

Understanding the Minnesota Judiciary: Judicial Decision Making

THE MINNESOTA JUDICIAL BRANCH

Introduction

The Minnesota Constitution establishes three divisions or branches of state government. The legislative branch (house of representatives, senate) is responsible for making new laws, while the executive branch (the governor) is responsible for enforcing laws. The judicial branch has a special role. It is responsible for interpreting the laws in cases that are brought before it.

Article Six of the Minnesota Constitution establishes the judiciary, another name for the courts. The judicial branch, as part of its function, serves as the final upholder of the Constitution. This means that the courts examine laws that are challenged to make sure the laws do not violate the constitution. If the court finds that a challenged law violates the constitution, it holds the law to be unconstitutional and therefore invalid.

The courts in Minnesota have changed quite a bit since the first judge started working in the Northwest Territory in 1838. Courts didn't even have courthouses then - the first was built in Stillwater in 1847. Instead, judges held court in stores, churches, offices - wherever a meeting room was available. Judges and lawyers traveled extensively to try cases. While judges today still "ride circuit" in rural areas to hear cases in various counties, they don't have to travel hundreds of miles by canoe, horseback, even by foot, as some of the pioneer judges did.

Today the Minnesota court system has evolved into a system of justice that is sophisticated and complex. It consists of different levels of courts serving different functions with 315 judges who hear over 250,000 cases a year (excluding traffic offenses). Throughout the years our court system, and indeed the law itself, has been called upon to constantly adapt to meet ever-changing needs and conditions of society, while still adhering to the Constitution.

Overview

Minnesota has two kinds of state courts: **district court** and the **appellate courts**. District court is a trial court hearing civil and criminal cases in its own judicial district. It also includes special divisions such as juvenile court, family court, probate court, traffic court and conciliation court. At the appellate or "appeals" level, Minnesota has a Court of Appeals and the Supreme Court. Following are descriptions of each type of court found in the Minnesota court system.

DISTRICT COURT

The district court, also known as **trial court**, is the court of general jurisdiction in Minnesota - the court that has the power to hear any civil or criminal case and cases that involve family, probate, juvenile, and traffic matters.

The "district" court gets its name from the ten judicial districts that divide the state. The districts range in size from districts with only one county in the Twin Cities to a district comprised of as many as 17 counties in the northwest area of the state. In large districts, the judges sometimes "ride circuit" and travel from county to county to hear cases.

Each judicial district has three or more judges, with the greatest number in Hennepin County. There are 289 district court judges in the state. District court judges are elected to six year terms, vacancies occurring during a term are filled by governor's appointment. Each district has a chief judge and an assistant chief judge as well as staff who oversee the management of the courts.

Specialized Divisions in District Court

Juvenile Court

The juvenile division handles proceedings concerning people under the age of eighteen who are alleged to be delinquent, neglected, dependent, or traffic offenders. The court also has authority to terminate a parent's custody or rights to a child and appoint a legal guardian for a child. A person under eighteen who is brought before any other court for an alleged violation of a state or local law will be transferred to a juvenile court.

The goal of juvenile court is to help treat or rehabilitate minors rather than punish them. Therefore, juvenile court proceedings are informal and in most cases, private. Juveniles facing a delinquency hearing have certain rights; notice of the hearing, right to an attorney, proof "beyond a reasonable doubt," but have no rights to bail or a jury trial.

If found to be delinquent, the juvenile can be sent to a state institution for juvenile offenders, put on probation or sent to a halfway home or other program. In certain unusual cases, the juvenile court judge could, after a hearing on the matter, "**certify**" a juvenile to a regular adult court for trial. The judge would have to find that the juvenile system has no facilities to treat the minor, there is a threat to public safety if the juvenile is kept in the juvenile system, or the juvenile is unlikely to be helped by the juvenile system.

Probate Court

The probate division in a district court hears matters concerning the administration of the estates of deceased persons (with or without a will), guardianships, and mental commitment hearings.

Family Court

Family court is where some of the most difficult problems facing a family can be heard. This might be a dissolution of marriage, a separation, a marriage annulment, or an action for child support or visitation rights.

Conciliation Court

Conciliation court is sometimes called "**the people's court**" or in other states a "**small claims**" court. It is a division of district court that is limited to certain types of cases. A conciliation court only hears civil cases where the amount of damages is no greater than \$7,500. Lawyers are not needed because the parties themselves explain their case to the judge.

A person who loses in conciliation court can appeal to the district court for a completely new trial as if no earlier action had taken place.

APPELLATE COURTS

Minnesota Court of Appeals

A person who loses a trial at the district court level may appeal to the Minnesota Court of Appeals (in most cases, see below). This court was created by the Legislature in 1982 and is concerned primarily with correcting errors made by trial judges, not in making new law. Its task is to find the law, to state it, and then apply it to cases presented to it by the parties involved in the appeal from the lower court. It must hear all appeals from trial courts and administrative agencies, except those few matters that the Legislature has expressly reserved for the Supreme Court (such as first degree murder and election disputes).

Reasons for appeal include a party's claim that an error was committed by the judge or jury during the trial; a constitutional question was decided improperly; the law was interpreted incorrectly by the judge; or the decision was inconsistent with the evidence presented.

The Court of Appeals and the Supreme Court operate differently from the district courts in Minnesota. There are no trials in these two appellate courts, which means that there are no jurors, no presentations of evidence and no testimony from witnesses.

The Court of Appeals has nineteen judges (2010), who normally sit in panels of three judges. The composition of the panels rotates, so that from time to time different judges hear arguments and decide cases. While the court has its headquarters in St. Paul, the judges also travel around the state to hear arguments in the area where the trials were held. Each Court of Appeals judge is elected to a six-year term; vacancies occurring during a term are appointed by the Governor.

The process for an appeal begins with the filing of a **notice of appeal** with the clerk of the appellate courts in St. Paul. The parties must then submit **legal briefs**, which set out the legal basis for their argument.

After the briefs are completed, attorneys may present **oral arguments** to the appellate courts. Each lawyer is given a limited amount of time to express his or her position. The judges frequently question the attorneys about factual or legal matters, but the debate is restricted to the facts and records that were developed during the trial in the lower courts.

After oral arguments, the Court of Appeals panel hearing the case meets to discuss the merits of the case. A judge who represents the apparent majority viewpoint of the three judges is assigned to write the **opinion**.

The opinions will either **uphold the decision** of the lower court, or modify or **reverse** the lower court's determination. If reversed, the case often has to go back to the lower court for a new trial. By statute, the court must release its opinion within 90 days after oral argument or final submission of briefs.

Minnesota Supreme Court

The Supreme Court is the highest court in Minnesota. Like the Court of Appeals, the Supreme Court does not hold trials. Instead, it handles appeals from the Court of Appeals, the Workers' Compensation Court of Appeals and the Tax Court; first degree murder cases; and election contests. Unlike the Minnesota Court of Appeals, the Minnesota Supreme Court has discretion to decide which cases to hear (except for first-degree murder cases and election cases, which it must hear). If the Minnesota Supreme Court declines to hear a case, the decision of the Minnesota Court of Appeals is the final decision in that case. The Minnesota Supreme Court accepts review in about one of eight cases that seeks it.

The Supreme Court is composed of seven justices, who hear oral arguments in the Judicial Center in St. