



MINNESOTA
JUDICIAL
BRANCH

Priorities & Strategies for Minnesota's Judicial Branch

Focus on the Future

FY2014-FY2015

Minnesota Judicial Council

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Letter from the Chief Justice

Dear Fellow Minnesotans:

Minnesota's courts have a national reputation for professionalism, efficiency, and innovation. They have earned this reputation by taking seriously the need to periodically assess judicial branch performance and identify new and innovative ways of more effectively handling cases and delivering quality services as cost efficiently as possible. This document is the result of our most recent self-assessment.

The Minnesota Judicial Branch has undergone many changes over the last decade, with the goal of improving our ability to fulfill our core mission: *To provide justice through a system that assures equal access for the fair and timely resolution of cases and controversies.* The Branch has worked to reduce administrative costs, increase our efficiency and make use of new information technologies to improve service to court users, streamline our work, and reduce operational costs.

We remain committed to providing excellent service, more efficient operations and more effective use of judicial resources in the years ahead. But we will need the support of our partners in the Executive and Legislative Branches, along with our justice system partners and the citizens of this state, to sustain this commitment to improvement during these current difficult economic times.

Our new plan is the result of many months of study by the Judicial Council's ad hoc Strategic Planning Committee. The result is a set of goals and priorities designed to produce a more efficient, effective, and equitable court system. It is our blueprint for the future.

Sincerely,

A handwritten signature in black ink that reads "Lorie S. Gildea".

Lorie S. Gildea
Chief Justice



2014-2015 Judicial Council Membership

Hon. Lorie S. Gildea (Chair)
Chief Justice, Supreme Court

Hon. Peter Cahill
Chief Judge, Fourth District

Hon. Kurt Marben
Chief Judge, Ninth District

Hon. G. Barry Anderson
Associate Justice, Supreme Court

Hon. Jeannice Reding
Judge, Fourth District

Hon. John Hoffman
Chief Judge, Tenth District

Hon. Matthew Johnson
Chief Judge, Court of Appeals

Hon. Bradley Walker
Chief Judge, Fifth District

Jeffrey G. Shorba
State Court Administrator

Hon. Thomas Kalitowski
Judge, Court of Appeals

Hon. Shaun Floerke
Chief Judge, Sixth District

Dawn Torgerson
Deputy State Court Administrator

Hon. Terrence Conkel
Chief Judge, First District

Hon. James Florey (Vice Chair)
Judge, Sixth District

Mark Thompson
District Administrator, Fourth District

Hon. Thomas Pugh
Judge, First District

Hon. John Scherer
Chief Judge, Seventh District

Paul Maatz
District Administrator, Ninth District

Hon. Teresa Warner
Chief Judge, Second District

Hon. Lisa Borgen
Judge, Seventh Judicial District

Michael Moriarity
District Administrator, Tenth District

Hon. Gregg Johnson
Judge, Second District

Hon. Donald Spilseth
Chief Judge, Eighth District

Chuck Kjos
Court Administrator, Olmsted County

Hon. Jeff Thompson
Chief Judge, Third District



Introduction

In April 2012 the Strategic Planning Workgroup began its review of the FY12-13 Strategic Plan with the goal of forming recommendations for the FY14-15 Plan. The Workgroup reviewed initiatives contained in the FY12-13 Plan to determine whether these initiatives would be completed by the end of the FY13 biennium and whether any of the initiatives should be continued as strategic initiatives in the FY14-15 Plan. The National Center for State Courts annual “Emerging Trends” report was also reviewed. Last, the group reviewed and incorporated the proposed FY14-15 Judicial Branch Technology Investment Plan in the FY14-15 Strategic Plan.

The FY14-15 Strategic Planning Workgroup charge was as follows:

In recognition of current fiscal constraints facing the Judicial Branch and of the initiatives and projects already underway, the FY14-15 plan should only contain initiatives that address three areas:

1. Initiatives aimed at the development and maintenance of adequate personnel, financial and service infrastructure in order to ensure the provision of, and access to justice;
2. Affordable initiatives that are already under way and will not be completed at the end of the current plan; and
3. Initiatives that will provide additional cost effectiveness and efficiency critical to the efficient operation of the Judicial Branch.

