STATE OF MINNESOTA **IN DISTRICT COURT**

EIGHTH JUDICIAL DISTRICT

ORDER ADOPTING CASE MANAGEMENT POLICY
Order 10

Pursuant to the approval of a majority of the judges of the Eighth Judicial District on May 31, 2002,

IT IS HEREBY ORDERED that the attached revised case management policy is adopted for the Eighth Judicial District.

Dated: June 18, 2002

Gerald J. Seibel
Chief Judge
Eighth Judicial District

STATE OF MINNESOTA IN DISTRICT COURT

EIGHTH JUDICIAL DISTRICT

CASE MANAGEMENT POLICY

In accordance with the policies and directives of the Minnesota Supreme Court, the Conference of Chief and Assistant Chief Judges, and Minnesota Statutes, the following policy is adopted to efficiently manage and distribute the judicial case load of the Eighth Judicial District. Cases in the Eighth Judicial District shall be processed and disposed in a manner consistent with the goals, objectives, procedures and forms of the master and individual calendar policy set forth in this document. Nothing contained in this policy shall supersede or conflict with applicable Rules of Court.

The Minnesota Supreme Court and Conference of Chief Judges have adopted case disposition timing objectives for cases filed in the district courts throughout the state of Minnesota. The Eighth Judicial District Case Management Policy is designed and promulgated to comply with these case disposition timing objectives. The case disposition timing objectives are attached as Appendix A of this policy.

CASE MANAGEMENT POLICY GOALS AND OBJECTIVES

The goals of the Eighth Judicial District Case Management Policy are to:

a). Manage the judicial caseload as efficiently as possible in meeting the case disposition timing objectives.

b). Maintain a system of regular judicial rotation to each county in a fair and equitable manner.

c). Develop judicial schedules that are divided into master and individual calendars based on volume and need for each of the thirteen counties.

The objectives of the Case Management Policy are to:

a). Identify cases where judicial continuity is not essential and assign these to the master calendar. The management of the master calendar is the responsibility of the county court administrator.

b). Identify cases where judicial continuity is essential and randomly assign these cases to a specific judge to be considered a part of the judge's individual calendar. The management and disposition of individually assigned cases is the responsibility of the assigned judge.

c). Judges will be randomly assigned cases of all case types on an equitable basis.

ALLOCATION OF JUDGE TIME

On an annual basis, the District Administrator for the Eighth Judicial District shall analyze the case filing statistics for each county to determine the appropriate amount of judge time allocated for the master and individual calendars. Judge time shall be allocated based upon the number of cases filed, the amount of travel time necessary for judges to serve their particular assignment area, weighted caseload statistics, the amount of judge days available per calendar year and any other factors as agreed upon by the judges of the Eighth Judicial District.

MASTER CALENDAR

Judges shall be assigned to particular counties for which they are primarily responsible to handle the master calendar. A judge shall not cancel or change their master calendar assignments except for illness, vacation, other leave time, or prior scheduled court activities. If a master calendar day must be cancelled or changed, the judge must exchange the same number of days from individual calendar time to substitute for the cancelled days. The Eighth Judicial District Administrator shall assist the judge and court administrator in seeking replacement judges for cancelled master calendar days.

Master calendar case types and hearings include the following:

Criminal:

- Felony and Gross Misdemeanors:
  - First & Second Appearances
  - Omnibus Waiver/Plea hearings
  - Guilty plea (tendered at one of the above)

- Misdemeanor & Petty Misdemeanors:
  - Arraignments
  - Guilty Plea for cases not previously assigned
  - Any same-day sentencing
  - Sentencing from non-negotiated pleas taken earlier on Master Calendar
  - Petty Misdemeanor Court Trials

Civil:

- Default Judgments
- Implied Consents
- Unlawful Detainers
- Name Change
- Minor Settlements
- Torrens Hearings
- Conciliation

Dissolutions:

- Exparte Orders to Show Cause
- Default Hearings (if petition and default notice are filed simultaneously)

Juvenile:

- EPC Hearings in CHIPS and Termination of Parental Rights
- First Appearance and Admit/Deny Hearings in Delinquency, Traffic and Petty Offender cases
- Detention Hearings
- Same-day Dispositions in Delinquency, Juvenile Traffic
- Uncontested Termination of Parental Rights
- Juvenile Petty Offenses

Probate:

- Non-appearance Probate
- Commitments
- Pick-up Orders and Temporary Holds
- Probable Cause Hearings
- Jarvis and Price-Court Sheppard Hearing

