

# MINNESOTA STATE COURT SYSTEM ADMINISTRATIVE POLICY

**SUBJECT: SUSPENSION OF "MINIMUM STANDARDS FOR ELECTRONIC RECORDING EQUIPMENT OPERATORS" AND "RECORDING EQUIPMENT SPECIFICATIONS/MINIMUM STANDARDS"**

**SUPREME COURT FILE NO: C4-99-404**

**WHEREAS**, in *Holmberg v. Holmberg*, 588 N.W.2d 720 (Minn. 1999), the Minnesota Supreme Court held that the current structure of the administrative child support process violates the constitutional constraints on the separation of powers; and

**WHEREAS**, in support of the transfer of the child support process from the executive branch to the judicial branch, the Supreme Court on April 16, 1999, promulgated Transition Rules governing the process from July 1 through September 30, 1999, and on June 23, 1999, promulgated Interim Expedited Child Support Process Rules; and

**WHEREAS**, the State Court Administrator recognizes the complexity of transferring the process from the executive branch to the judicial branch; and

**WHEREAS**, Minnesota Statutes 484.72, subdivision 3, provides that the "State Court Administrator shall promulgate specifications for acceptable electronic recording equipment used to record court proceedings and minimum qualifications for the persons who operate and monitor the equipment"; and

**WHEREAS**, the State Court Administrator promulgated "Minimum Standards for Electronic Recording Equipment Operators" that became effective July 1, 1983, and

**WHEREAS**, the State Court Administrator promulgated "Recording Equipment Specifications/Minimum Standards" that became effective February 28, 1982;

**WHEREAS**, in order to allow time for the purchase and installation of equipment that meets the minimum standards and for adequate statewide training of electronic equipment operators; and

**WHEREAS**, the child support magistrates through the Office of Administrative Hearings have access to electronic recording equipment which does not meet the minimum standards promulgated by the State Court Administrator, but which has been adequate for making a record of proceedings;

**NOW, THEREFORE, THE FOLLOWING ADMINISTRATIVE POLICY IS PROMULGATED:**

1. For purposes of the Expedited Child Support Process, the "Minimum Standards for Electronic Recording Equipment Operators" and "Recording Equipment Specifications/Minimum Standards" are suspended for those counties that cannot meet the

standards by July 1, 1999. In such counties, the minimum standards and equipment specifications are to be met as soon as practicable and not later than September 30, 1999.

2. During the transition period from July 1, 1999, through September 30, 1999, child support magistrates serving in counties that do not meet the minimum standards and equipment specifications may utilize existing Office of Administrative Hearings equipment to ensure that an accurate record is made of each hearing over which the magistrate presides.

DATED: June 29, 1999



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Sue K. Dosal  
State Court Administrator

OFFICE OF  
APPELLATE COURTS

JUN 29 1999

**FILED**