The FY14-15 Strategic Plan sets out the Judicial Branch’s blueprint for the future with three overarching goals of improving access to justice, administering justice for more effective results and strengthening public trust and accountability. The Plan includes several significant initiatives that use new information management technologies to streamline case processing and improve service to the public.



Judicial Branch Vision, Mission, and Core Values

The elements of this strategic plan are designed to support the mission, vision, and core values of the Minnesota Judicial Branch:

Vision

The general public and those who use the court system will refer to it as accessible, fair, consistent, responsive, free of discrimination, independent, and well-managed.

Mission

To provide justice through a system that assures equal access for the fair and timely resolution of cases and controversies.

Core Values

Core values that the judicial system must embrace if it is to perform successfully its unique role in society:

Judicial Independence and Accountability

Equal Justice, Fair and Respectful Treatment of All

Customer Focused—Internally and Externally

Accessible

Affordable

Quality Commitment to Excellence and Quality Work Environment

Commitment to Effective Communication

Predictability of Procedures

Balance Between Individualized Justice and Predictability of Outcome

Efficient

Innovative and Self Analytical



STRATEGIC GOAL 1: ACCESS TO JUSTICE

*A justice system that is open, affordable, understandable,
and provides appropriate levels of service to all users*

ISSUE

Ensuring access to justice for all citizens is an enduring concern for Minnesota's court system. It is also an increasingly challenging one, as the needs of litigants become more complex, resources become more scarce, and the Judicial Branch is called upon to provide justice in an efficient and effective manner.

- 1B. Implement technological initiatives aimed at reducing workloads and enhancing judicial Branch efficiency and effectiveness.**
- 1C. Plan for access and service delivery levels in the context of anticipated future fiscal constraints, technology developments, demographics, and business process changes.**

ACCESS PRIORITIES

The Access to Justice priorities focus on the need to continue efforts aimed at increasing awareness and building support for sufficient resources for the Judicial Branch and the need to continue efforts to build on the technological momentum and expertise in the state, with the goals of expanding the capacity of the judicial branch to efficiently process cases and enhancing timely access to information by court users and justice partners.

The three Access to Justice priorities are:

- 1A. Demonstrate the need and build support for obtaining the resources necessary to insure the provision of and access to justice.**



Strategic Goal 1: ACCESS TO JUSTICE

Priority 1A: Demonstrate the need and build support for obtaining the resources necessary to ensure the provision of and access to justice.

ISSUE

This initiative recognizes the concern that the Judicial Branch will be unable to meet its constitutional obligation to provide justice in an efficient and effective manner if sufficient staff and judges are not maintained to perform judicial branch core services. It further recognizes concerns about the Branch's ability to take on new initiatives if core services are not being performed. Last, it recognizes the need for the Branch to make efforts to provide justice in the most efficient and effective way possible.

Courts must actively work to educate funding and policy groups, as well as the public, about the judicial system and the challenges the courts face.

All Judicial Branch judges and employees should participate in efforts to increase awareness of the essential role played by courts at the appellate and the trial court levels. Judges and court staff must also work to develop sound relationships with the Legislature, the Executive Branch, and with justice system partners.

OBJECTIVES

- Better understanding on the part of policy makers about the essential core government function provided by the Judicial Branch.
- Development/enrichment of local personal relationships with legislators.
- Support for judicial branch funding by policy makers and the public.
- Support for judicial branch innovations by justice partners.

STRATEGIES

- Continue Criminal Justice Forum.
- Seek out opportunities for media placements of events/projects/milestones that emphasize Judicial Branch effectiveness, cost efficiency and expanded use of technology.
- Continue efforts to educate policy makers and the public about the courts and duties of judges.
- Continue partnering with Minnesota State Bar Association to implement Amicus Society.



Strategic Goal 1: ACCESS TO JUSTICE

Priority 1B: Implement technological initiatives aimed at reducing workloads and enhancing Judicial Branch efficiency and effectiveness.

ISSUE

One of the most critical issues facing the Judicial Branch today is the diminished staff levels in our trial courts. Until recently, funding levels for the courts declined with no corresponding decrease in workloads or in the services citizens expect.

