



MINNESOTA JUDICIAL BRANCH

SECOND JUDICIAL DISTRICT JUVENILE AND FAMILY DIVISION

General Case Type:

Family

Operational Recovery Plan Target:

There are approximately 500 family cases where a hearing was suspended or cancelled due to a “PANDEMIC EVENT” in MNCIS. The hearings ranged from the first hearing, an Initial Case Management Conference, as well as the range of review and motion hearings that occur throughout a typical divorce or child custody proceeding, and, ultimately, trial.

Operational Recovery Action Plan:

While also hearing new cases and scheduling hearings for existing cases, this proposal targets the backlog of suspended cases by:

1. Suspending trials for six months in order to provide calendaring space for additional hearings and provide parties certainty;
2. Triaging existing files by sending a form to parties and attorneys related to the needs of the case and connecting the parties and attorneys to appropriate services, evaluators, and Alternative Dispute Resolution programs;
3. Independently evaluating assigned cases by each judicial officer and determining the priority of the case and necessary action. Specifically, whether the case will be scheduled for an informal off-the-record teleconference or on-the-record hearing. If it is a motion, the judicial officer will inquire as to whether the parties would agree to have the motion decided solely on the pleadings without a hearing; and
4. Leveraging remote hearing technology to resume hearings of suspended and new matters.

Operational Action Plan’s Roles and Responsibilities:

Phase One: Evaluation and Analysis

<i>Role</i>	<i>Person/entity responsible for initiating this step</i>
Identify Pandemic affected cases. 2 types: those hearings stricken from calendar and those hearings assigned, but not ever scheduled due to pandemic	Court administration
Suspension of court trials for six months	Chief Judge
Send “Case Status” form to parties and attorneys to solicit input on needs of parties	Court administration.
<p>Prioritization and analysis of each case, and determination of next court action into the following categories:</p> <ol style="list-style-type: none"> 1. Telephone conferences off the record (previously ordered and continued, or because status check in is necessary with the parties/counsel) 2. ICMC 3. Motion hearings (determine whether to decide on pleadings or set remote hearing). Also consider holding a scheduling phone call to determine whether issue is still 4. Review hearing 5. Pre hearing conferences 6. Child support cases 7. Trials (including evidentiary hearings) 	Judicial Officer evaluates cases blocked

Phase Two: Scheduling and Conducting Hearings

Schedule suspended matters for hearings as well as new matters, using remote technology	<p>Clerk and court administration with directions from chambers on timing for types of cases</p> <p>Consideration should be given to the Tier Level of the cases, especially for motion hearings. (Tier level on the form)</p>
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Phase Three: Schedule and Conduct Trials

Schedule trials beginning October 15	Clerk and court administration with directions from chambers on timing for types of cases Consideration should be given to the Tier Level of the cases, especially for motion hearings. (Tier level on the form)
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Other Tasks and Feedback:

- Consult with county to get an agreed upon provision in order so default cases coming from Expedited process can be done administratively
- Meet with Guardian program to discuss how to address certain issues:
 - Standing order to extend appointment to save multiple orders
 - For cases where trial scheduled but continued, is it necessary to get updated report so matter is not stale
 - Concerns they may have which we have not heard
- Determine whether judicial officer wants to set up mandatory settlement conferences.
- This plan presumes social distancing through the summer.

Operational Recovery Plan Timeline

