



**MINNESOTA
JUDICIAL
BRANCH**

First Judicial District

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

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The First Judicial District has 36 judges and more than 250 staff that handle nearly 120,000 cases annually in the counties of Carver, Dakota, Goodhue, Le Sueur, McLeod, Scott and Sibley.

The First Edition

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eFiling and eService Now Available in All 87 Minnesota District Courts

The Minnesota Judicial Branch has reached a major milestone in its historic transition from paper-based court files to electronic case records. Electronic filing and service of court documents is now available in all 87 district courts in the state. Electronic filing is also available in the state's appellate courts.

The move to electronic filing and service of case documents – known as eFiling and eService – is part of eCourtMN, an initiative of the Minnesota Judicial Branch. Through eCourtMN, the Minnesota Judicial Branch is working to make Minnesota's justice system more accessible, more efficient, and more convenient for court customers by transitioning to electronic case records. The University of Minnesota's Humphrey School of Public Affairs recognized eCourtMN with a State Government Innovation Award in 2014.

One of the key elements of eCourtMN is the establishment of eFiling and eService – giving case participants the ability to submit documents to the court and serve documents to opposing parties electronically, through an online portal. This allows court customers to file documents without traveling to the courthouse or paying for postage or courier costs, allows filers to submit documents immediately and outside of courthouse business hours, and allows court documents to be sent to filers electronically.

"Our transition to electronic case records has been rightly called the largest transformation in the 150-year history of Minnesota's Judicial Branch," said Minnesota Supreme Court Chief Justice Lorie S. Gildea. "Through eCourtMN, we are producing new

Inside

1—3 eFiling and eService Now Available in All 87 Minnesota District Courts

3 Governor Dayton Appoints Richelle M. Wahi to Fill First Judicial District Vacancy

4 Scott County Kiosk Speeds Public Defender Appointment Process

4—5 Expedited Litigation Track Pilot Project to Expand in 2016

5—7 Meet Judge Tim Looby: 'Don't overlook the golden opportunities'

7—8 Domestic Abuse—Orders for Protection MNCIS Integration Project is Complete

(Continued on page 2)

*eFiling Now Available in all Districts Statewide
(continued from page 1)*

efficiencies in our justice system, making it easier for our users to complete their business with the courts, and expanding on-demand access to information for the public and our justice partners. Making eFiling and eService available across the state is a huge step in this transformation, and we're pleased to be offering this valuable service to all our customers."

Over the past several years, the Minnesota Judicial Branch pilot-tested eFiling and eService in 11 district courts across the state, including the district courts in Cass, Clay, Cook, Dakota, Faribault, Hennepin, Kandiyohi, Lake, Morrison, Ramsey, and Washington counties. Based on the success of that pilot, electronic filing and service became mandatory for attorneys, government agencies, guardians ad litem, and sheriffs filing documents in those 11 pilot courts on July 1, 2015.

In late September, the Minnesota Judicial Branch began expanding the availability of eFiling and eService to the other 76 district courts in the state. The Judicial Branch implemented a [12-week rollout plan](#), bringing new district courts onto the system in regional groups. The statewide rollout was completed as scheduled.



In the 76 non-pilot courts, use of the eFiling and eService is optional for all filers through June 30, 2016. This means filers will still be able to file documents using the traditional, paper-based method. Under [recent amendments](#) to Minnesota's court rules, use of the eFiling and eService system will become mandatory for attorneys, government agencies, guardians ad litem, and sheriffs in all district courts statewide on July 1, 2016. Use of the eFiling and eService system will remain optional for other filers, such as self-represented litigants.

In addition to electronic filing and service of court documents, eCourtMN includes a wide array of projects that are utilizing new technologies to increase efficiency and expand access to information throughout Minnesota's justice system. This includes:

- Providing judges and court staff with new electronic tools to more efficiently review and process court documents within the courthouse.
- Creating an electronic portal for government partners – such as law enforcement, prosecutors, and public defenders – to more efficiently access court documents and records.
- Making it easier and more convenient for the public to view electronic court records from across the state at their local courthouse. Longer term, the Minnesota Judicial Branch aims to provide online access to most public court documents.
- Partnering with the Bureau of Criminal Apprehension to expand use of electronic citations (eCitations) and other charging documents (eCharging). These tools allow law enforcement and prosecutors to file citations and complaints electronically, from their office or squad car, with the data automatically transferred to court and law enforcement databases. Use of eCharging and eCitations [will become mandatory](#) for adult complaints and adult citations statewide on July 1, 2016.

