

STATE OF MINNESOTA

IN SUPREME COURT

POLICIES REGULATING CONTINUING EDUCATION  
FOR MEMBERS OF MINNESOTA'S JUDICIARY

**ORDER**

WHEREAS, the continuing education and training needs of the judicial branch state funded referees and judicial officers are similar to judges; and

WHEREAS, the Office of Continuing Education for State Court Personnel monitors compliance with continuing judicial education for judges; and

WHEREAS, the Conference of Chief Judges has recommended that the continuing judicial education requirements apply to referees and judicial officers and that those employees report their credits to the Office of Continuing Education for State Court Personnel,

NOW, THEREFORE IT IS HEREBY ORDERED that the attached Supreme Court Administrative Policy, as amended, is adopted, effective April 15, 1993.


All continuing legal education credits earned by currently serving referees and judicial officers prior to April 15, 1993, shall be recognized by the Office of Continuing Education for State Court Personnel in assessing compliance with this policy.

The attorney reporting cycle shall apply for each referee or judicial officer. The mandated coursework specified by the policy shall apply from July 1, 1993, to referees and judicial officers.

DATED: October 5, 1993

BY THE COURT

OFFICE OF  
APPELLATE COURTS

  
A. M. Keith  
Chief Justice

OCT 6 1993

**FILED**

# SUPREME COURT ADMINISTRATIVE POLICY NO. 11

## POLICIES REGULATING CONTINUING EDUCATION FOR MEMBERS OF MINNESOTA'S JUDICIARY

### JUDICIAL EDUCATION RULES

All Minnesota State judges and referees are required by Supreme Court order dated ~~October 11, 1979~~, to complete forty-five (45) hours of approved continuing judicial education (CJE) coursework every three years. Wherever referee is used in these rules, it shall also mean judicial officer. The term referee shall not include per diem referees. A judge's or referee's reporting period is the same as that experienced under the Continuing Legal Education (CLE) Rules.

For an attorney who becomes a judge or referee, or a judge or referee who returns to law practice, hours earned under the rules previously applicable to the judge or referee (i.e., CLE or CJE) shall be recognized by the appropriate accrediting and reporting agency (i.e., State Board of Continuing Legal Education or the Office of Continuing Education for State Court Personnel).

Judges and referees are required to complete certain prescribed coursework. These programs are as follows:

New judges and referees, within their first year on the bench, shall complete the Office of Continuing Education for State Court Personnel's (SCCE) course of orientation and instruction;

All district court judges and referees shall complete an approved sentencing institute during each full term of office;

All judges and referees shall tour one institution to which they sentence individuals during each full term of office. The SCCE Office and Department of Corrections regularly schedules tours to comply with this requirement. Judges and referees may schedule their own tours of institutions and, by notifying SCCE of their time, place and contents, have them recorded as satisfying the requirement.

Credits earned in attendance at the above courses are applied toward the forty-five hour judicial education requirement for the current reporting period. Credits for the mandatory sentencing institute and institution tours are included in the 45 hour credit limitation as outlined under REIMBURSEMENT section.

SCCE is the accrediting agency and the agency to which the judge or referee reports compliance with the Judicial Education Rules. The Director of this office may grant waivers or extensions of the minimum education or reporting requirements.

### RETIRED JUDGES

A retired judge who elects to serve on the bench by notifying the State Court Administrator of the retired judge's availability for service in January of each year, must complete and report annually (in accordance with fiscal year) fifteen (15) hours of either approved judicial education or continuing legal education approved for judicial education credit coursework. The mandatory sentencing institute and institution tour requirements do not apply to retired judges.

Before a retired judge will be assigned to serve, the retired judge must have completed the required 15 judicial education credits in the fiscal year preceding the year of the order.

State funds to reimburse active retired judges for in-state continuing education expenses are available. Retired judges may secure these funds by following the same reimbursement approval procedures as those followed by other state trial court judges as outlined under REIMBURSEMENT section.

Retired judges shall be limited as to reimbursement for expenses for education to 15 credit hours per one year reporting period, over and above the credits awarded at the annual conferences convened by the Chief Justice and one annual conference sponsored by a judicial association.

If a judge has not served in two sequential fiscal years, the judge will not be eligible for reimbursement, absent order of the Chief Justice.

