T

The Minnesota Judicial Council, the policymaking body of the Minnesota Judicial Branch, held an emergency meeting on Friday, March 13, 2020 to discuss [**Emergency Executive Order 20-01**](https://mn.gov/governor/assets/EO%2020-01_tcm1055-422957.pdf); Declaring a Peacetime Emergency and Coordinating Minnesota's Strategy to Protect Minnesotans from COVID-19. Following that meeting, Chief Justice Lorie S. Gildea issued a [**statewide order**](http://www.mncourts.gov/mncourtsgov/media/CIOMediaLibrary/Administrative-Order-Continuing-the-Operations-of-the-Courts.pdf), effective Monday, March 16, 2020, for all Minnesota courts.

On March 20, 2020, in light of the continuing state of emergency and in an effort to further limit gatherings in public locations, the Minnesota Supreme Court issued [Administrative Order ADM20-8001](http://mncourts.gov/mncourtsgov/media/CIOMediaLibrary/News%20and%20Public%20Notices/Orders/Order-Continuing-Operations-of-the-Courts-of-the-State-of-Minnesota-Under-a-Statewide-Peacetime-Declaration-of-Emergency.pdf) providing that only certain hearing types may occur in the courtroom and for those hearings access to all court facilities shall be limited to only court staff and judicial officers, and participants whose presence is required for scheduled court proceedings. Case participants may include parties, attorneys, and individuals who are required to be present for the proceeding at direction of the presiding judge. The order goes into effect on Monday, March 23, 2020, and is in effect for the next 30 days or until another order is issued, whichever comes first.

To implement the Order issued by Chief Justice Gildea, the Second Judicial District has developed updated case handling protocols by Division.  Please note that the information contained in this document is specific to the Second Judicial District.

**Building Access**:

 For information regarding Second Judicial District courthouse building access, please review the attached

 Administrative Order issued by Chief Judge John H. Guthmann on March 21, 2020.

 

**Jury Trials (All Lines of Business)**:

 Other than juries that are on-going, no new jury trials shall commence before April 22, 2020.

**Civil:**

Per Administrative Order ADM20-8001, effective March 23, 2020, in person hearings are authorized through April 22, 2020 only in the following case types: expedited housing/eviction matters which have been commenced under Minn. Stat. 504B.321, subd. 2 and housing/eviction matters where there is a showing of individual or public risk to health or safety (e.g. lockout, matters concerning domestic abuse); civil commitments; and emergency guardianship/conservatorship matters. Parties may also appear by phone for those hearings, except when the request for relief presents an immediate liberty concern, or when public or personal safety concerns are paramount. In person hearings are also authorized through April 22, 2020 for garnishment exemption hearings filed under Minn. Stat. 571.914, subd. 1.

In all other case types though April 22, 2020, with approval of the assigned judge, hearings may be held by phone, or by review of the parties’ submissions without oral argument, to the extent feasible, practicable, and in the interests of justice. Please contact the assigned judge or call 651-266-8266 X3 for additional information.

**Family and Domestic Abuse/Harassment:**

Per Administrative Order ADM20-8001, effective March 23, 2020, hearings are authorized on an emergency basis only in the following case types: emergency change-of-custody requests and orders for protection (OFP). All other in-person family proceedings are suspended until April 22, 2020 or until further notice from this Court. For those family matters postponed, individual parties may request a hearing, in writing, if an emergent situation requiring the attention of the court arises.

Parties may also request the Court to consider motions based solely on paper submissions and without oral argument or the Court may schedule hearings that require parties and attorneys to appear without being in the courtroom such as telephonically or video conference.

**Criminal:**

Per Administrative Order ADM20-8001, effective March 23, 2020, hearings are authorized on an emergency basis only in the following case types in which the defendant is in-custody: bail review; hearings under Rule 8 of the Rules of Criminal Procedure; omnibus hearings that do not require live testimony; plea hearings; sentencing hearings; and probation revocation hearings if any necessary testimony can be provided remotely. The defendant and the attorneys may appear remotely. Victim impact information may be provided remotely. In adherence to Administrative Order ADM20-8001, calendars in the Second Judicial District that will proceed through April 22nd are:

* LEC 101 for in custody matters
* LEC 102 for in custody matters
* In custody 10 Day Demands will be consolidated with the misdemeanor LEC calendar
* Chambers
* All in custody probation violations where the 7 day period has not been waived will become resolvable at the LEC.

\*All other proceedings in adult criminal matters are suspended until April 22, 2020 or until further notice from this court. Those calendars include all out-of-custody:

* All Maplewood Calendars
* Arraignments (131A)
* Sentencings
* St. Paul Petty Court Trials
* Implied Consents
* Out of custody Rule 8 and OH hearings
* Out of custody criminal trials
* Evidentiary/suppression hearings
* Misdemeanor Pretrial/OH Calendars

**Please Note**: For those criminal matters postponed, individual parties may request a hearing, in writing, from the assigned judge if an immediate liberty and/or safety concern requiring the attention of the court arises.

**Child Protection:**

Per Administrative Order ADM20-8001, effective March 23, 2020, the only hearings that will be held in the courtroom are emergency protective care (EPC) hearings for children in placement. The EPC hearing shall be combined with an admit/deny hearing, if possible. Attendance in the courtroom shall be limited to parties and parent-participants, and their attorneys. All other proceedings in juvenile protection matters will be conducted based on the presiding judge's review of the parties' written submissions or the hearing can be held remotely as specifically determined by the presiding judge. All other proceedings or trials that require live testimony are suspended until April 22, 2020.

**Juvenile Delinquency:**

Per Administrative Order ADM20-8001, effective March 23, 2020, the only hearings that are authorized to be held in the courtroom are hearings involving juveniles that are in-custody, specifically including detention review hearings; omnibus hearings that do not require live testimony; plea hearings; certification hearings; extended jurisdiction juvenile hearings; disposition hearings; and probation revocation hearings. The juvenile and the attorneys may appear remotely. In adherence to Administrative Order ADM20-8001, all other juvenile delinquency matters are suspended until April 22nd, unless they can be done without oral argument by paper submissions or remotely using ITV, video conferencing, or telephonically.

**Please Note**: For those juvenile delinquency matters postponed, individual parties may request a hearing, in writing, from the assigned judge if an immediate liberty and/or safety concern requiring the attention of the court arises.

The Second Judicial District will make every effort to notify attorneys and self-represented litigants of the postponement and rescheduling of hearings during the next 30 days**. If you have an emergency situation requiring the attention of the Court,** a hearing request may be made in writing. If you have a court case scheduled at any Ramsey County District Court location between March 23, 2020 and April 22, 2020 and you are unable to discern whether your case will be heard or will be scheduled to a future date, **please call** **(651) 266-8266**.

**\*Attorneys have been asking whether lower priority case types can be addressed during the emergency. Administrative Order ADM20-8001 authorizes proceedings in all other case types provided they are held by ITV or any other remote technology that permits the parties and attorneys to appear without being in the courtroom, or by review of the parties’ submissions without oral argument, to the extent feasible and practicable. To that end, the Second Judicial District is currently evaluating its remote technology capabilities and will provide additional information by March 27, 2020 regarding other proceedings that may be held remotely.**

The Minnesota Judicial Branch continues to monitor the most current statements and recommendations regarding COVID-19 in Minnesota. The Branch is coordinating closely with statewide partners, including the Minnesota Department of Health (MDH). The Branch will be following MDH recommendations as the situation evolves. Therefore, anyone who plans to or is required to go to a courthouse will be asked to follow all necessary precautions to prevent spread. When measures are implemented, they will be posted at <http://mncourts.gov/emergency>