(Continued on page 3)



*eFiling Now Available in all Districts Statewide
(continued from page 1)*

“Over the past decade, the Minnesota Judicial Branch has been engaged in an ambitious redesign effort aimed at making our justice system more efficient, increasing centralization and cooperation among our courts, and harnessing new technology to improve our service to the public,” said State

Court Administrator Jeff Shorba. “Our transition to electronic case records is at the center of these efforts, and bringing eFiling and eService to district courts across the state is a great accomplishment for the Branch, and a great benefit to our customers and users.”

The Minnesota Judicial Branch has posted informational resources, training materials, and a three-step guide to starting eFiling and eService at www.mncourts.gov/eFile. The Minnesota Judicial Branch also operates an [eFile Support Center](#) for filers with questions about the eFile and eServe system.

Governor Dayton Appoints Richelle M. Wahi to Fill First Judicial District Vacancy



Richelle M. Wahi

On January 15, 2016, Governor Mark Dayton announced the appointment of Richelle M. Wahi as District Court Judge in Minnesota’s First Judicial District. Ms. Wahi will be replacing the Honorable Mary J. Theisen, who retired earlier this year. Ms. Wahi will be chambered at

Hastings in Dakota County.

“I am pleased to appoint Richelle M. Wahi to serve as District Court Judge in the First Judicial District,” said Governor Dayton. “Throughout her career, Ms. Wahi has demonstrated her commitment to justice through her work in family law, and her commitment to public service and volunteerism.”

Ms. Wahi is a partner at Lindquist & Vennum LLP, where she handles cases primarily in family law and general litigation, and chairs the firm’s Diversity Committee. She also serves as a Conciliation Court Referee in Dakota County and previously was an attorney at

Henson & Efron. Ms. Wahi earned her B.A. from the College of St. Catherine and her J.D. with honors from William Mitchell College of Law.

Ms. Wahi volunteers with the Tubman Safety Project, coaches volleyball for the Eagan Athletic Association and softball for the Mendota Heights Athletic Association, and mentors law students from the University of St. Thomas Law School, Twin Cities Diversity in Practice, and Mitchell Hamline School of Law.

More information on the Commission on Judicial Selection, as well as vacancies it is currently considering, can be found at <http://mn.gov/governor/appointments/judicial-appointments/>.



Scott County Kiosk Speeds Public Defender Appointment Process

By Shannon Meyer, Scott County Court Operations Supervisor

New functionality has recently been utilized in the inmate kiosk at the Scott County Jail that allows inmates to more efficiently share financial information with the court before their first hearing, speeding up the process of determining whether or not a public defender will be appointed. Rather than making the determination with paperwork or in the courtroom, inmates are asked a series of financial questions electronically by the kiosk, and their responses are sent by e-mail to the

Scott County court administration office for review and appointment if qualifications are met.

The former appointment process had court staff reviewing the inmate application for a public defender, and making a recommendation to the judge on whether the individual was qualified. This process happened on the hearing date after the inmate had been brought over from the jail to the courtroom. This was inefficient and did

not allow the public defenders ample time to review all of the necessary documents prior to the court hearings.

The new appointment process was established through collaboration between Scott County District Court and the Scott County Sheriff, Scott County Jail administration staff, the Scott County Public Defender, and State Court Administration's Information Technology Division.

Expedited Litigation Track Pilot Project to Expand in 2016

A recent Minnesota Supreme Court order will expand an existing pilot project that aims to improve the manner in which district courts process civil cases to secure the just, speedy, and inexpensive resolution of civil cases.

