



## Judicial Branch Policy and Procedures

---

<b>Policy Source:</b>	Judicial Council
<b>Policy Number:</b>	525
<b>Category:</b>	Court Operations
<b>Title:</b>	Remote & In-person Hearings Policy
<b>Effective Date:</b>	June 6, 2022; January 3, 2023; February 3, 2025
<b>Revision Date:</b>	May 19, 2022; November 17, 2022; July 18, 2024
<b>Supersedes:</b>	

---

### Remote & In-person Hearings Policy

#### I. POLICY STATEMENT

It is the policy of the Minnesota Judicial Branch to have a uniform process for determining whether a court proceeding is heard remotely or in-person.

#### II. APPLICABILITY

This policy is applicable to all district courts.

#### III. DEFINITIONS

- A. In-Person Hearing – A hearing at which all parties/attorneys are physically present in the courtroom.
- B. Remote Hearing – A hearing at which no parties/attorneys are physically present in the courtroom.
- C. Hybrid Hearing – A hearing at which some parties/attorneys appear in person and others appear remotely. These hearings may occur as the result of an exception from the default hearing appearance setting.

#### IV. PROCESS

##### A. Remote or In-Person Hearings

1. All hearings shall be conducted either remotely or in-person, as provided in the attached table, unless an exception listed in IV.B. applies.

##### B. Exceptions

1. **Case-by-case exceptions.** Based on factors present on a specific case, a judicial officer may exercise discretion to deviate from the default hearing appearance type on a case-by-case basis. A request for a case-by-case exception may be made by a party or initiated by the court. No motion is required. Judicial officers are not required to provide findings but may do so. Case-by-case exceptions may not be used to create a blanket deviation.

2. **Agency, district, county, or division-wide hearing appearance type deviations.** Deviations to default appearance types may be approved, as determined by Judicial Council, in certain circumstances, including: proximity to justice partner facilities, access to legal representation, access to community and partner services, innovation, performance measures and prolonged emergency circumstances.

## **V. IMPLEMENTATION AUTHORITY**

Implementation of this policy is the responsibility of the State Court Administrator, acting as the Judicial Council's agent, and the Chief Judges of the Judicial Districts.

## **VI. EXECUTIVE LIMITATIONS**

None.

## Default Hearing Appearance Types

Area of Focus	Default Hearing Setting	Unless the Hearing is Listed Below
<b>Adult Criminal - Mandatory Court Appearance Required</b>	In person	Remote: All initial appearances (e.g., First Appearance, Arraignment, Bail Hearing, Initial Appearance - Rule 8, Initial Probation Violation)
<b>Adult Criminal – Non-mandatory Court Appearance Required</b>	Remote	
<b>Treatment Court</b>	In person	
<b>Juvenile Delinquency – Felonies, Gross-, and Misdemeanor-Level of Offenses</b>	In person	Remote: All initial appearances (e.g., First Appearance, Arraignment, Detention Hearing)
<b>Juvenile Delinquency – Petty and Traffic</b>	Remote	
<b>Civil Other</b>	Remote	In Person: <ul style="list-style-type: none"> <li>• Evidentiary hearings</li> <li>• Hearings intended for settlement</li> <li>• Trials</li> </ul>
<b>Housing</b>	Remote	In Person: Jury trials
<b>Conciliation</b>	Remote	
<b>Civil Commitments</b>	Remote	In Person: Commitment hearings and court trials where the commitment may be indeterminant
<b>Guardianship &amp; Conservatorship</b>	Remote	
<b>Probate</b>	Remote	
<b>CHIPS</b>	Remote	In Person: Trials
<b>Family</b>	Remote	In Person: <ul style="list-style-type: none"> <li>• Evidentiary hearings</li> <li>• Hearings intended for settlement</li> <li>• Trials</li> </ul>
<b>Adoption</b>	In person	
<b>Expedited Process</b>	Remote	
<b>OFP/HRO</b>	In Person: All subsequent hearings	Remote: <ul style="list-style-type: none"> <li>• Initial appearances</li> <li>• Motion to amend/extend hearings</li> </ul>