The difficult ongoing economic recovery highlights the need for the Branch to effectively manage the workforce, which represents their greatest asset. To effectively manage to the “new normal” of working smarter in an era of relatively flat budgets, the Branch is turning to automated workforce management solutions in order to maintain levels of services with fewer people.

OBJECTIVE

Implement technological initiatives to:

- reduce workloads for judges and court administration staff;
- enhance case processing efficiency; and
- enhance Judicial Branch effectiveness.

STRATEGIES

- Continue efforts to implement eCourtMN in the trial and appellate courts, including accommodating Pro Se Litigants in the eCourt environment.
- Develop and implement Order For Protection upgrade in MNCIS.
- Migrate the 2nd and 4th Judicial Districts from VIBES to MNCIS.
- Examine existing and emerging technologies for use in courtrooms (i.e. electronic courtrooms).
- Redesign and enhance the Judicial Branch Public Website.
- Strengthen technology platform to support eCourtMN:
 - ⇒ Implement Network Access Security and Electronic Document Storage Capacity Improvements.



Strategic Goal 1: ACCESS TO JUSTICE

Priority 1C: Plan for access and service delivery levels in the context of anticipated future fiscal constraints, technology developments, demographics, and business process changes.

ISSUE

The Minnesota Judicial Branch continues to face several challenges as a result of the current economic situation:

- ◆ significant budget constraints;
- ◆ a smaller available workforce; and
- ◆ significant competition for a limited pool of workers.

In response to the challenges, the Judicial Council created the Access and Service Delivery Workgroup (ASD) to develop options for restructuring delivery systems, redesigning business processes, expanding the use of technology and prioritizing functions to provide appropriate levels of access and services statewide at the lowest cost. The Workgroup reported its recommendations in January 2008. Since that time the Branch has spent considerable time planning for and implementing the ASD recommendations.

OBJECTIVE

- Continue to develop and implement plans for re-engineering access and delivery systems in the Judicial Branch.
- Reduce cost of operations.
- Maintain acceptable levels and alternative means of access.

STRATEGIES

- Continue efforts to implement the Conservator Account Auditing Program (CAAP).
- Explore extending Housing Court applicability on a statewide basis.
- Examine the near and long term opportunities for re-structuring justice system service delivery in light of changing demographics, community needs, and enhanced technology including:
 - ⇒ Judicial District boundaries
 - ⇒ Judicial business process redesign
 - ⇒ Multi-county shared/consolidated justice services
- Engage justice system partners and state and local policy makers in the examination of near and long term opportunities for restructuring justice system service delivery.



STRATEGIC GOAL 2: ADMINISTERING JUSTICE FOR EFFECTIVE RESULTS

Adopting approaches and processes for the resolution of cases that enhance the outcomes for individual participants and the public

ISSUE

Over the last two decades, Minnesota courts have worked diligently to become increasingly efficient. Yet, efficiency is not an adequate measure of a successful justice system. Striving for more effective outcomes for court participants is the focus of this goal.

In recent years, new strategies have been tested and proven promising in achieving more effective outcomes for court participants who continually come back into the justice system because underlying substance abuse, mental health, or other psychosocial problems have not been addressed. These approaches stress a collaborative, multidisciplinary problem solving approach for addressing the underlying problems as well as the legal issues that bring these individuals into court in the first place.

EFFECTIVE RESULTS PRIORITIES

The priorities for administering justice for effective results during this strategic planning period are to:

2A. Integrate a judicial problem-solving approach into court operations for

dealing with alcohol and other drug (AOD) addicted offenders, offenders with mental health issues and offenders who are veterans

2B. Continue Efforts to Identify Judicial Branch Case Processing Responsibilities aimed at managing workloads.

2C. Insure the fair, efficient, and cost-effective handling of cases involving elderly and vulnerable adults.



Strategic Goal 2: ADMINISTERING JUSTICE FOR EFFECTIVE RESULTS

Priority 2A: Integrate a judicial problem-solving approach into court operations for cases involving alcohol and other drug (AOD) addicted offenders, offenders with mental health issues and offenders who are veterans.