### REIMBURSEMENT OF JUDICIAL EDUCATION EXPENSES

~~The Minnesota Legislature provides funds to reimburse expenses incurred by a judge in attending approved judicial education courses. These include both courses sponsored by SCCE and other CLE accredited as judicial education. The Minnesota Supreme Court is responsible for approving disbursement of these funds.~~

Judges and referees shall be limited as to reimbursement for expenses for education to 45 credit hours per three year reporting period, over and above the credits awarded at the annual conferences convened by the Chief Justice, one annual conference sponsored by a judicial association and the mandatory new judge orientation course.

PROCEDURE TO BE FOLLOWED PRIOR TO ATTENDANCE AT A COURSE NOT PREVIOUSLY APPROVED FOR JUDICIAL EDUCATION CREDIT:

The judge or referee shall make a written request for ~~approval for State reimbursement of~~

~~educational expenses~~ course accreditation to the Director of SCCE. This is done by completing the PETITION FOR COURSE ACCREDITATION (see Exhibit D). A copy of the course brochure or agenda for judicial education accreditation purposes will expedite a reply.

Approval is governed by the following conditions:

- 1) The course is accredited for judicial education, not just CLE. This is determined by the Director of SCCE.
- 2) The course does not substantially duplicate a planned SCCE course offering.
- 3) Sufficient funds are available to cover anticipated expenses.

The Director of SCCE shall review the request and reply to the judge or referee within ten (10) working days. If the Director denies a request, the judge may request the Judicial Education Advisory Committee to review the decision.

~~Judges attending e~~Courses conducted by, or in conjunction with, SCCE ~~need not seek prior approval since these courses~~ are automatically approved for State reimbursement, provided that the credit amount for this course is within the judge's or referee's reimbursement limit. Referees shall ascertain from the Judicial District Administrator that funds are available for reimbursement.

~~Where State reimbursement is approved, the j~~Judges shall claim allowable expenses on a State Judges Expense Voucher which is filed with the State Court Administrator's office. Referees shall claim allowable expenses on an Employee Expense Voucher which is filed with the District Administrator's office. Expense claims are governed by the current applicable State travel reimbursement policies.

### JUDICIAL EDUCATION TRIPS OUT-OF-STATE AND OUTSIDE OF THE CONTIGUOUS UNITED STATES

State reimbursement for travel expenses outside of the contiguous United States is limited to regular roundtrip coach airfare between Minnesota and the closest city to the training site within the continental United States (e.g., Minnesota to New York City). Tuition and subsistence expenses will be reimbursed in a manner similar to provisions for education trips within the contiguous United States.

Reimbursement for out-of-state judicial education trips will be allowed only at the discretion of the Chief Justice and/or the Director of SCCE. These expense claims are governed by the current applicable State travel reimbursement policies- and are subject to the availability of funds

for out-of-state travel.

### ACCREDITATION OF FACULTY PARTICIPATION

A judge or referee who serves on the faculty of an approved Judicial Education or Continuing Legal Education course is entitled to claim as Judicial Education hours an amount of time equal to the judge's or referee's actual presentation and up to two times the presentation time for preparation. A judge or referee who serves on a panel may claim the entire time of the panel presentation as presentation time.

A judge or referee claiming judicial education hours for faculty participation shall list those hours on the Judicial Education Report provided ~~to the judge~~ annually or by separate affidavit. A judge or referee may claim only fifteen (15) Judicial Education hours for faculty participation in any one reporting period.

Reimbursement of expenses for faculty participation other than at SCCE sponsored courses is not allowed.

### REPORTING OF JUDICIAL EDUCATION HOURS

A judge or referee is responsible for reporting judicial education hours to SCCE within sixty (60) days of the expiration of the judge's or referee's reporting period.

SCCE provides the judge or referee with a report of the judge's known judicial education activities and credits reimbursed status annually. Upon receipt the judge or referee needs to verify or amend the information, sign and return the report to SCCE.

### FAILURE TO COMPLY

If an active judge or referee fails to complete the minimum educational or reporting requirements to the SCCE Director's satisfaction, the SCCE Director shall investigate the facts and attempt to enforce compliance. In the event that enforcement is not successful, the Director shall report such failure to the Supreme Court for appropriate disposition.

These rules supersede all previous Policies Regulating Continuing Education for Members of Minnesota's Judiciary. All previous policies are repealed.

DATED: ~~October 12, 1989~~ \_\_\_\_\_, 1993