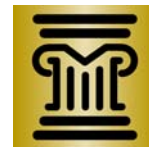




Strategies & Priorities for
Fourth Judicial District

Focus on the Future

FY2007-FY2009



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Introduction

In July 2005, the Minnesota Judicial Branch completed its transition from a largely county funded and focused confederation of trial courts to a unified, co-equal branch of state government operating under a single umbrella of state funding. In support of this change, the Minnesota Judicial Branch instituted a new governance structure with the creation of a Judicial Council comprised of judges and administrators from all levels of court and chaired by the Chief Justice of the Supreme Court.

As one of its first tasks, the Judicial Council developed a new strategic plan for the judicial branch which sets a clear direction over the next three years for the operation of the unified court system. This strategic plan sets forth three long-term, enduring goals for the court system: (1) Access to Justice; (2) Administering Justice for Effective Results; and (3) Public Trust, Accountability and Impartiality. These goals are fundamental building blocks for the operation of the courts and anchor all other parts of the strategic plan.

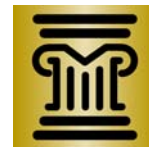
As part of the judicial system in Minnesota, the Fourth Judicial District supports the strategic plan of the Minnesota Judicial Branch. This document sets forth the coordinated efforts and activities of the Fourth Judicial District Court that specifically support this plan and the vision and mission of the Fourth District.

Vision

To be recognized as providing an accessible, fair, courteous, efficient and innovative system of Justice.

Mission

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



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 caseloads rise and the needs of litigants become more complex.

In the last decade, Minnesota's court system has seen its workload increase by over 10%, including a 42% increase in major criminal cases. Today, more than two million cases are filed each year, with Minnesota judges handling nearly 8,000 cases annually.

The court system faces challenges to ensuring access to justice beyond the sheer number of its cases. Last year, 62 languages were spoken in state courtrooms, and interpreters were used in over 30,000 hearings. And the number of unrepresented litigants is on the rise. The Minnesota Judicial Branch is committed to undertaking efforts to assist users of our court system to understand and meaningfully participate in the judicial process.

ACCESS PRIORITIES

For this strategic planning cycle, the Access to Justice priorities capitalize on the technological momentum and expertise in the state, with the goals of expanding the capacity of the judicial branch to efficiently process cases, enhancing timely access to information by court users and justice partners, and helping unrepresented litigants navigate the legal process. The three Access to Justice priorities are:

- 1A. Complete the transition to a unified statewide case management system.**
- 1B. Institute electronic case initiation.**
- 1C. Expand resources for pro se litigants.**
- 1D. Improve access through decentralization of Hearing Office and Traffic Calendar services (Specific to Fourth District)**



Strategic Goal 1: ACCESS TO JUSTICE

Priority 1A: Complete the transition to a unified statewide case management system

ISSUE

The replacement of the court's outdated case management system under the Minnesota Court Information System project (MNCIS) will significantly improve the collection, storage, retrieval, tracking, and electronic sharing of trial and appellate court case information. Information databases will be person-based, statewide, and able to exchange information with other criminal justice agencies.

Fifty of Minnesota's 87 counties are currently part of MNCIS. Statewide completion will:

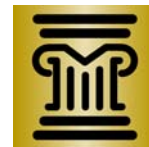
- enhance judicial decision-making and public safety by providing adequate and timely information
- allow the court system to more effectively and efficiently process cases
- meet the need of the public and court users for information about matters under the jurisdiction of the court system

OBJECTIVE

An efficient, reliable, comprehensive case management system that meets the needs of court users, judges and court staff, justice partners, and the state judicial system as a unified whole.

APPROACH

- Implement MNCIS in Criminal Court (continue into 1st quarter FY 2008).
- Develop practices to accurately reflect judge time and complexity of cases in MNCIS (1st quarter FY 2008) and continue to refine the implementation of MNCIS in all divisions (2nd quarter FY 2008).
- Implementation of MNCIS in Criminal Court requires significant additional work to allow for integration with our criminal justice partners. This is currently underway (FY 2008).



Priority 1B: Institute electronic case initiation

ISSUE

Citation processing is among the highest volume, most labor-intensive activities for Minnesota courts. Most information needed to initiate a citation in district court is already entered by law enforcement in their records management systems. Electronic case initiation, or e-filing, is the ability of external parties to file case initiation documents with the court in an electronic format, eliminating the need for manual entry of this information by the courts.

E-filing will allow courts to more quickly process cases, reduce the number of errors in court data, and enhance the productivity of court administration staff resources. The end result of this effort will be more timely access to accurate information by the public and a more efficient court system.

- interested courts and roll out (FY 2009).
- Implement e-filing and e-charging in Criminal Court and replicate in Juvenile Court (FY 2009).