ISSUE

In recent years, alternative and demonstrably more effective judicial strategies for dealing with AOD- addicted persons, offenders with mental health issues and offenders who are veterans have evolved both in Minnesota and other states. Known as “problem solving approaches,” these strategies use the coercive power of the court, in collaboration with prosecution, defense, probation, treatment providers, and veteran services providers to closely monitor the defendant’s progress toward sobriety and recovery through ongoing treatment, frequent drug testing, regular court check-in appearances, and use of a range of immediate sanctions and incentives to foster behavioral change. This priority calls for a continuation of efforts to fundamentally shift how Minnesota’s courts deal with AOD-addicted offenders.

The Judicial Council recognizes the effectiveness of problem-solving courts and recommends, to the extent possible, that current courts be maintained and that efforts continue to provide access to problem-solving courts on a statewide basis.

OBJECTIVE

Maintain current problem-solving courts and strive to provide access to problem-solving courts in a statewide basis to the extent financial resources permit.

STRATEGIES

- Maintain existing drug courts.
- Continue efforts to add counties adjacent to existing drug courts using the multi-county drug court model.
- Identify and implement evidence based best practices for processing cases involving AOD, mental health and offenders who are veterans.
- Begin multiyear effort to educate criminal justice professionals on the philosophies, evidence based practices and procedures involved in implementing and operating a drug court.



Strategic Goal 2: ADMINISTERING JUSTICE FOR EFFECTIVE RESULTS

Priority 2B: Continue Efforts to Identify Judicial Branch Case Processing Responsibilities Aimed at Managing Workloads.

ISSUE

In 2007 the Judicial Council established court performance goals and a process for monitoring progress toward meeting those goals. Performance goals are necessary to ensure accountability of the judicial branch, improve overall operations of the court, and enhance the public's trust and confidence in the judiciary.

This initiative will continue efforts to implement the performance goals and to monitor progress in reaching the goals.

the National Center for State Courts High Performance Courts Framework.

- Identify and implement strategies for equalization of resources throughout the state based on established workload measures.
- Implement Civil Justice Reform Task Force recommendations as directed by the Supreme Court and Judicial Council.

OBJECTIVE

Continue the performance standards implementation initiative to:

- Ensure accountability of the branch,
- Improve overall operations of the court, and
- Enhance the public's trust and confidence in the judiciary.

STRATEGIES

- Identify and implement strategies for greater consistency in handling cases.
- Provide training to judges and court employees on effective workload management techniques and best practices.
- Continue efforts to integrate regular use and review of performance measures reports relating to court management activities, including consideration of implementation of



Strategic Goal 2: ADMINISTERING JUSTICE FOR EFFECTIVE RESULTS

Priority 2C: Insure the fair, efficient, and cost-effective handling of cases involving elderly and vulnerable adults.

ISSUE

Courts throughout the United States are experiencing a substantial increase in both the number and proportion of older Americans. According to the Minnesota Department of Health, between the years 2000 and 2030 the 65 and older population will increase from 12.1 percent to 24 percent of the total state population.

The substantial increase in both the number and proportion of older Minnesotans will result in caseload increase in most areas of probate court jurisdiction, including wills and estates, mental health matters, and establishment of guardianships as well as in other areas of the law, e.g. criminal, civil, and family law matters involving allegations of elder abuse and fiduciary misconduct.

OBJECTIVE

Develop collaborative approaches and efficient means of communication between courts, justice partners and other entities serving the elderly and vulnerable population.

STRATEGIES

- Explore opportunities to establish and maintain strong collaborative partnerships across the justice system, protective and social services, and academic community to effectively process cases involving elderly and vulnerable adults.



STRATEGIC GOAL 3: PUBLIC TRUST, ACCOUNTABILITY, AND IMPARTIALITY

A justice system that engenders public trust and confidence through impartial decision-making and accountability for the use of public resources

ISSUE

An overwhelming majority of Minnesotans have confidence in the state's judicial branch as an institution. Minnesotans believe judges are well-equipped to do their jobs and that court employees are helpful and courteous.

Nearly 40% of Minnesotans say they know little or nothing about the court system. Nearly half of Minnesotans say they think courts are out of touch with what's going on in their communities and Minnesotans also have concerns about the timeliness and cost of bringing a case to court, and the judiciary's treatment of persons of color.

OBJECTIVE

Continue efforts to ensuring public trust, accountability and impartiality during this strategic planning period.

