

FELONY - COMBINED

In person, out of custody appearances will resume in the Fourth Judicial District the day the Chief Justice's Order preventing them expires.

A safety and cleaning plan is being developed with Hennepin County. It will be shared with the justice partners when we receive a completed plan.

Remote hearings are available and encouraged.

REVOS

Combined Revocation calendar will continue for the foreseeable future—possibly through the entirety of 2020.

AM phone conference to triage
Today's IC cases
Tomorrow's out of custody cases

Out of custody defendants will be contacted by probation officer after the phone conference and told whether they need to appear. If they do, it will be at GC at 1:30.

MAY JURY TRIALS:

As soon as "May pilot" jury trials are allowed, in custody speedy demand trials will be held in one of the four courtrooms big enough to provide social distancing.

Trials will be prioritized by length of time since the speedy trial was demanded. Juvenile defendants will also have priority over adults.

Jurors will only be brought to the courthouse when the trial is actually ready to begin.

Multiple jury introductions will be needed and modified selection method as decided by judge with input from the attorneys on the individual case.

Attorneys (including co-counsel), defendant, and all others will maintain social distancing.

The court reporter will not sit directly next to the witness.

Attorneys will stay more than six feet from the jurors.

Attorneys will only approach a witness for the minimum time necessary to show the witness an exhibit or statement.

PPE will be allowed/encouraged including gloves for those touching evidence.

Courtrooms will be cleaned per Hennepin County cleaning plan.

Live-stream video to a second courtroom during the trial can be available for trials with more spectators than the courtroom will accommodate¹. Victim's family members and defendant's family members will have priority seating in the actual courtroom.

Attorneys should inform the judge if they expect more spectators for a particular trial.

Juries will deliberate in a courtroom to allow social distancing.

OTHER CASES IN MAY

Block judges will continue to manage their own cases during May.

EVD hearings can occur on paper at any time.

EVD hearings can occur remotely as scheduled.

In person EVD hearings will occur as soon as witnesses are allowed back in the courthouse.

Court trials can occur on paper or remotely with consent of all parties.

Out of custody trials (including those with speedy demands) and in custody trials without a speedy demand that do not settle or convert to a court trial will be continued to a date after June 1, 2020².

All summons will be postponed for PDC until June.

Summons will be limited to five cases per day for Person Felony beginning when out of custody defendants are allowed to come to the courthouse.

County Attorney will designate which of the five cases scheduled each day will remain on the calendar, the others will be continued past mid-June.

Cases with a certificate of representation filed can be scheduled for OM instead of on the FApp calendar. The identification will be recorded during the OM. Contact PSF staff to get an OM date.

¹ The exact number will vary if some spectators reside in the same home and can sit closer together.

² The exact date out of custody and non-speedy demand trials will resume will depend on the governor and Chief Justice's future orders. They will not take place in May 2020.

JUNE AND NEXT FOUR TO SIX MONTHS

TRIALS

There will be a Master Trial Calendar (MTC) each Monday at 9:00 and 10:30.

No other felony hearings will be set on Monday morning (besides the Revo triage call and Treatment Court calendars)

The case will be sent out for plea as soon as the MTC judge is informed of settlement.

Attorneys will be sent to the same courtroom or floor for all that attorney's cases as often as possible.

The case will be sent out for trial if the MTC is satisfied it cannot settle.

The court's priority ranking will be used to determine which cases will be assigned to a trial judge first.

The case will be sent for trial to the block judge if that judge is available.

FIRST APPEARANCES

Each team will continue to have a FApp calendar at PSF each afternoon.

Person will have "extra" summons scheduled to catch-up.

PDC at PSF is in custody only.

PDC will have a separate summons calendar.

Discovery will be sent to PD supervisors in advance of the calendar.

Diversion Solutions will be available for these calendars and cases can be diverted from that calendar.

Cases can plead and be sentenced at that calendar.

PRETRIAL/OM AND PLEAS

There will be a judge assigned to hear all non-evidentiary pretrial matters for each team.

Attorneys will only have one courtroom to go to for those hearings each day.

Pleas can be moved up to any day—there will be a judge available to take the plea.

SENTENCES

The PDC OM judge can also handle sentencing hearings.

There will be a Person judge to handle sentencings with agreements.

Straight pleas and post-trial sentences will go to the judge who took the plea or verdict.

EVIDENTIARY HEARINGS

Suppression hearings will be set Wednesday, Thursday and Friday at 9:00, 10:30, 1:30, and 2:30.

Hearings will be scheduled from the OM calendar.

All attorneys with a suppression hearing set that week will appear with the MTC judge on Tuesday afternoon to discuss the hearing.

Cases that do not resolve and that need a hearing will be assigned to a judge for the time slot they previously selected.

MORRISSEY HEARINGS

PDC will be set in the morning and heard by the judge handling FApps that day.

Person will be set at 2:30 and heard by the judge handling Revo's that day. (This will be revisited if the combined revo calendars are too large to allow for Morrisseys as well.)

BLOCKING

Cases will continue to be blocked according to the original schedule.

Person cases will be blocked to the judge who was originally assigned to be on FApp the day the case first appears.

PDC cases will continue to be blocked to the judge who was assigned to be on OM-B the day the case is set for the first OM.

Blocks may be rebalanced at the end of this period.