

**ADMINISTRATIVE ORDER #1, 2<sup>nd</sup> SERIES**

**State of Minnesota**

**District Court**

**Fifth Judicial District**

**Administrative Order No. 1, 2<sup>nd</sup> Series  
Date of Implementation: March 26, 2008**

In Re: Order Establishing Organizational Guidelines for the Judges of the Fifth Judicial District

**IT IS ORDERED:**

**I. Meetings and Elections**

There shall be a minimum of four Judges' meetings per year and the Chief Judge may call others as needed. The regular meetings shall normally be held in March, June, September, and December. The March, June, and September meetings will normally be held on the 3<sup>rd</sup> Wednesday of each month. Each meeting will involve a joint meeting with the Fifth District Court Administrative Team (CAT). The December meeting will be held in conjunction with the Judges' Annual Conference and will not be a joint meeting with CAT. However, if the Judges' Annual Conference is not held, then the December meeting will follow the regular meeting format to include a joint meeting with CAT. The election of the Chief and Assistant Chief Judge will be at the March meeting. The Chief Judge shall call and preside over the Judges' meetings and in the absence of the Chief Judge, the Assistant Chief Judge shall call and preside over the meetings and perform any other duties of the Chief Judge. The Supreme Court liaison Justice, Court of Appeals liaison Judge, and the Child Support Magistrates will have standing invitations to attend and participate at all quarterly meetings.

**II. Joint Meetings With Court Administrative Team (CAT):**

The joint meetings will normally begin with a lunch at 12:30 p.m. The assignment districts will meet until approximately 2:30 p.m. The joint meeting will then reconvene and be chaired by the Chief Judge. The Judges of the District will approve the policies for the Judicial District and only the Judges will have a vote at the joint meetings. CAT members will serve at the joint meetings as non-voting staff and are expected to fully participate in developing and proposing budget, policies and procedures for the Judicial District. A private Judges' business meeting will be scheduled after the joint meeting adjourns. The joint meetings will be held in a suitable conference facility as close to the center of the district as feasible, and may be scheduled at courthouses, when deemed appropriate. Agendas, materials and minutes will be distributed in advance by electronic or other means. Agenda items may be placed on the agenda by any Judge or by CAT.

### **III. Assignment District Responsibilities.**

Each Assignment District will meet at the joint quarterly Judges and CAT meetings and more often, if needed. The Court Administrators of the Assignment District will be the Court Management Team for the Assignment District. They will prepare the agenda, take minutes and complete other duties as assigned by the Judges of the Assignment District. The Judges of the Assignment District will approve the policies for the Assignment District and only the Judges will have a vote. The Court Administrators will serve as non-voting staff at the Assignment District meetings, and are expected to fully participate in developing and proposing budgets, policies, and procedures for the Assignment District. Each Assignment District will be responsible for setting policies and procedures in the following areas:

1. Budget Plan for the Assignment District;
2. Caseload Plan for the Assignment District;
3. Judicial Assignment and Judicial Vacation Coverage Plan; and
4. Court Administration Staffing Plan and Shared Staff Plan.

### **IV. Ad Hoc Committees**

Ad hoc committees may be created at the discretion of the Chief Judge who shall appoint a chairperson and ad hoc committee membership.

### **V. Facilities Committee**

The Facilities Committee for each county shall consist of the Judges of the affected Assignment District and shall be chaired by the resident or senior Judge in the affected county. The District, at the request of the Committee, shall provide for a Space Consultant's Feasibility Plan. The Facilities Committee will then present and recommend for approval at a quarterly Judges' meeting the Feasibility Plan. After approval by the Judges of the District, minor revisions to the Feasibility Plan may be approved by the Facilities Committee. A county shall not make remodeling or new construction decisions that affect court-related areas without approval of the Judges of the Judicial District. However, the Facilities Committee for each county has the authority to make facility decisions on behalf of all of the Judges in the District when waiting until the next quarterly meeting is not practical.

### **VI. Written Majority Opinions of the Judges of the Fifth District**

When requested by the Supreme Court, Judicial Council, Minnesota District Judges' Association, or other agency or body, or by majority resolution for the Judges of the Fifth District, to express an opinion on any subject, the Judges of the Fifth District shall respond through the Chief Judge. Prior to expressing the majority opinion of the Judges, the Chief Judge shall seek input from all Judges either at the quarterly Judges'

meeting or by fax, telephone, by other electronic means, or in person. A written draft majority opinion shall be circulated to all Judges prior to submission to the requesting body.

## **VII. Written Minority Opinion**

Any Judge wishing to dissent from the draft written majority opinion may submit a written minority opinion that will be sent along with the majority opinion to the requesting body. Any written minority opinions will be circulated to all Judges along with the draft written majority opinion for review, comment, and possible incorporation into the majority opinion. These guidelines do not limit, restrict, or prevent any Judge from expressing their written or oral opinion on any administrative matter; however, if possible, a courtesy copy of written opinions should be provided to the Chief Judge. The Chief Judge will not write in response without first contacting the individual Judge.

## **VIII. Flower Fund Policy**

The District Administrator or his/her designee shall send flowers on behalf of the Judges, Child Support Magistrates, and Court Administration Team (CAT) of the Fifth Judicial District in the event of the following:

- Death of a Fifth Judicial District Judge, Child Support Magistrate, retired Judge, CAT member, or retired CAT member;
- Death of a spouse, child, stepchild, parent or parent-in-law of a Fifth Judicial Judge, Child Support Magistrate, or CAT member;
- Major hospitalization of a Fifth Judicial District Judge, Child Support Magistrate, retired Judge, or CAT member; or as directed by the Chief Judge or Chairperson of the Fifth Judicial District CAT, on behalf of their respective association, for special circumstances.

In the event flowers are not appropriate, a card will be sent by the District Administrator or his/her designee. Cards will be sent upon the death of a sibling of a Judge, Child Support Magistrate, or CAT member. The Chief Judge or the Chairperson, for their respective association, will make the determination as to appropriateness.

This fund may also be used to pay for the dinner for a retired Judge's spouse at the Judges' private retirement dinner; gifts for retiring Judges, Child Support Magistrates, and CAT members. The Chief Judge or the Chairperson will make the determination as to expenditure of funds for these purposes and as to who will make the purchase on behalf of their respective association.

Each Judge, Child Support Magistrate, and the District Administrator will be requested to contribute \$20.00, and CAT members will be requested to contribute \$15.00, to be