OBJECTIVE

Develop a highly efficient, accurate process for the initiation of criminal and juvenile cases, and pave the way for civil e-filing.

APPROACH

- Increase automated citation entry in Criminal Court and integration with Juvenile MNCIS (FY 2008).
- Evaluate utility of document imaging/paperless files for citations in Traffic Violations Bureau, (2nd quarter FY 2008), Criminal Court and Family Court (FY 2009). Determine priority for all other



Priority 1C: Expand resources for pro se litigants

ISSUE

The number of litigants who proceed without an attorney is on the rise both nationally and in Minnesota. The number of pro se defendants in Hennepin County's Housing Court, for example, is more than twice the number who use an attorney. Nationally, only a small portion of low-income litigants in need of legal assistance have access to lawyers. The law and court processes are complex and difficult for non-lawyers to understand and navigate. This initiative continues the judicial branch commitment to access to justice for its citizens.

The Fourth District's Self-Help Center (SHC) services 26,000 walk-in users annually. With a relatively low investment of resources, the SHC services could be made accessible to pro se litigants statewide via a "virtual self-help center" on the judicial branch's website and public workstations in each courthouse where litigants could access the site, use interactive software to complete forms, and call SHC staff for additional assistance.

The anticipated benefits of providing more self-help resources to litigants are:

- Improved quality of hearings, as pro se litigants with access to self-help centers will have more accurate paperwork and be better prepared for court;
- Increased access for non-English speakers, as some self-help resources are available in several languages;
- Improved trust in the court system as a result of better understanding of court procedures and more control over the process.

OBJECTIVE

Provide a baseline level of access to legal information and resources for all persons with cases in Minnesota courts, regardless of their geographic location or income level.

APPROACH

- Implement virtual Self-Help Center and I-Can in conjunction with Pro Se Services (FY 2008)



Priority 1D: Improve access through decentralization of Hearing Office and Traffic Calendar services (Specific to Fourth District)

OBJECTIVE

Improve public access to the services of the Hearing Office by decentralizing the model and moving the services out into the community. The Hearing Office currently hears cases in all of the Suburban Courts. However, in Minneapolis, the Hearing Office and Traffic Calendar are only available in the downtown courthouse. We will expand the services to community-based Minneapolis locations.

APPROACH

Consider and develop alternate sites and means of hearing payable traffic cases out in the community.

- Examine feasibility of expanding the Hearing Office to community locations including the potential use of interactive video (ITV) (FY 2009).



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. Today, Minnesota judges carry caseloads that are 49% greater than judges in comparable state court systems. 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.

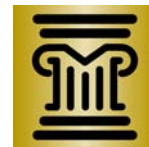
In recent years, new strategies have been tested and proven promising in achieving more effective outcomes for court participants who continually come back into the justice system because underlying substance abuse, mental health or other psychosocial problems have not been addressed. These approaches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

Judicial approaches which target the early resolution of cases involving families and children and are more likely to produce effective case outcomes are another strategic focus for the judicial branch

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.**
- 2B. Promote early resolution of cases involving children and the family through strategies such as Family Early Case Management and Early Neutral Evaluation (ENE).**
- 2C. Institutionalize the Children's Justice Initiative.**
- 2D. Enhance Mental Health Initiatives. (Specific to Fourth District)**



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.

ISSUE

Persons who suffer from alcohol and other drug (AOD) addiction present a pervasive and growing challenge for Minnesota's judicial branch, and, in particular, its criminal courts. Substance abuse is a factor in 80% of Minnesota's criminal cases, but the impact of AOD problems is not confined to any one case type; it is a pervasive problem in juvenile delinquency, child protection, family and mental health cases as well. Methamphetamine production and use has grown at an alarming rate, adding urgency to the need to address the problem. The financial costs to the state are substantial and rising.

In recent years, alternative and demonstrably more effective judicial strategies for dealing with AOD-dependent persons, and particularly criminal offenders, have evolved both in Minnesota and other states. Known as "problem solving approaches", the coercive power of the court is used in collaboration with prosecution, defense, probation and treatment 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 broad and fundamental shift in how

Minnesota's courts deal with alcohol and other drug (AOD) addicted offenders.

The benefits from using judicial problem solving approaches include reduced drug and alcohol use, lower recidivism and incarceration rates, and reduced costs to the criminal justice system.

OBJECTIVE

Administer justice in cases involving AOD-addicted offenders in ways that reduce drug and alcohol use and lower recidivism.

APPROACH

- Implement recommendations from Juvenile Task Force (FY 2008).
- Complete evaluations of DWI Court, Drug Court, changes made to DWI probation and changes made to the Property Drug Court calendar (FY 2009-2010).



Priority 2B: Promote early resolution of cases involving children and the family through strategies such as Family Early Case Management (ECM) and Early Neutral Evaluation (ENE).

