

ADMINISTRATIVE ORDER #1, 2nd SERIES

State of Minnesota

District Court

Fifth Judicial District

Amended Administrative Order No. 1, 2nd Series

Date of Implementation: December 17, 2004

Dates of Revision March 26, 2008

December 4, 2013

June 2014

December 2, 2015

March 22, 2018

In Re: Order Establishing Organizational Guidelines for the Judges of the Fifth Judicial District

IT IS ORDERED:

I. Meetings and Elections

There shall be a minimum of four Judges' meetings per year and the Chief Judge may call others as needed. The regular meetings shall normally be held in March, June, September and December. The March and September meetings will normally be held on the 4th Thursday of March and September. The March and September meetings will be joint meetings with the Fifth District Court Administrative Team (CAT). The June meeting will be held in conjunction with the MSBA 9 Days in June meeting and December meeting will be at the Judges' Annual Conference. The June and December meetings will be Judges only meetings. The election of the Chief and Assistant Chief Judge will be at the March meeting. The Chief Judge shall call and preside over the Judges' meetings and in the absence of the Chief Judge, the Assistant Chief Judge shall call and preside over the meetings and perform any other duties of the Chief Judge. The Supreme Court liaison Justice, Court of Appeals liaison Judge, and the Child Support Magistrates and Referee will have standing invitations to attend and participate at all quarterly meetings.

II. Executive/Steering Committee

The Executive/Steering Committee will consist of one Judge from each assignment district. The Chief Judge and Assistant Chief Judge will represent their assignment districts. The Chief Judge will appoint the judges representing the other assignment districts. The Committee will make recommendations to the Judges of the 5th District.

The agenda and items to be discussed that will be presented at the judges meeting will be provided to the judges two weeks prior to the meeting.

The District Administrator and Assistant District Administrator will staff the Committee.

The Chief Judge will set the meeting schedule. The Committee will be responsible for:

- Review the status of senior judge assistance and caseload plan;

- Review of assignment district configurations and sharing of judicial assistance outside of assignment district;
- Review eCourtMN implementation plan;
- Review budgets and staffing in each assignment district;
- Review the district's spend down projects for each biennium;
- Develop strategic plan for the district;
- Succession planning for the District Administrator position and retiring court administrators;
- Other responsibilities as assigned.

III. Joint Meetings with Court Administrative Team (CAT)

Joint meetings with judges and the CAT will immediately follow the March and September "judges only" business meeting. (The March and September "judges only" business meetings will be scheduled from 9:00 to 11:00 a.m.)

Although CAT members will be non-voting participants in joint meetings with judges, they are expected to fully participate in developing and proposing district budgets, policies and procedures.

Items may be placed on the joint meeting agenda by any judge or CAT member. Agendas materials, including minutes of the previous meeting, will be distributed in advance by e-mail at least one week prior to the meetings. Paper copies of meeting materials will be provided at the meetings.

Unless specified otherwise, March and September joint meetings will be in Windom.

IV. Ad Hoc Committees

Ad hoc committees may be created at the discretion of the Chief Judge who shall appoint a chairperson and ad hoc committee membership.

V. Facilities Committee

The Facilities Committee shall consist of the Judges of the affected Assignment District and shall be chaired by the resident or senior Judge in the affected county. The District, at the request of the Committee, shall provide for a Space Consultant's Feasibility Plan. The Facilities Committee will then present and recommend for approval at a quarterly Judges' meeting the Feasibility Plan. After approval by the Judges of the District, minor revisions to the Feasibility Plan may be approved by the Facilities Committee. A county shall not make remodeling or new construction decisions that affect court-related areas without approval of the Judges of the Judicial District. However, the Facilities Committee for each county has the authority to make facility decisions on behalf of all of the Judges in the District when waiting until the next quarterly meeting is not practical.

VI. Written Majority Opinions of the Judges of the Fifth District

When requested by the Supreme Court, Judicial Council, Minnesota District Judges' Association, or other agency or body, or by majority resolution for the Judges of the Fifth District, to express an opinion on any subject, the Judges of the Fifth District shall respond through the Chief Judge. Prior to expressing the majority opinion of the Judges, the Chief Judge shall seek input from all Judges either at the quarterly Judges' meeting or by fax, telephone, but other electronic means, or in person. A written draft majority opinion shall be circulated to all judges prior to submission to the requesting body.

VII. Written Minority Opinion

Any judge wishing to dissent from the draft written majority opinion may submit a written minority opinion that will be sent along with the majority opinion to the requesting body. Any written minority opinions will be circulated to all judges along with the draft written majority opinion for review, comment, and possible incorporation into the majority opinion. These guidelines do not limit, restrict, or prevent any Judge from expressing their written or oral opinion on any administrative matter; however, if possible, a courtesy copy of written opinions should be provided to the Chief Judge. The Chief Judge will not write in response without first contacting the individual judge.

VIII. Flower Fund Policy

The District Administrator or his/her designee shall send flowers on behalf of the Judges, Child Support Magistrates, Referee, and Court Administration Team (CAT) of the Fifth Judicial District in the event of the following:

- ▶ Death of a Fifth Judicial District Judge, Child Support Magistrate, Referee, retired Judge, CAT member or retired CAT member;
- ▶ Death of a spouse, child, stepchild, or parent, of a Fifth Judicial District Judge, Child Support Magistrate, Referee, or CAT member;
- ▶ Major hospitalization of a Fifth District Judge, retired judge, Child Support Magistrate, Referee, retired Judge, or CAT member; or as directed by the Chief Judge or Chairperson of the Fifth District CAT, on behalf of their respective association, for special circumstances.

In the event flowers are not appropriate, a card will be sent by the District Administrator or his/her designee. Cards will be sent upon the death of a sibling of a Judge, Child Support Magistrate, Referee, or CAT member. The Chief Judge or the Chairperson, for their respective association, will make the determination as to appropriateness.

This fund may also be used to pay for the dinner or a retired judge's spouse at the Judge's private retirement dinner; gifts for retiring Judges, Child Support Magistrates, Referee, and CAT members. The Chief Judge or the Chairperson will make the determination as to expenditure of funds for these purposes as to who will make the purchase on behalf of their respective association.

Each Judge, Child Support Magistrate, Referee, and the District Administrator will be requested to contribute \$20.00 and CAT members will be requested to contribute \$15.00 to be deposited in a checking account maintained by the District Administrator's office. Donations will again be requested when the fund is reduced to approximately \$100.

Date: March 22, 2018

Judge Michelle A. Dietrich, Chief Judge
Fifth Judicial District

Source: This order is adopted from Amended Administration Order #1, originally issued on December 17, 2004; amended on March 26, 2008; amended on December 4, 2013, amended on June 2014; amended December 2, 2015; amended March 22, 2018