

DEC 10 2004

**STATE OF MINNESOTA
IN SUPREME COURT
ADM-04-8003**

FILED

2:52 p.m.

**IN RE ESTABLISHING
JUDICIAL COUNCIL**

ORDER

WHEREAS, the Chief Justice exercises general supervisory powers over the courts of the state and has the authority to designate judges to assist in the performance of such duties; and

WHEREAS, the Conference of Chief Judges of the several districts have been meeting in conference since 1977 to assist the Chief Justice in supervising the trial courts of the State of Minnesota; and

WHEREAS, the Intercourt Committee was established in 1998, as an advisory committee to the Chief Justice in exercising general supervisory powers, to discuss common issues across levels of court and provide oversight for the judicial branch strategic plan; and

WHEREAS, since 1990, the cost of funding trial court operations has been transferred on a phased basis from county to state government; and

WHEREAS, effective July 1, 2005, the cost of all operations of the judicial branch will be funded by the State of Minnesota; and

WHEREAS, in January 2004, the Transformation Workgroup was created to examine the current administrative structure and process, recommend a leadership and management structure for the Minnesota Judiciary which will best support its operation as a unified system, and report its findings to the Chief Justice by November 2004; and

WHEREAS, the Transformation Workgroup's examination included extensive and ongoing communications with judges and court staff including the electronic posting of agendas and distribution of meeting summaries and solicitation of feedback; surveying of judges and court staff to elicit their concerns and suggestions; conducting listening sessions with each judicial district, the Conference of Chief Judges, the Minnesota District Judges Association, the Minnesota Association of Court Managers, the Court of Appeals, and the Supreme Court, and distributing its preliminary recommendations to all judges and court staff for response; and

WHEREAS, after nine months of deliberation, the Transformation Workgroup has submitted its recommendations for the creation of a new administrative decision-making structure for the judicial branch that will best support its operation as a unified system; and

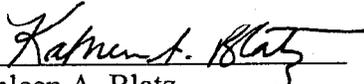
WHEREAS, the efficiency and productivity of the judiciary and the quality of justice provided by our state courts will be best protected and ensured by the participation of judges of all levels of court in the formulation and establishment of administrative policies for the operation of the judicial branch;

NOW THEREFORE, IT IS ORDERED:

1. The judicial branch shall exercise its administrative policy-making authority through the Chief Justice and a Judicial Council.
2. The Judicial Council be, and hereby is, established, effective July 1, 2005.
3. The Conference of Chief Judges and the Intercourt Committee be, and hereby are, terminated, effective June 30, 2005. Other statewide committees, work groups, and liaison groups shall continue or be terminated in accordance with the attached schedule.
4. Administrative policies promulgated and decisions made by the Judicial Council shall be binding on all judicial branch judges and employees.
5. The administrative policy-making authority of the Judicial Council for the judicial branch shall include, but is not limited to, the following:
 - a. Development and implementation of the branch strategic plan;
 - b. Budget priorities, budget request, and submission of the judicial branch budget request to the executive and legislative branches;
 - c. Collective bargaining;
 - d. Human resources;
 - e. Technology;
 - f. Education and organizational development;
 - g. Finance, including budget distribution among levels of court and among districts;
 - h. Programs including jury, guardian ad litem, interpreter, expedited child support, and Children's Justice Initiative;
 - i. Core services, court performance measures and accountability.
6. The Judicial Council membership shall include:
 - a. Voting members
 - (1) Chief Justice, who shall serve as Chair of the Judicial Council;
 - (2) Associate Justice, appointed by the Chief Justice;
 - (3) Chief Judge of the Court of Appeals;
 - (4) Chief Judges of the judicial districts;
 - (5) Minnesota District Judges Association President;
 - (6) Five at-large judges, appointed by the Chief Justice, three of whom must be district court judges.
 - b. Non-voting members
 - (1) State Court Administrator;
 - (2) Three Judicial District Administrators chosen by the Judicial District Administrators;
 - (3) One Court Administrator chosen by Court Administrators;
 - (4) One at-large appointment from within the judicial branch, appointed by the Chief Justice.