The Expedited Litigation Track (ELT) pilot project – sometimes referred to as “Rocket Docket” – has been in place in two Minnesota locations since July 2013: Dakota County in the First Judicial

District and St. Louis County (Duluth) in the Sixth Judicial District. Under the pilot, certain civil cases filed in these courts – including cases involving contract disputes, consumer credit, and personal injury – are assigned to the ELT pilot track. Those cases are managed through a process that assures early involvement by a judge; limited discovery; curtailed continuances; and the setting of a trial date within four to six months of filing of

the action or, where applicable, assignment to ELT.

A recent evaluation of the pilot found positive results, including modest improvement in the time to disposition of the cases involved in the pilot. In addition, lawyers and litigants reported through survey responses that the ELT improved the overall quality of justice and access to the courts.

(Continued on page 5)



*Expedited Litigation Track Pilot Project
(continued from page 4)*

Based on the encouraging results of the first pilot evaluation and court user surveys, the Supreme Court’s order expands the pilot in the following ways:

- Hennepin County added to the ELT pilot – Hennepin County District Court, which represents Minnesota’s Fourth Judicial District, will be added to the pilot and will begin assigning certain civil cases to the ELT.
- Additional cases assigned to ELT - In all three pilot courts, conciliation court appeals will be assigned to the ELT. With this addition, ELT now encompasses five civil cases types, as listed on [Form 23](#) appended to the [Rules of Civil Procedure](#): Consumer Credit Contract, Other Contract, Personal Injury, Other Civil, and Conciliation Court Appeals. In addition, all eligible civil cases filed in Dakota County District Court will be assigned to the ELT (currently, only a random selection of cases are assigned to the ELT in Dakota County).

The changes are effective January 1, 2016, and apply to all civil actions identified in the order that are filed on or after the effective date.

“Ensuring access to justice and the timely administration of justice is one of our highest priorities in Minnesota’s court system,” said Minnesota Supreme Court Justice Christopher Dietzen, liaison to the Minnesota Supreme Court Civil Justice Reform Task Force that recommended the pilot program. “We have been encouraged by our early experience with the Expedited

Litigation Track in Dakota County and Duluth, and are pleased by the positive feedback we’ve received from those who have been involved in these cases. By expanding the pilot, we hope to gather more data to assess the ultimate impact of this new approach to civil case management.”

Assignment of cases to the ELT is mandatory, subject to the right of a party to bring a motion within a certain time period to opt out. In Hennepin County, the case types Other Contract, Personal Injury, and Other Civil will be included in the pilot program at the discretion of the assigned judge.

The Supreme Court order expanding the Expedited Litigation Track pilot project can be found [here](#).

Meet Judge Tim Looby: ‘Don’t overlook the golden opportunities’

The Honorable Timothy Looby is a state district court judge in the First Judicial District. He is chambered in Sibley County, but travels regularly to serve in other counties in the district.

Tell us about your transition to the bench after 30 years of private practice.

When I was initially appointed and spent my first week shadowing experienced judges, I was intimidated by the high-paced criminal

calendars; I thought I might never be able to keep up, and may have made a big mistake thinking I had what it took to be a judge! But with unlimited support from the bench and

(Continued on page 6)



Meet Judge Tim Looby (continued from page 5)



Hon. Timothy J. Looby

patience and cooperation from the attorneys involved, I quickly caught on. My law practice was primarily in the area of family law, which has been very helpful in my current role.

What significant changes have you seen in the practice of law since you started practicing? How have those changes affected you?

Obvious changes have included email, e-filing, internet-based research, and other changes brought about by new technology. In family law, the proliferation of ADR and early case management options has been a welcome change from the confrontational temporary hearings that were once commonplace. Drug courts, veterans' courts, and similar problem-solving courts represent

a significant change in approach to some persistent problems. And as we welcome those who may not be fluent in English into our courtrooms, we continue to adapt to the needs of those whom we serve.

During most of your time in private practice, you coached a Mock Trial team at Waconia High School. What does a coach do?