INDIVIDUAL CALENDAR

Judges shall be assigned to particular counties for which they are primarily responsible to handle individual case assignments. Individual assigned cases shall be randomly assigned from lists containing the judges' identification numbers proportionate to the time that the judges are assigned to the county. The assignment lists shall be provided by the district administrator to the court administrator for civil, family, juvenile, felony/gross misdemeanor and misdemeanor cases. Case assignments shall be randomly assigned as soon as it is determined that the case is considered to be an individual calendar matter. The assigned judge is responsible for the management and disposition of each case randomly assigned on the individual calendar. The assigned judge shall schedule individual calendar matters in consultation with the court administrator of the county of venue. The judge may use a combination of court administration staff, official court reporter, law clerk or other means to design a scheduling system in accordance with the judge's preference. Cases should be managed and scheduled to conform, as much as possible, to the case disposition timing objectives adopted in this policy.

Individual calendar matters include the following:

Criminal:

- Felony and Gross Misdemeanors:
  - Omnibus Hearing
  - Settlement Conference
  - Guilty Plea

Court/Jury Trial
Sentencing (from negotiated pleas or court trial convictions)
Revocation Hearing, admit/deny or Disposition
Other post-sentence hearings

Misdemeanors:
Pretrial & Trial
Guilty Plea
Sentencing
Revocation Hearing

Civil:
Rule 16 Hearings
Motion Hearings
Summary Judgment Hearings
Pretrial
Default Hearings
Court Trial
Jury Trial

Dissolution:
Temporary Relief Hearings
Rule 16 Hearings
Motion Hearings
Pretrial
Default Hearings (on assigned cases)
Joint Petitions
Court Trial
Post decree motions

Juvenile:
CHIPS and contested Termination of Parental Rights hearings including the first appearance
Dispositions (on all cases admitted, same judge as takes admission)
Trial (Contested Hearings)

Probate:
Contested Probate Matters
Continued Commitment Hearings based on compliance with voluntary conditions

CASES PENDING REPORTS

The district administrator shall supply each judge, on a regular basis, with a report of the current pending individual assigned cases according to information entered into the Total Court Information System (TCIS). At the same time, the district administrator shall supply each court administrator with a report of the current pending cases in their county.

SCHEDULING

Hearings for master and individual calendar cases shall be scheduled as fairly and efficiently as possible to facilitate the timely disposition of cases. Whenever possible, the parties and attorneys involved in a court proceeding shall be notified of the date and time of the next hearing before leaving the courthouse.

NOTICE TO REMOVE/AFFIDAVITS OF PREJUDICE

When a Notice to Remove or an Affidavit of Prejudice has been filed, the court administrator shall complete, as much as possible, a Certificate of Timeliness on Notice to Remove/Affidavit of Prejudice and forward the matter to the assigned judge for determination and completion. If the judge determines that the Notice to Remove has been timely filed or the Affidavit of Prejudice shows just cause for removal, a new judge shall be assigned at the discretion of the Chief Judge, or the Assistant Chief Judge if the removal involves the Chief Judge.

RECUSALS

If a judge files a recusal after the assignment of a case, the case shall be assigned to a different judge using the random assignment list in the court administrator's office. The next case that is randomly assigned in the county from the same assignment list shall automatically be assigned to the recusing judge.

REASSIGNMENT OF CASES

It is the policy of the Eighth Judicial District that the Chief Judge will not sign individual orders reassigning cases within the Eighth Judicial District except in unusual circumstances not addressed by the Caseflow Management Policy of the Eighth Judicial District.

Adopted 8/1/94
Revised 9/9/94
Revised 2/24/95
Revised 4/28/00
Revised 9/29/00
Revised 5/31/02

APPENDIX A

TIME OBJECTIVES

CASE TYPES	90%	97%	99%
FELONY	4 MONTHS	6 MONTHS	12 MONTHS
GROSS MISD.	4 MONTHS	6 MONTHS	12 MONTHS
GENERAL CIVIL	12 MONTHS	18 MONTHS	24 MONTHS
PROBATE	18 MONTHS	21 MONTHS	24 MONTHS
FAMILY			
DISSOLUTIONS	12 MONTHS	18 MONTHS	24 MONTHS
SUPPORT	6 MONTHS	9 MONTHS	12 MONTHS
ADOPTION	4 MONTHS	6 MONTHS	12 MONTHS
OTHER FAMILY	12 MONTHS	18 MONTHS	24 MONTHS
DOMESTIC ABUSE	2 MONTHS	3 MONTHS	4 MONTHS
JUVENILE	3 MONTHS	5 MONTHS	6 MONTHS
MISDEMEANOR	3 MONTHS	5 MONTHS	6 MONTHS
CONCILIATION			90 DAYS