7. Judicial Council members, excluding the Chief Justice, Chief Judge of the Court of Appeals, Chief Judges of the judicial districts, the Minnesota District Judges Association President, and the State Court Administrator who serve during tenure in office, shall serve for one three-year term, but may serve for an additional three-year term at the discretion of the appointing authority. Members appointed in the first year of the Judicial Council shall serve staggered terms to be designated by the Chief Justice.
8. If a Judicial Council member who serves during tenure is unable to attend a meeting of the Council, such member may designate for that particular meeting an alternate to attend in his/her place.
9. The State Court Administrator shall be appointed by the Chief Justice, in consultation with the Judicial Council, and shall serve at the pleasure of the Judicial Council. The staff for the Judicial Council shall be provided by the State Court Administrator.
10. In all of their deliberations and decisions, members of the Judicial Council shall place the welfare of the public and the judicial branch as a whole above the individual interests of a judicial district, court organization, or class of judge or employee.
11. Each member of the Judicial Council shall devote the time and attention necessary to discharge these responsibilities for the administration of the branch.
12. The period of January 1 through June 30, 2005, shall be used for transition to the Judicial Council governing structure.
 - a. Appointing authorities shall submit the name of their designees to the Chief Justice by December 27, 2004;
 - b. The Judicial Council shall meet as necessary to create a committee structure and rules of operation; and
 - c. The Conference of Chief Judges and the Intercourt Committee shall coordinate their activities with the Judicial Council during this period to assure an efficient and effective transition of governance.

Dated: December 10, 2004



Kathleen A. Blatz
Chief Justice

JUDICIAL BRANCH COMMITTEES AND REPORTING ENTITIES

Committees to Sunset	Sunset Date	
Collective Bargaining Advisory Committees	1/1/05	
Conference of Chief Judges	6/30/05	
Intercourt Committee	6/30/05	
Court Executive Team	6/30/05	
Judicial Education Advisory Committee	6/30/05	
Intercourt Legislative Strategy Team	6/30/05	
Technology Planning Committee	6/30/05	
Committees, workgroups, and liaison groups to continue with new reporting requirements	Existing Reporting Entity	New Reporting Entity
COMMITTEES:		
Children’s Justice Initiative Advisory Committee	Conference of Chief Judges	Judicial Council
Children’s Justice Initiative Lead Judges Committee	Conference of Chief Judges	Judicial Council
Collective Bargaining Negotiations Committee (newly constituted group)	Conference of Chief Judges	Judicial Council
Criminal Benchbook Committee	No reporting entity	Judicial Council
Jury Management Resource Team (JMRT)	Judicial District Administrators/Directors (JAD)	JAD – Policy recommendations to be forwarded to Judicial Council
MNCIS Steering Committee	Technology Planning Committee	Judicial Council
Procedures and Forms Committee	Conference of Chief Judges	Judicial Council
AD HOC WORKGROUPS:		
Child Support Budget Workgroup	Conference of Chief Judges	Judicial Council
State Chemical Health Team	Conference of Chief Judges	Judicial Council
Collections Workgroup	Conference of Chief Judges	Judicial Council
LIAISON GROUPS:		
Judicial District Administrators and SCAO Directors Group (JAD)	Conference of Chief Judges	Judicial Council

Education and Organizational Development Liaisons	Conference of Chief Judges	Judicial Council
Guardian Ad Litem Managers Group	Conference of Chief Judges	Judicial Council
Interpreter Program District Liaisons	Conference of Chief Judges	Judicial Council
Committees to continue with no change in reporting entity		Reporting Entity
Supreme Court Advisory Boards, i.e., ADR Review Board, Board of Continuing Legal Education, Board of Legal Certification, Board of Law Examiners, Client Security Board, Interest on Lawyers Trust Account Board, Lawyers Professional Responsibility Board, and Lawyers Trust Account Board		Supreme Court
Fiscal Note Teams		Legislative Strategy Team
Legislative Subject Matter Experts		Legislative Strategy Team
Rules Committees		Supreme Court
Committees to continue with new reporting entity		
Existing Reporting Entity	New Reporting Entity	
Gender Fairness Implementation Committee	Supreme Court	Judicial Council
Multicultural Diversity and Racial Fairness Committee	Supreme Court	Judicial Council
Public Trust and Confidence Committee	Intercourt Committee	Judicial Council
State Court/Tribal Court Forum	Supreme Court	Judicial Council