Coaches teach law and procedure, of course, but also critical thinking and analysis skills. And an underrated part of the experience is coaching drama, both to students serving as witnesses and those serving as attorneys, learning to make effective courtroom presentations. It is incredibly fun to see a high school kid start speaking with an accent to take on an altogether different persona of a witness he or she is portraying, or cry on demand as the purported victim. If you have never seen these high school kids in action, you would be blown away by how good they can be!

What kept you coming back to coach year after year?

Coaching is a valuable public service and good public relations for the legal profession. But as a family lawyer, I usually had only a handful of trials and evidentiary hearings in any given year. Coaching a mock trial team

forced me to thoroughly relearn trial preparation and the rules of evidence each year, so I benefitted from coaching tremendously.

Do you still play a role in Mock Trial?

I have judged competition trials since taking the bench. My duties to the district come first, but I am happy to keep this up when given the opportunity.

What activities do you enjoy away from work?

A lot of usual activities, such as fishing, travel, and spending time with our adult daughters. But my wife and I also host house concerts featuring professional musicians, including a number of New Orleans jazz musicians who have become friends over the years. I have seen performers who have never met, let alone rehearsed, play beautifully together; the language of jazz is nothing short of magic.

Where do you see the practice of law heading in the future?

People now do their own legal research on the internet, complete fill-in-the-blank forms, and navigate our system without the benefit of attorneys. As virtually any judge would tell you, this is not conducive to efficient court operation. But I don't anticipate the clock being turned back on this trend. It will

(Continued on page 7)



Meet Judge Tim Looby (continued from page 6)

become vitally important for attorneys to demonstrate that their services are not only valuable, but also cost-effective.

What advice would you share with a young lawyer today?

Don't overlook the golden opportunities open to practice law in rural or small-town settings.

Practicing law is not merely a job; it is a lifestyle and a commitment to service as an officer of the court. Embrace your opportunities for public service. Such activities build better communities and friendships, and also often lead to business connections. Keep a pro bono case open at all times. Accept court appointments on

family, commitment, child protection, or other cases. And absolutely - [volunteer as a Mock Trial coach](#).

**This article reprinted with permission of the Minnesota State Bar Association from the January 2016 edition of Bench & Bar of Minnesota.

Domestic Abuse – Orders for Protection MNCIS Integration Project is Complete

The Domestic Abuse – Orders for Protection (OFP) MNCIS (Minnesota Court Information System) Integration project completed its statewide rollout by January 15, 2016. This project was designed to enhance the safety of domestic violence victims and law enforcement by improving how district courts manage and share data related to civil domestic abuse cases.

The new functionality offers several significant benefits over the stand-alone OFP legacy system:

- OFP data passes to the Bureau of Criminal Apprehension (BCA) promptly. OFP data is electronically transmitted to the BCA and the FBI's National Crime Information Center (NCIC) system as soon as it is entered into MNCIS by court staff. With the legacy system, data was transmitted only twice per day, resulting in significant delays for law enforcement to be able to access OFP information in their squad cars, and potential safety gaps for petitioners at a time of high danger.
- Law enforcement sees the full language of OFP conditions rather than two-digit codes. With the legacy system, law enforcement only saw a limited number of two-digit codes that represented the precise condition language ordered by a judicial officer. This resulted in confusion or uncertainty for officers when trying to enforce an order. With the new functionality, the actual language included in the order and entered by court staff is available to officers for improved enforcement.
- Court clerks are able to fully enter and process OFP information in MNCIS, eliminating the need for dual entry into the legacy system.

Continued on page 8

Domestic Abuse (continued from page 7)

- Law enforcement is able to submit service information electronically, which is automatically fed into MNCIS.
- A petitioner has the option to receive an automated e-mail message from the court, notifying him or her that the respondent has been served with the OFP.

completed with the implementation in Chisago and Isanti county district courts on January 15.

Project partners include the BCA, the Minnesota Chiefs of Police Association, the Minnesota Sheriffs' Association, the Minnesota Coalition for Battered Women, and the Minnesota Indian Affairs Council.

The new functionality was implemented in four pilot district courts over the first

half of 2015, and a statewide rollout, which began in September, was



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