

## Fourth Judicial District COVID-19 Info Guide

**Updated:** June 15, 2020

Minnesota Supreme Court Chief Justice Lorie S. Gildea issued an [order](#) on May 15, 2020 regarding the continuing operations of state courts during the COVID-19 pandemic.

Beginning Monday, May 18, 2020 Hennepin County District Court began to implement the [Minnesota Judicial Branch COVID-19 Preparedness Plan](#) which was developed in consultation with the Minnesota Department of Health. We also implemented Transitional Case Strategies for [Civil](#), [Criminal](#), [Juvenile](#), and [Probate](#) case types, a gradual approach to resuming more in-person courthouse activity for litigants and employees.

In addition, on May 18, 2020, Fourth Judicial District Chief Judge Ivy S. Bernhardson issued a districtwide order, [Order re Access to Judicial District Courthouses \(Transitional Phase\)](#). This order is in effect until further court order.

Together, these orders make the following changes to business in Hennepin County District Court:

- The orders restrict access to courthouses for the purpose of attending scheduled hearings and require social distancing techniques to be in place. The media must give advance notice of intent to attend a hearing.
- The Court will continue to accept filings in all case types. In Hennepin County, filings will be accepted via electronic filing, by U.S. Postal Service, and on paper at dropboxes located at:
  - The Family Justice Center, First Floor;
  - The Hennepin County Government Center, Skyway Level; and
  - The Juvenile Justice Center, First Floor.
- District courts may be contacted by [phone](#) or [email](#).
- Other than specifically provided for by the orders, case deadlines established by Court rules remain in effect unless extended by an order of the Supreme Court or the presiding judge.
- Criminal jury trials were [permitted to start](#) in Hennepin County on a pilot basis as of June 1, 2020.
- No civil jury trials will start before September 1, 2020.
- Other than in-custody proceedings, most proceedings may only be held by ITV, telephone, Zoom or any other remote technology that permits the parties and attorneys to appear without being in the courtroom, or by review of the parties' submissions without oral argument, to the extent feasible and practicable as determined by the presiding judge. The Chief Justice's order links to more detailed transitional plans in the various case types.
- Hearings will be held in the courtroom for any case type where there is an immediate liberty concern, or when public or personal safety concerns are paramount. In-person hearings will adhere to Minnesota Department of Health social distancing guidance to limit the number of people and the proximity of people in a courtroom to the extent possible. Pursuant to an [order issued by Chief Judge Ivy S. Bernhardson](#), social distancing limitations are in effect in the gallery portions of those courtrooms hearing all matters. This order is in effect until further court order.

- The Fourth Judicial District will make every effort to notify attorneys and self-represented litigants of the cancelation and rescheduling of hearings. However, if you have a court case scheduled at a Hennepin County District Court location, and you are unsure whether your case will be heard or will be scheduled to a future date, please call **(612) 348-6000**.

To implement these orders the Fourth Judicial District has developed case handling protocols by Division. Please note the information contained in this document is specific only to the Fourth Judicial District (Hennepin County).

## **Civil Division**

Questions may be directed to: **(612) 348-6000**. Public counters located on the 3<sup>rd</sup> floor of the Hennepin County Government Center are open. Attorneys and parties in pending civil cases should review changes outlined in a [memo from Presiding Judge Laurie Miller](#).

There will be **no in-person hearings** held in the Civil Division, with the following **exceptions**:

### **Housing Court**

- If a hearing is required, it will be held in the courtroom on an emergency basis and only when there is a showing of individual or public health, or safety, at risk.
- Matters considered high priority for a hearing are: Emergency Tenant Remedy Actions; Lockout Petitions; and Expedited Eviction Requests.

### **General Civil**

- Requests for Ex Parte Harassment Restraining Orders will be reviewed and issued if appropriate (no hearing is required).
- Harassment Restraining Order hearings will be held if public or safety concerns are paramount.
- Motions for Emergency Relief, such as motions for temporary restraining orders or motions for temporary injunctions if the assigned judge agrees an in-person hearing is necessary and that remote participation is not workable.
- Garnishment Exemption hearings.

### **Conciliation Court**

Questions may be directed to: **(612) 348-6000**. Conciliation Court located on the third floor at Minneapolis City Hall is closed. New filings will be accepted but not yet scheduled. Filings, either new or subsequent, along with appropriate fees, may be submitted electronically, via U.S. Postal Service, or on paper at the dropbox located at the Hennepin County Government Center, Skyway Level.

## **Criminal**

General questions may be directed to: **(612) 348-2040**.

If you think you may have an outstanding warrant, call the Warrant Hotline at **(612) 543-9768**.

The Brookdale and Ridgedale Suburban Court locations are open as of June 1, 2020.

The public counter located on the first floor of the Public Safety Facility is open. The counter located on the 11<sup>th</sup> floor of the C-Tower of the Government Center is open. Courtrooms in those two buildings

remain open for the limited civil cases described above, for a small number of out of custody felony appearances and for adult criminal case types, where the defendant is in custody. The defendant and the attorneys may appear remotely. Victim impact information may be provided remotely.

