inclusive.

How do judges determine the amount of bail to be set?

Judges make bail determinations on a case-by-case basis, and there are rules and guidelines in this area. The current focus is to move away from cash bail and impose more conditions of release to ensure public safety. Cash bail is helpful to individuals with money but detrimental to those without the means to pay it. Minnesota Freedom Fund, <https://mnfreedomfund.org>, is an organization in the Twin Cities area that assists economically disadvantaged residents who have been criminally charged with pre-trial cash bail.

How do those with limited funding obtain legal assistance?

Northwest Legal Services offers paperwork clinics every Tuesday. The clinics are for informational purposes only, as there is a code of conduct and ethical rules for attorneys that require them to ensure no conflicts of interest before providing legal advice. Participants in the clinics are not asked to provide their names. If an individual is seeking representation, they should contact the clinic directly.

How can the court connect families to organizations that can assist in day-to-day items, such as community opportunities and funding?

It was acknowledged that there is often a gap in who has access to programs.

Suggestion: Connect with social services. It was acknowledged that some communities lack opportunities for children. Judges often rely on direction from the probation departments, and it is noted that judges have blind spots as to available community resources.

Opportunities:

Judge Judd is in discussions with the Moorhead School Superintendent to have a similar listening session. One school example: A middle school orchestra teacher in Moorhead has secured funding for instruments, so every student who wants to participate in the orchestra program will have the opportunity.

Former Chief Judge Hennesy arranged for St. Cloud Tech students to observe and meet the Supreme Court. That school district arranged grant money for transportation and lunch. The hope is to replicate this opportunity across the district.

In Otter Tail County, the Otter Tail County Juvenile Probation Department's diversion program partners with a local CrossFit gym to encourage healthy activities while juveniles are on probation.

Pastor Koesterman indicated that grant funding may be available for the Bush Foundation.

Courthouse tours for youth groups through the school district and local non-profits.

Future Event Tips

- Partner and strengthen relationships with local community groups.
- Advertise the event via community outlets, hand-delivered flyers, and personal invitations.
- Provide follow-up reminders to all invited.
- Provide press releases.
- Provide a meal and refreshments.
- Childcare
- For the Q&A session, have questions ready to prompt attendees. If there are no questions from the audience, these may be used to fill in the gaps when individuals consider their questions.

