

**ADMINISTRATIVE ORDER
SUSPENDING ORAL ARGUMENT IN
MOTIONS FILED AND FULLY
BRIEFED IN CERTAIN CIVIL
ACTIONS**

WHEREAS, On March 13, 2020, Minnesota Governor Tim Walz declared a peacetime state of emergency due to the worldwide spread of COVID-19, also referred to as the Coronavirus; and

WHEREAS, on March 13, 2020, the President of the United States also declared a nationwide state of emergency due to the spread of COVID-19; and

WHEREAS, the Centers for Disease Control and Prevention has recommended several steps to help slow or prevent the spread of COVID-19. These steps include avoiding close contact with others, staggering work schedules, and limiting gatherings; and

WHEREAS, the Second Judicial District is taking necessary and reasonable steps to reduce potential exposure of persons to group settings; and

WHEREAS, on March 13, 2020, the Chief Justice of the Minnesota Supreme Court issued Administrative Order 20-8001, as amended on March 20, 2020, March 23, 2020, and March 26, 2020 (collectively “ADM20-8001”), directing Minnesota courts take action consistent with the Emergency Executive Order beginning March 16, 2020; and

WHEREAS, Paragraph 11 of ADM20-8001 provides that: “Other than those that require an in-person hearing as set forth in paragraphs 6-10 above, all other proceedings in all other case types shall 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.”

WHEREAS, pursuant to Minn. Stat. § 484.60, subd. 3, the chief judge of the district has general administrative authority over the courts in the judicial district; and

WHEREAS, dispositive and non-dispositive motions in civil actions, which have been filed under Minn. Gen. R. Prac. 115.01, *et seq.*, fully briefed and supported, and for which a hearing has been scheduled, would ordinarily be afforded the opportunity for oral argument at an in-person or telephone hearing; and

WHEREAS, the Second Judicial District has determined that suspending oral argument in such motions and consideration of them based on the written submissions of the parties, is a necessary and reasonable step to reduce potential exposure of parties, attorneys, court staff, and the public; and

WHEREAS, although remote hearings are allowed under ADM20-8001, it is not “feasible, practicable, and in the interests of justice” to hold hearings in the current environment; and

WHEREAS, individual judges and judicial officers, in their discretion, may determine that a remote hearing to allow oral argument is essential and may provide direction to the litigants to schedule and hold a remote hearing:

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. In dispositive and non-dispositive motions in civil actions, which have been filed or which will be filed under Minn. Gen. R. Prac. 115.01, *et seq.* and for which a hearing has been scheduled or will be scheduled, oral argument in such motions is suspended.
2. All such motions shall be considered and decided upon the written submissions of the parties.
3. With regard to motions in civil actions as described in Paragraph 1, the parties shall follow the General Rules of Practice and applicable Scheduling Orders, to perfect timely briefing and any written submissions for consideration by the court.
4. Matters shall be taken under advisement by the court as of the date of this Order or the date of the scheduled hearing, whichever is later.
5. Individual judges and judicial officers, in their discretion, may determine that a remote hearing to allow oral argument is essential and may provide direction to the litigants to schedule and hold such a hearing.
6. The following case types are excluded from this Administrative Order: Default Judgment, Consumer Credit, Implied Consent, Civil Commitment, Housing, Name Changes, and Exemption Hearings.
7. This Administrative Order remains in effect for all motions in civil actions described in Paragraph 1, until April 22, 2020, unless extended or rescinded by a further court order.

Dated: March 27, 2020

BY THE COURT:

John H. Guthmann
Chief Judge, Second Judicial District