



December 15, 2016

Proposal for Workgroup regarding draft FY18-19 Strategic Goal 2A

At the November 17, 2016, Judicial Council meeting, a special topic “Workforce Innovations Post eCourtMN” was presented in response to both the FY16-17 Strategic Plan and the proposed FY18-19 Strategic Plan. The FY18-19 draft strategic plan identifies the need to examine and evaluate Judicial Branch business practices and access and service delivery levels in light of enhanced technology developments in the Branch. In addition, the proposed FY18-19 Strategic Plan calls for the exploration of cost effective and efficient ways to create and maintain the court record.

At the November 17, 2016, the Judicial Council directed the State Court Administrator to prepare recommendations on the size, composition and scope of a Court Record Workgroup for discussion at the December 2016 Judicial Council meeting. The workgroup is charged with examining and proposing cost effective and efficient ways to create and maintain the court record.

Draft FY18-19 Strategic Plan – Goal 2 Effective Administration of Justice

Priority 2A. Explore cost effective and efficient ways to create and maintain the court record.

- Ensure judicial branch control of the court record.
- Examine if changes should be made in the manner in which transcripts are created.
- Develop priorities for which court proceedings should be created by an in-person and/or real-time court reporter and those to be created through digital recording.

Courts have an obligation to preserve the record by maintaining files in a manner that guarantees their accuracy and availability at a future date. The public’s perception of fair and equal treatment and an efficient court system is put at risk when access to the verbatim record is not readily available and is available only at a cost.

The digital court recording technology installed throughout the Minnesota Judicial Branch in recent years provides a viable alternative for making and/or preserving the court record. Given the fact that digital court recording is now in place in nearly all courtrooms, the Branch has new opportunities for reliable record keeping and efficient transcript production.

Workgroup Proposal

Formation of a workgroup consisting of judges, administrators, court reporters, and state court administration staff to explore cost effective and efficient ways to create and maintain the court record. The workgroup will develop recommendations for the Judicial Council regarding:

- Ensuring judicial branch control of the court record.
- Examining if changes should be made in the manner in which transcripts are created.
- Developing priorities for which court proceedings should be created by an in-person and/or real-time court reporter and those to be created through digital recording.

Evaluation of recommendations will include the cost impact of options; access and service impact to court and public; time to implement; and feasibility within the FY18-19 Strategic Plan timeline and beyond.

Workgroup shall explore the role of a court reporter and possible changes to scope of job duties to be performed and reporting structure. Reduction in number of positions is not the goal of the workgroup. Recommendation shall consider efficiencies derived from digital recording.

Composition of Workgroup:

- 1 judge from each district nominated, Chief Justice selects 5 for workgroup
- 1 judge from the Court of Appeals selected by Chief Justice
- 1 district or court administrator or manager from each district nominated, Chief Justice selects 5 for workgroup
- 5 court reporters (must include at least one stenographic court reporter, one real-time stenographic court reporter, one electronic court reporter, one Court Reporter Unit court reporter) – Teamsters must select 5 for workgroup
- Chair selected by Chief Justice
- Supported by staff from SCAO HR, Court Services, Legal and Executive Divisions

Proposed Timeline:

- January 2017 – Workgroup formed
- February 2017 – Workgroup first meeting
- December 2017 – Workgroup recommendations presented to Judicial Council

Items for consideration by Workgroup:

- Examine current statutes or rules regarding court reporters and court record. Propose necessary changes, as necessary, to allow recommended changes.
- Consider impacts to stakeholders in regards to suggested changes in transcript production model - (i.e., State Public Defender, public, etc.).
- Similarities and differences between court reporting methods, and best practices of using one method or multiple methods (i.e., RealTime, Stenographic, Electronic).
- Bargaining Agreement implications.
- Any necessary staffing recommendations.
- Note technical standards that would need to be created if a recommendation was adopted.