

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
JUVENILE COURT

**FOURTH JUDICIAL DISTRICT JUVENILE COURT ADMINISTRATIVE ORDER
REGARDING COURT OPERATIONS UNDER PEACETIME DECLARATION OF
EMERGENCY**

WHEREAS, On March 20, 2020, Chief Justice Lorie S. Gildea issued Administrative Order ADM20-8001, directing the operations of the courts under the statewide peacetime declaration of emergency. In part, the Order states, “The health and safety of judicial branch employees and the general public, the preservation of access to justice, and the protection of constitutional rights has led the Judicial Branch ... to require additional limitations on the on-going work of the court;”

WHEREAS, it is necessary to protect the health and safety of the public, court participants, and court staff during the statewide peacetime declaration of emergency, the Juvenile Court of the Fourth Judicial District will implement policies and practices to ensure that only persons necessary for court proceedings or who have essential business with the Court may enter the courthouse or courtrooms, while ensuring that the constitutional and statutory rights of all parties are preserved;

WHEREAS, Administrative Order ADM20-8001 further stated, “[e]ffective immediately or as soon as can be implemented, proceedings in any case type . . . should be held through Interactive Video Conferencing (ITV) or other video or telephone conferencing to the extent practicable,” and

WHEREAS, the Juvenile Court of the Fourth Judicial District will hereby implement the Chief Justice’s Order as to Juvenile Delinquency and Juvenile Protections proceedings, as described below.

NOW, THEREFORE, IT IS ORDERED THAT:

- I. Effective Dates of Fourth Judicial District Juvenile Court Emergency Order**
 - a. This Order shall remain in effect from March 23, 2020 until April 22, 2020, or until further Order of the Presiding Judge of the Fourth Judicial District Juvenile Court or the Chief Justice.

II. Juvenile Delinquency Matters

- a. The following Juvenile Delinquency matters in which the Juvenile is in custody¹ shall continue to be heard in the courtroom:
 - i. Detention Reviews;
 1. Cases scheduled on the detention calendar shall include those cases involving the initial detention review of the child and other cases where both the judge of record and the judge assigned to hear the detention calendar have approved of the detention review.
 2. The County Attorney's Office, the Public Defender's Office, and the Department of Community Corrections and Rehabilitation will continue to work collaboratively to identify children currently held in detention who may be appropriately released from detention. The Court will review these cases and release these children from detention through either a Court order or after reviewing the case during the daily detention calendar.
 - b. Extended Jurisdiction Juvenile Hearings;
 - c. Adult Certification Hearings;
 - d. Disposition Hearings;
 - e. Omnibus Hearings (that do not require live testimony); and
 - f. Probation Revocation Hearings (if necessary testimony can be provided remotely as determined by the presiding judge)
 - g. The children and/or their Attorneys may appear remotely for these hearings.
 - h. All other Juvenile Delinquency matters shall be suspended and continued to a future date, unless they can be conducted remotely as determined by the presiding judge.
 - i. All out-of-custody felony, misdemeanor, and petty misdemeanor arraignments, pre-trials, trials, and disposition hearings shall be continued to a future date, unless the hearing can be conducted remotely as determined by the assigned judge.
 - ii. The Juvenile Court Administration will reschedule all out-of-custody felony, misdemeanor, petty misdemeanor, status, and traffic cases currently scheduled on an arraignment, pre-trial, or trial calendar.
 - iii. All delinquency cases blocked to a judge will be rescheduled via email correspondence among the parties.
 - i. The County Attorney's Office, the Public Defender's Office, and the Department of Probation will work collaboratively to review cases where detain warrants have

¹ A child on Electronic Home Monitoring is considered "in-custody."

been issued for a child to identify those cases where it is appropriate to convert the warrant to a “sign and release” warrant. The Court will issue an order converting the detain warrant issued in the identified case to a “sign and release” warrant.

- j. Courtrooms 2 and 2B in the Juvenile Justice Center are equipped with ITV and shall be used for all detention calendars and may be used for any other Juvenile Delinquency matters, with the approval of the assigned judge or Court Administration.
 - i. These courtrooms will receive regular and thorough cleanings to ensure the health and safety of all parties appearing in person.