ISSUE

Family Early Case Management (ECM) is an emerging model for processing marital dissolution cases more effectively and efficiently, especially in cases involving disputed social issues such as custody and parenting time. It involves more active and aggressive judicial management early in the case in order to help facilitate early settlement of disputed issues.

An additional component of this model is the use of Early Neutral Evaluation (ENE) to settle disputed issues early in the dissolution case, as an alternative to the expensive and time-consuming process of conducting custody evaluations. ENE is a short-term, confidential, evaluative process using a male and female team of experienced custody evaluators to facilitate prompt dispute resolution in custody and parenting time matters.

The benefits to using these approaches in family cases involving children are significant:

- reduced cost and acrimony among the parties
- earlier resolution and certainty for the children
- increased settlement rates
- reduced time from filing to judgment
- fewer number of appeals and post judgment motions to modify decrees

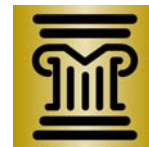
- reduced need for full custody evaluations and custody trials

OBJECTIVE

More timely, efficient, peaceable resolution of cases involving children and the family.

APPROACH

- Implement pilot to improve single parenting and Child Support Collections (FY 2008).
- Explore possibility of CHIPS mediations in Juvenile Court (FY 2008).
- Evaluate impact of increase in representation of communities of color in the GAL program (FY 2009).



Priority 2C: Institutionalize the Children's Justice Initiative.

ISSUE

The mission of the Children's Justice Initiative (CJI) is to ensure that, in a fair and timely manner, abused and neglected children involved in the juvenile protection court system have safe, stable, and permanent families. Begun in 2000, CJI is a collaboration between the Minnesota Judicial Branch and the Minnesota Department of Human Services, to work closely with the local juvenile courts, social services departments, county attorneys, public defenders, court administrators, guardians ad litem, and other key stakeholders in each of Minnesota's 87 counties to improve the processing of child protection cases and the outcomes for abused and neglected children.

Continued effort by districts is required to ensure that these successful practices are adopted and maintained in all counties. The desired benefits are:

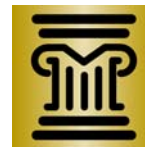
- improved outcomes for abused and neglected children and their families.
- decreased length of child protection cases
- improved overall quality of child protection proceedings, including better service to children and families and increased efficiency for attorneys and other professional stakeholders
- enhanced judicial decision-making through the provision of adequate and timely training and tools

OBJECTIVE

Ensure that CJI best practices, procedures, and policies become truly incorporated as standard ways of doing business statewide.

APPROACH

- Expand implementation of Children's Justice Initiatives (CJI) Best Practices.



Priority 2D: Enhance Mental Health Initiatives. (Specific to Fourth District)

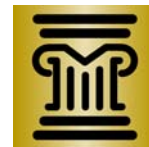
OBJECTIVE

Administer justice in cases involving offenders with mental health issues, reduce recidivism and increase compliance with outpatient treatment.

Improve the court's response to offenders with mental health disorders; increase compliance with court orders, medication and treatment; and reduce recidivism.

APPROACH

- Begin PRISM center operations. The PRISM center will be a medication monitoring and compliance program with available social services designed to stabilize mentally ill offenders, and reduce their risk of reoffending (2nd quarter FY 2008).



Strategic Goal 3: PUBLIC TRUST, ACCOUNTABILITY AND IMPARTIALITY

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.

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

Courts must take an active role in continually assessing the perspectives and experiences of the public, and actively work to educate funding and policy groups, as well as the public, about the judicial system and the challenges that the courts face.

In light of recent federal court decisions regarding judicial elections, the judiciary must be especially vigilant to ensure that the trust of the public is maintained. The judicial branch is committing to ensuring a fair, impartial and accountable justice system.

STRATEGIC PRIORITIES

There are four priorities to ensuring public trust, accountability and impartiality during this strategic planning period:

- 3A. Preserve impartial decision-making through the examination of judicial selection, election and retention processes in Minnesota.**
- 3B. Strengthen public education regarding the role of the courts.**
- 3C. Adopt statewide performance standards for the judiciary.**
- 3D. Assure equitable treatment of all people in the court system regardless of race or ethnicity, by study and analysis of available data and development of plans to address identifiable problem areas.**



Strategic Goal 3: PUBLIC TRUST, ACCOUNTABILITY AND IMPARTIALITY

Priority 3A: Preserve/enhance impartial decision-making through the examination of judicial selection, election and retention processes in Minnesota.