- bail review
- hearings under Rule 8 of the Rules of Criminal Procedure
- omnibus hearings
- plea hearings
- sentencing hearings and
- probation revocation hearings.

### **Hearing Office**

The Hearing Office is closed and will only hold video hearings. To schedule a video hearing, call **(612) 348-6000** and ask to be connected to the Hearing Office.

### **Violations Bureau**

The Violations Bureau is closed. Citation (ticket) payments can still be made online with the statewide [Court Payment Center](#). There is a \$1.50 fee for using this service. Payments can also be made over the phone with a Visa or Mastercard by calling Metro **(651) 281-3219**, outside the metro **1 (800) 657-3611**. There is a \$1.50 fee for using this service.

### **Treatment Courts (DWI/Veterans/Mental Health/Drug)**

- Generally, all in-person review hearings are canceled.
- In-custody hearings will only be held if it is determined an “on-the-record” hearing needs to take place.
- There will be one in-custody calendar each week for all four Treatment Courts, at 10:30 a.m. on Tuesday morning.

### **Signing Judge**

The Criminal and Civil Signing Judge courtroom is closed and the Signing Judge is not available to walk-in customers. Signing operations will continue, but all matters will be handled remotely by phone, email, or through other means. Calls to Signing Judge support staff are being taken at **612-348-0967**, 8:30 am – 4:30 pm., Monday – Friday.

### **Harassment Restraining Order Petitions**

- Petitions on paper may be put into the drop-box located on the Skyway Level of the Government Center. Calling the Civil Division at **612-348-6000** will help ensure your paperwork is processed as soon as possible.
- Petitions may also be submitted electronically. Please call the Statewide Self-Help Center at **(651) 435-6535** to learn how to submit a petition online.

### **For Law Enforcement and Prosecutors**

An email account, [4thDistrictWarrant@courts.state.mn.us](mailto:4thDistrictWarrant@courts.state.mn.us), has been created for use by prosecutors and law enforcement to send the signing judge the following requests:

1. Prosecutors: Motion for Enlargement of Time; Extension of Time for Giving Notice of Forfeiture
2. Law enforcement: Minn. Chapter 626A search warrants

Law enforcement officers must email the signing judge those search warrants that cannot be submitted through the BCA echarging queue. This email address should not be used for any search warrant that can be sent to the judge through the BCA eCharging queue, nor should it be used to send search warrants to the overnight or weekend signing judge.

**Sign Your Warrant**-Search warrant affidavits must be signed by the submitting officer before judicial review. You can sign and swear the affidavit manually or electronically. Please use the following format:

[Your Name]  
[Your Agency]  
“Signed Under Penalty of Perjury” or “Signed Electronically Under Penalty of Perjury”  
[Date and Time]

**Email the Search Warrant and Affidavit** - Signed affidavits and search warrants should be emailed for judicial review to: [4thDistrictWarrant@courts.state.mn.us](mailto:4thDistrictWarrant@courts.state.mn.us). You do not need to call the signing courtroom to notify anyone that your email has been submitted. Staff are monitoring the signing email group. Staff will verify that affidavits are signed and all documents are attached and will then immediately forward the email to the Signing Judge for review.

**Include Contact Information**-Please provide your phone number in the email.

## Family Division

Questions may be directed to: **(612) 348-6000**. Public counters located at the Family Justice Center are open. Filings, along with appropriate fees, may also be submitted electronically, via U.S. Postal Service, or on paper at the dropbox for paper filings located on the first floor. Courtrooms located in that building remain open for the following case types:

- Domestic Abuse Order for Protection Hearings (only if person is being removed from primary residence, or order separates parent from child, there is a prior custody or parenting time order, or removal of firearms is requested)
- Return of Child Order Enforcement
- Warrant for Custody of Child
- Emergency Family Hearings/Emergency Family Motions
- Family Court Temporary Custody/Parenting Time Hearings
- Trials where there is an urgent custody or parenting time issue

Child Support hearings are also being held over the phone.

In addition to the emergency exceptions listed above, Judicial Officers may conduct in-person hearings in Family cases where there is an urgent issue (such as a detrimental impact on a child if there is a significant delay in obtaining a decision) **and** where there are impediments to hearing the matter via remote means such as unavailability of technology for one of the parties or complex issues related to witnesses or exhibits. The decision to conduct an in-person hearing is within the discretion of the

assigned judicial officer, with consideration to be given to the need for safety and social distancing within both the courtroom and courthouse, in addition to the issues presented in the individual case.

## **Juvenile Delinquency**

General questions may be directed to: **(612) 348-6000**. The public counter located at the Juvenile Justice Center is open. A dropbox for paper filings, along with appropriate fees, is located on the first floor. Courtrooms located in that building remain open for the following case types:

- The following Juvenile Delinquency matters in which the Juvenile is in custody (on electronic home monitoring) shall be heard in the courtroom, although the parties and witnesses may appear remotely for these hearings, at the discretion of the presiding judge.
  - detention reviews
  - omnibus hearings and pretrials that do not require live testimony
  - plea hearings
  - certification hearings
  - court trials
  - extended juvenile jurisdiction hearings
  - disposition hearings
  - probation revocation hearings
  - arraignments
  
- All other proceedings in juvenile delinquency matters may be held as follows: in person; hybrid; or remote, although there is a preference that these hearing proceed as either a hybrid or remote hearing.