III. Juvenile Protection Matters

- a. Emergency Protective Care Hearings for children in placement shall continue to be heard in the courtroom.² If possible, the EPC hearing shall be combined with an admit/deny hearing.
- b. The presumption is that all CHIPS/TPR pre-trials, Intermediate Disposition Hearings, and Trials shall be rescheduled if they previously had been set to occur during the effective dates of this order. However, each Juvenile Court Judge shall have the discretion to determine on a case-by-case basis whether a hearing will be rescheduled, held in person, held remotely, or held through the written submissions from the parties.
- c. Non-Emergency Admit/Deny hearings for cases where children have not been removed shall be reviewed on a case-by-case basis to determine whether or not they should be continued.
- d. The Hennepin County Department of Human Services shall file either Court Notification Reports or Pre-Hearing Reports prior to any scheduled hearings. The Guardian ad Litem shall file reports prior to any scheduled hearings.
- e. All hearings held in a courtroom shall be limited to parties/parent-participants, and their attorneys. All participants shall practice social distancing while in the courtroom.

² Juvenile Protection Matters that begin with an Admit/Deny Hearing, as is the case in expedited permanency proceedings, shall continue to be heard in person.

- f. Courtrooms 3B and 3C in the Juvenile Justice Center are equipped with ITV and may be used for all Child Protection matters.
 - i. To insure proper social distancing, the participants are assigned to the following courtrooms:
 - 1. Courtroom A (JJC 3-B):
 - a. Judge
 - b. Parents' Attorneys
 - c. Parents
 - d. Public Defenders for Children 10+
 - e. Children
 - 2. Courtroom B (JJC 3-C)
 - a. Assistant County Attorney
 - b. Social Workers
 - c. Guardian ad Litem
 - 3. Courtroom C (JJC-3-A) This courtroom will be used instead of the interview rooms for the following parties:
 - a. Parents' Attorneys
 - b. Parents
 - c. Public Defenders for Children 10+
 - d. Children

IV. Parental Notification Reviews

- a. Parental Notification reviews will continue to be held in person, consistent with the appropriate social distancing guidelines.

V. Juvenile Court Matters Requiring Psychological Services

- a. Court-appointed psychologists shall conduct examinations of Respondents via ITV, Vidyo, or other videoconferencing methods/programs to the extent practicable. If the ITV/Vidyo/videoconferencing system is not functional in a particular case, then the examination may be conducted by telephone, or may be continued by agreement of the parties and the judge hearing the matter.
- b. In matters where examiner testimony is necessary, such examiners may appear and testify by ITV, phone, or remote videoconferencing, unless other arrangements are made in advance.

VI. Remote Participation in Hearings & Written Submissions

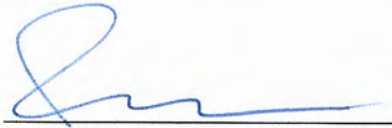
- a. Other than those matters requiring an in-person hearing as set forth in paragraphs II and III above, all other proceedings may be held by ITV or any other remote technology that permits the parties and attorneys to appear without being in the courtroom; or, by review of the parties' submissions without oral argument, to the extent feasible, practicable, and in the interests of justice. If in a particular case,

c. Below is the Juvenile Court Judges' daily ZOOM Conference schedule:

Judge Caligiuri	8:30 a.m.	Judge Manning	1:00 p.m.
Judge Askalani	9:00 a.m.	Judge Hoyos	1.30 p.m.
Judge Magill	9:30 a.m.	Judge Quaintance	2:00 p.m.
Judge Bransford	10:00 a.m.	Judge Dawson	2:30 p.m.
Judge Sheehy	10:30 a.m.	Judge Kappelhoff	3:00 p.m.
Judge Norris	11:00 a.m.		

VIII. This Administrative Order may be updated or modified, as necessary, based on changing circumstances.

Dated: March 31, 2020



Juan Hoyos
Presiding Judge, Juvenile Court
Hennepin County District Court