FILED
March 26, 2020
OFFICE OF
APPELLATE COURTS

STATE OF MINNESOTA

IN SUPREME COURT

ADM20-8001

CONTINUING OPERATIONS OF THE COURTS OF THE STATE OF MINNESOTA UNDER EMERGENCY EXECUTIVE ORDER 20-20

O R D E R

In Emergency Executive Order No. 20-20, the Governor of the State of Minnesota directed all persons currently living in Minnesota to stay at home or in their place of residence, subject to specific exceptions, beginning at 11:59 p.m., March 27, 2020, through 5:00 p.m., April 10, 2020. Emergency Exec. Order No. 20-20, at 2 (Mar. 25, 2020). Executive Order No. 20-20 identifies the Minnesota Judicial Branch as a "Critical Sector" of government and exempts certain members of the Judicial Branch from the stay-at-home directive, as well as workers who are necessary to provide certain "essential legal services" as defined in that order. *Id.* at 8–9, ¶ 6(p), (cc). The Executive Order provides that the Chief Justice is to identify those "judicial officers and personnel deemed essential . . . to ensure the continued operations of Minnesota's court system." *Id.* at 8, ¶ 6(p). This Order is issued in response to Executive Order No. 20-20.

IT IS HEREBY ORDERED THAT:

1. The operations of the Judicial Branch during the emergency declared as a result of the COVID-19 pandemic are governed by the supreme court's order filed on March 20, 2020, as amended on March 23, 2020. *See Continuing Operations of the Courts of the State of Minnesota Under a Statewide Peacetime Declaration of Emergency*, No.

ADM20-8001 (Minn. filed Mar. 23, 2020); *Continuing Operations of the Courts of the State of Minnesota Under a Statewide Peacetime Declaration of Emergency*, No. ADM20-8001 (Minn. filed Mar. 20, 2020). The hearings and proceedings authorized by paragraphs 1-2 and 6-10 of the March 20 Order, including as amended by paragraph 4 of this order, are "essential . . . to ensure the continued operations of Minnesota's court system" for the duration of the stay-at-home directive. The judicial officers who preside over those hearings and proceedings are therefore exempt from the stay-at-home directive in Executive Order No. 20-20. Employees who are designated by managers or supervisors to be present for those hearings or proceedings held in the courtroom are also exempt from the stay-at-home directive in Executive Order No. 20-20. Finally, the hearings and proceedings authorized by paragraphs 1-2 and 6-10 of the March 20 Order, including as amended by paragraph 4 of this order, and proceedings held remotely as authorized by paragraph 11 of the March 20 Order, are "essential legal services" for purposes of Executive Order No. 20-20. *See* Exec. Order at 9, ¶ 6(cc).

2. In addition to the judicial officers and staff identified in paragraph 1 of this order, other administrative staff may need to be present at work locations during the course of the stay-at-home directive in order "to ensure the continued operations of Minnesota's court system." Exec. Order No. 20-20 at 8, ¶ 6(p). The Chief Justice of the Minnesota Supreme Court, the Chief Judge of the Minnesota Court of Appeals, and the Chief Judge of each judicial district shall designate the administrative personnel of their respective courts and districts, if any, who are "essential . . . to ensure the continued operations of Minnesota's court system." Individuals so designated are exempt from the stay-at-home

directive in Executive Order No. 20-20. The State Court Administrator shall also designate the personnel from the State Court Administrator's Office who are "deemed essential . . . to ensure the continued operations of Minnesota's court system." Individuals so designated are exempt from the stay-at-home directive of Executive Order No. 20-20.

3. To facilitate the continued operations of the Judicial Branch during the stay-at-home directive of Executive Order No. 20-20, including the remote work operations of staff and judicial officers, the State Court Administrator is directed to review Judicial Council Policy No. 523.1, and implement temporary modifications to the requirements for the permitted audio recording system and the authorized operator of that system. The modifications must be consistent with the policy of ensuring that an audio backup recording of a court proceeding is available if needed to produce a transcript.

4. Paragraph 10 of the order of March 20, 2020 is amended to read as follows:

> 10. Hearings shall be conducted in the courtroom for any case type in which the request for relief presents an immediate liberty concern, or when public or personal safety concerns are paramount. Hearings shall also be conducted in the courtroom for garnishment exemption hearings requested under Minn. Stat. § 571.914, subd. 1 (2018). The parties and the attorneys may appear remotely.

5. Other than as provided for in this order and as amended by the order of March 23, 2020, the provisions of the March 20 Order remain in effect.

Dated: March 26, 2020

BY THE COURT:

Lorie S. Gildea
Chief Justice