

MAY 01 2020

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

62CV-20-5

**Administrative Order Establishing an Interpreter
Prehearing Attorney-Client Meeting Process**

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, on March 25, 2020, Minnesota Governor Tim Walz issued Executive Order 20-20, which directed Minnesotans to stay at home from through April 10, 2020 except for certain exempted activities and work; 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 that Minnesota courts take action consistent with the Emergency Executive Orders; and

WHEREAS, on April 8, 2020, Minnesota Governor Tim Walz issued Executive Order 20-33, which extended the stay at home directive and exemptions through midnight on May 3, 2020; and

WHEREAS, on April 9, 2020, the Chief Justice of the Minnesota Supreme Court issued Administrative Order ADM20-8001 superseding the prior emergency administrative orders, reissuing the substance of the prior emergency administrative orders, and extending the effective date of the emergency measures through midnight on May 3, 2020; and

WHEREAS, on April 30, 2020, Minnesota Governor Tim Walz issued Executive Order 20-48, which extended the stay at home directive and exemptions through midnight on May 17, 2020; and

WHEREAS, on May 1, 2020, the Chief Justice of the Minnesota Supreme Court issued Administrative Order ADM20-8001 superseding her prior emergency administrative orders, reissuing the substance of the April 9, 2020 emergency administrative order, and extending the effective date of the emergency measures through midnight on May 17, 2020; and

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

WHEREAS, pursuant to Minn. Stat. § 484.69, subd. 3, the Chief Judge of the Second Judicial District has general administrative authority over the courts in the Second Judicial District; and

WHEREAS, pursuant to section II.A of Judicial Council Policy 513, court interpreters may be reimbursed for interpreting immediately prior to and after court sessions. The policy defines a "court proceeding" as "The court session itself, plus interpreting for the parties, attorneys and witnesses immediately prior to the court session, during breaks in the court session, or immediately after the court session"; and

WHEREAS, in November 2019 the Judicial Council adopted the report and recommendations of the Court Interpreter Services Work Group. At page 29 n.2, the report references section II.A of Judicial Council Policy 513 and states: "Although the policy does not prescribe a length for these conferences, up to fifteen minutes is widely accepted as reasonable"; and

WHEREAS, remote hearings requiring use of a court interpreter present unique logistical challenges and cannot be conducted efficiently unless the court interpreter has the authorized pre-hearing meeting at a scheduled time rather than immediately before the hearing:

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. For the duration of the COVID-19 declared emergency, the Second Judicial District shall continue providing the court interpreter services permitted by policy 513, including those that take place 15 minutes immediately before and 15 minutes after a court proceeding. However, the pre- and post-hearing services may be combined into one 30-minute block and may take place at a time other "immediately" before or after the scheduled hearing.
2. Court-provided remote interpreter meetings shall be conducted on court provided phone bridges as assigned by court administration.
3. The court interpreter's reimbursement for out-of-court consultation cannot exceed the 30-minutes authorized for pre- and post- hearing consultation as contemplated by Judicial Council Policy 513.
4. Attorneys shall verify with court administration the start and end times of court-provided remote interpreter meetings upon their conclusion, to ensure proper billing for the interpreter services.

Dated: May 1, 2020

BY THE COURT:



Guthmann, John (Judge)
May 1 2020 3:36 PM

John H. Guthmann
Chief Judge, Second Judicial District