STRATEGIES

3A. Continue efforts to implement education and development opportunities for Judges and Judicial Branch employees.

3B. Continue efforts to address diversity issues in the Judicial Branch.

3C. Promote communication and collaboration between the Minnesota Judicial Branch and Minnesota Tribal Courts.



Strategic Goal 3: PUBLIC TRUST, ACCOUNTABILITY, AND IMPARTIALITY

Priority 3A: Continue efforts to implement education and development opportunities for Judges and Judicial Branch employees.

ISSUE

Training and education are important components in achieving the Judicial Branch's strategies and priorities. Currently, court employees are asked to take on more work, often with different kinds of cases and in varying areas of court. Cross-training of employees becomes increasingly necessary as does maximizing the use of the Judicial Branch case management and other technology applications. The purpose of education and training are:

- ◆ To provide the court system with a productive and skillful workforce capable of meeting the current and future responsibilities of the judiciary;
- ◆ To provides judges and employees with training to utilize new technologies in an effective manner; and
- ◆ To assist employees in achieving career and individual development goals.

It is of primary importance and benefit to the Minnesota Judicial Branch and to the public that those responsible for providing judicial branch services continue their professional education throughout the period of their employment in the courts.

OBJECTIVE

- Increase judge and employee skill development and efficiency to enrich public

trust and confidence with Judicial Branch customers.

- Enable judges and staff to gain the knowledge and skills necessary to implement eCourtMN projects.

STRATEGIES

- Provide training opportunities for knowledge and skill acquisition needed to prepare judges and court staff for eCourtMN projects.



Strategic Goal 3: PUBLIC TRUST, ACCOUNTABILITY, AND IMPARTIALITY

Priority 3B: Continue efforts to address diversity issues in the Judicial Branch

ISSUE

Studies indicate that both white and nonwhite populations feel that persons of color are not treated fairly by the court system. The studies also indicate that communities of color have the least trust in the court system.

The courts have a responsibility to ensure equal access to the courts and a fair and impartial courtroom. In addition, courts must provide fair treatment of court users and to hear and respond to the needs and concerns of all populations in Minnesota.

OBJECTIVE

- To continue to advance the Judicial Branch's efforts to eliminate from court operations bias that is based on race, gender, ethnicity, age, disability, socioeconomic status, religion, sexual orientation, and any other status protected by law.

STRATEGIES

- Review Minnesota Court System compliance with limited English

proficiency requirements.

- Continue Judicial Branch efforts to eliminate bias from court operations through activities of the Judicial Council Committee for Equality and Justice and Judicial District Equal Justice Committees:
 - ⇒ Continue efforts to support Juvenile Detention Alternative Initiative Efforts to eliminate racial disparities in juvenile justice arena.
 - ⇒ Study evidence based tool(s) for use in making pretrial release decisions statewide.



Strategic Goal 3: PUBLIC TRUST, ACCOUNTABILITY, AND IMPARTIALITY

Priority 3C: Promote communication and collaboration between the Minnesota Judicial Branch and Minnesota Tribal Courts.

ISSUE

State courts and tribal courts have a range of common responsibilities. Both have the responsibility to provide justice to the citizens of this state. Both seek to use public resources effectively and efficiently. The parallel and sometimes overlapping responsibilities require open lines of communication between the two court systems. Person-to-person communication and sharing information among tribal and state judges and court staff can lead to improved respect, understanding, and cooperation between the two court systems.

This Strategic Goal seeks to facilitate more effective State-Tribal Court cooperation and communication. The State-Tribal Court Forum will be responsible for assessing current levels of interaction and cooperation, for facilitating improvement and for consulting on appropriate educational opportunities and materials for judges, court employees, and justice partners.

OBJECTIVE

- Raise understanding and awareness of State Court judges and personnel on State-Tribal issues.
- Develop training programs aimed at facilitating justice system understanding of Indian Law.
- Increase cooperation/and collaboration with Tribal Courts on matters of common interest.

STRATEGIES

- Continue efforts to foster relationships between state courts and tribal courts through education, training, meetings and ride-alongs.

“Next to doing right, the great object in the administration of justice should be to give public satisfaction.”

-John Jay, the first United States Chief Justice