## **Child Protection (CHIPS)**

- Juvenile protection proceedings for emergency protective care (EPC) will be held as follows: In-person (all parties appear in court); hybrid; or remote. For public health reasons, there is a preference for either a hybrid or remote hearing.
- All other juvenile protections hearings will be conducted as follows: Remote Hearing; Hybrid Hearing; or through a review of the parties' written submissions. The default shall be to conduct these hearings remotely or in-person.
- Trials will be prioritized and held in courtrooms that will allow for appropriate social distancing measures. The judge presiding over the case shall determine whether the trial will be conducted as an in-person, hybrid, or remote trial.

## **Adoptions**

- All non-contested adoptions will be held remotely.

## **Probate/Mental Health Division**

Questions may be directed to: **(612) 348-6000**. The public counter located on the 4<sup>th</sup> floor of the Hennepin County Government Center is open.

- Civil Commitment hearings are being held by ITV, telephone or video.
- Probate, trust and non-emergency guardianship/conservatorship cases are being heard based on submitted documents or by telephone or video.

## Other Court Services or Partner-provided Services

### Records Center – Copy Requests and Public Access Terminals

*Public terminals:* Public terminals are open **by appointment only** starting on **June 4, 2020**. Depending on the volume, appointments may be limited to one hour. If you would like to reserve a terminal, please call 612.348.6000 and ask for the Centralized Record Center.

*Copy requests:* In person counter copy service is not available. Copy service is available electronically or by mail. There are multiple ways to pay and submit a request. Requests must include your name, address, and email address. Certified copies will be mailed back to you. Plain copies can be emailed if you provide an email address in your written request. More information is available on [the public website](#).

Credit cards - Attach your written request or [Copy Request Form](#) and submit it with your credit card payment through the electronic filing system (EFS) using court file number 27-CV-20-4926.

Checks – Checks attached to written requests or the [Copy Request Form](#) may be mailed or placed in the drop-box located at the Hennepin County Government Center, Skyway Level.

If you have an urgent need to run a criminal records check, contact the Minnesota Bureau of Criminal Apprehension (BCA).

### Self-Help Centers

The Government Center and Family Justice Center Self-Help Centers are closed but they are providing services remotely, via email or over the phone only. For the Government Center Self-Help Center, call **(612) 348-9399** and for the Family Justice Center, call **612-596-1067** or send an email to [4thSHCWEB@courts.state.mn.us](mailto:4thSHCWEB@courts.state.mn.us). Staff will respond to your email in 1 – 3 business days. You can also contact the Statewide Self-Help Center at **(651) 435-6535**, or fill out their contact form for help [via email](#).

### Legal Advice Clinics

All in-person legal advice clinics run by the Volunteer Lawyers Network or Hennepin County Bar Association onsite at Hennepin County District Court locations have been converted to telephone-based services. These include:

- Legal Access Point Clinics at Self-Help Centers, Conciliation Court and Housing Court; and
- Misdemeanor Defense Project at Brookdale.

Any self-represented litigants seeking free legal services may call the Volunteer Lawyers Network at 612-752-6677.

### Domestic Abuse Service Center (DASC)

The DASC office located in the Hennepin County Government Center is closed. All services will be available remotely until further notice. These remote services, including advocacy, Orders for Protection, and safety planning, can be accessed by calling (612) 348-5073. While the public is being discouraged from coming to the Government Center, if someone finds themselves in the Government

Center seeking help for domestic abuse, LL0710 has been set up with phones to call (612) 348-5073. In addition, [a video has been created with directions for reference](#).

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## **Jurors**

Jurors must follow the instructions on the paper summons that they receive. Hennepin County is approved for jury trials as part of the Branch pilot. When needed, jurors will be notified via the juror on-call message line about when/where to report for jury service. Individuals with suspected or actual exposure to COVID-19 who are summoned to report for jury duty must [contact the court](#) to discuss rescheduling options for their jury service.

## **Media**

To ensure access to hearings, members of the media who wish to cover a hearing in Hennepin County must contact the Hennepin County District Court Communications Specialist at [Spenser.Bickett@courts.state.mn.us](mailto:Spenser.Bickett@courts.state.mn.us) at least 24-hours in advance with a request to attend a hearing, and the media will be required to follow all social distancing protocols enforced by court administration and judicial officers. Where multiple requests exist, media may be required to coordinate a pool. There will be no access to public access terminals (courthouse terminals) or non-courtroom space in courthouses for the public or media.

Members of the media should email [Kyle.Christopherson@courts.state.mn.us](mailto:Kyle.Christopherson@courts.state.mn.us) to request documents that they believe are available in Courthouse view during this time. Documents will be made available free of charge as a courtesy service. Media are asked to limit their requests to less than 5 per day in order for this service to be sustainable.