ISSUE

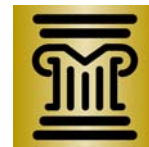
Recent federal court decisions have substantially changed the legal landscape of judicial elections in Minnesota. The prospect of partisan elections in which candidates announce their personal views on disputed social and legal issues likely to come before the courts, and seek party and special interest endorsement and big campaign contributions, has the potential to radically compromise the integrity and impartiality of the court system. Experiences of other states with such judicial election systems show us that the threat is real and imminent. As Minnesota State Bar Association President Susan Holden said:

“Public trust and confidence in the judiciary rests on the public’s belief that each person will be given...a fair hearing, by a judge who will ignore personal preferences, disengage from personal influences, and neutrally analyze the facts and apply the law. We should all be concerned about what partisan campaigns will do to the public’s trust in judges and confidence in our courts, and the ability we have to receive a fair hearing. No one should walk into a courtroom in this state wondering whether they will receive a fair hearing because of their political beliefs or because of their opponent’s contribution to the judge’s campaign.”

The ultimate goal of these efforts is to ensure the impartiality and integrity of the court system, not for the judges, but for the public they serve.

OBJECTIVE

Determine strategies and approaches to address threats to the impartiality of the court system.



Priority 3B: Strengthen public education regarding the role of the courts

ISSUE

The judiciary has neither the power of the sword nor the power of the purse. It is dependent upon the public's trust and confidence for its support. For that reason, it is critical that Minnesota citizens understand the role of the courts in preserving our democracy; the reasons for the separation of powers among the three branches of government; and the role courts play in protecting individual rights.

OBJECTIVE

Increase public awareness of the function, importance, and responsibilities of the judiciary.

APPROACH

- Continue to provide annual training opportunity and promote consistency with external customers of the Domestic Abuse Service Center (1st quarter FY 2008).
- Focus on Public Education opportunities as they relate by supporting and promoting the efforts of the Public Trust and Confidence Committee (FY 2008 – 2009).
- Continue meetings with law firms regarding Civil division (FY 2008 – 2009).



Strategic Goal 3: PUBLIC TRUST, ACCOUNTABILITY AND IMPARTIALITY

Priority 3C: Adoption of statewide performance standards for the Judiciary.

ISSUE

Establishing court performance goals and monitoring progress toward meeting those goals is 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.

The Judicial Council has identified six broad court performance goals:

- 1. Access to Justice:** The Minnesota Judicial Branch will be open, affordable and understandable to ensure access to justice.
- 2. Timeliness:** The Minnesota Judicial Branch will resolve cases and controversies in a timely and expeditious way without unnecessary delays.
- 3. Integrity and Accountability:** The Minnesota Judicial Branch will ensure the integrity and accountability of its performance by maintaining a record system that is accurate, complete and timely.
- 4. Excellence:** The Minnesota Judicial Branch will achieve excellence in the resolution of cases and controversies by accurately and fairly determining the facts and by applying and clearly enunciating statutory, common, and constitutional law.
- 5. Fairness and Equity:** The Minnesota Judicial Branch will provide due process and equal protection of the law, and will ensure that individuals called for jury duty are representative of the population from which the jury is drawn.
- 6. Quality Court Workplace Environment:** The Minnesota Judicial Branch will ensure that judicial officers, court personnel and jurors are qualified to perform their duties and have the materials, motivation, direction, sense of mission, and commitment to do quality work.

OBJECTIVE

Institute processes for continual self-evaluation and monitoring to ensure an effective, efficient, responsive and responsible court system.

APPROACH

- Implement the New Judge Development Tool (1st quarter FY 2008).
- Identify reports & data required to accurately assess the management and administration of operational areas and determine how and when these reports will be available (FY 2008 – 2009).



Priority 3D: Assure equitable treatment of all people in the court system regardless of race or ethnicity, by study and analysis of available data and development of plans to address identifiable problem areas.

ISSUE

Studies indicate that both white and nonwhite populations feel that minorities are not treated fairly by the court system. They also indicate that non-white communities have the least trust in the court system.

The courts have a responsibility to ensure that their policies and procedures are race-neutral; that the court system is not contributing to problems of disparate outcomes by race or ethnicity; and that the court system hears and responds to the needs and concerns of all populations in Minnesota.

- Develop Cultural Competencies Training court-wide (1st quarter FY 2008).
- Implement Cultural Competencies Training court-wide (2nd quarter FY 2008).
- Implement Juvenile Detention Alternatives Initiative (JDAI) (FY 2008 – 2009).

OBJECTIVE

Determine if there are areas where the court system is not treating all people in the court system fairly and equitably by virtue of their race or ethnicity, and develop plans to address them.

APPROACH

- Refine process of gathering data on race and review results to examine our data practices and procedures (FY 2008 – 2009).
- Implement new pretrial release tool being used in Criminal Court (1st quarter FY 2008) and evaluate its effects (FY 2009).

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

▪ *John Jay, first United States Chief Justice*



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