

ADMINISTRATIVE ORDER #9, 2nd SERIES

State of Minnesota

District Court

Fifth Judicial District

**Administrative Order No. 9, 2nd Series
Date of Implementation: March 26, 2008**

**In Re: Prohibiting the Possession of Firearms or Ammunition within any
Courthouse Complex within the Fifth Judicial District**

The Court determines it necessary to prohibit the possession of firearms or ammunition from every courthouse complex within the Fifth Judicial District for the safety and security of those involved in the orderly administration of justice. This order is based upon the inherent judicial authority of the Court, Minnesota Constitution Article 1, §8, Article 3, §1, Article 6, §1. This authority is additionally supported by the duty imposed upon the judge and court personnel to maintain order under Minnesota Rules of General Practice for the District Court, Rule 2.02(e) & (f), and by the authority granted by M.S. § 624.72.

IT IS HEREBY ORDERED:

1. All persons, including those who have a permit under M.S. § 624.714, are prohibited from having firearms in their possession while they are within the area of a courthouse complex. Such area shall include courtrooms, conference rooms, the offices of the Court Administrator, judges, law clerks and guardians ad litem, as well as the hallways adjacent to such locations; plus the parking lot or sidewalks immediately adjacent to the courthouse that are commonly utilized to access the courthouse.
2. All persons, including those who have a permit under M.S. § 624.714, are prohibited from having ammunition in their possession while they are within the area of a courthouse complex. Such area shall include courtrooms, conference rooms, the offices of the Court Administrator, judges, law clerks and guardians ad litem, as well as the hallways adjacent to such locations; plus the parking lot and sidewalks immediately adjacent to the courthouse that are commonly utilized to access the courthouse.
3. This order does not apply to the following:
 - a. Licensed peace officers or federally authorized law enforcement agents who are within a courthouse complex in the course of their official duties and have their badge conspicuously displayed.
 - b. The use of firearms or ammunition as evidence in a hearing before the Court.
 - c. Persons who have a permit and who also have in their possession the expressed written permission from the Chief of Police or Sheriff who

issued the permit to that person to possess a firearm/ammunition within the courthouse complex.

4. Each District Court Judge may designate an additional area unique to their respective courthouse where it shall be prohibited for any person, except for those exempted under Paragraph #3, to possess a firearm. They shall prepare a local order consistent with the content of this Order that describes the firearm-free zone or otherwise illustrates such area.
5. Each District Court Judge shall, with the assistance of appropriate county authorities, post an appropriate notice of this Order, as well as any local order, in a prominent location of their respective courthouse.
6. Each Chief of Police or County Sheriff with authority to issue permits under M.S. § 624.714 is encouraged to provide a copy of this Order to each person to whom a permit is issued.
7. A person who has a permit pursuant to Minn.Stat. §624.714 and who disobeys Paragraph #1 or #2 of this Order may be charged with Contempt of Court in violation of M.S. § 588.20, a misdemeanor. Additionally, if a person who has a permit pursuant to Minn.Stat. §624.714 disobeys Paragraph #1 or #2 of this Order and also failed to notify the sheriff that the person would be carrying a firearm in a courthouse complex according to the terms of the permit, the person may be charged with Possession of a Dangerous Weapon or Ammunition in a Courthouse in violation of M.S. § 609.66, a felony.
8. A person who does not have a permit pursuant to Minn.Stat §624.714 and disobeys Paragraphs #1 or #2 of this Order may be charged with Possession of a Dangerous Weapon or Ammunition in a Courthouse in violation of Minn.Stat. §609.66, a felony, as well as Contempt of Court in violation of Minn.Stat. §588.20, a misdemeanor

Date: January 11, 2018

Michelle A. Dietrich, Chief Judge
Fifth Judicial District

Source: This Order is adopted from Administrative Order No. 16, originally issued on June 23, 2003.