



## Minnesota Judicial Branch Policy

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| <b>Policy Source:</b>    | Minnesota Judicial Council    |
| <b>Policy Number:</b>    | 514                           |
| <b>Category:</b>         | Court Operations              |
| <b>Title:</b>            | Cases Under Advisement Policy |
| <b>Effective Date:</b>   | April 18, 2008                |
| <b>Revision Date(s):</b> |                               |

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### Cases Under Advisement

#### I. POLICY STATEMENT

In order to achieve a timely system of justice statewide it is appropriate that the Judicial Council have specific procedures in place to ensure the timely disposition of cases.

The Judicial Council intends to enhance adherence to applicable timelines by supporting a simpler and more understandable set of timelines for judicial decision-making. The Judicial Council will support both rule changes and statutory changes to reduce decision-making timelines to 3, 15, 30, and 90 days, in most cases.

The Judicial Council believes that judicial compliance with time limits for decisions is primarily a management issue to be addressed by the chief judges of the districts and appellate courts, and only in aggravated or chronic situations should it be viewed as an ethical issue.

#### II. IMPLEMENTATION AUTHORITY

Implementation of Judicial Council policy relative to cases taken under advisement is the responsibility of the Chief Judges of the respective districts and of the Court of Appeals and of the Chief Justice of the Supreme Court. The Chief Judge, or a designee, will monitor the under advisement reports from the case information system for all judges and judicial officers in the district or appellate courts. The Chief Judge or designee shall consult with each judge if any case is not decided within the applicable timeline to determine the reason for the lack of timeliness. The Chief Judge or designee shall notify each judge if any case is under advisement for 60 or more days and shall offer appropriate assistance. When a judge has a case under advisement for more than 90 days, or for more than five days after a shorter timeline, the Chief Judge or designee shall meet within 30 days of the referral and agree upon a resolution of the infraction. If the infraction is a second infraction within five years,

the Chief Judge or designee and the judge shall prepare a written plan to avoid future infractions. If the infraction is the third or more infraction within five years, and remedial measures have proven unsuccessful, the Chief Judge shall so notify the Board on Judicial Standards.

### **III. EXECUTIVE LIMITATIONS**

Not applicable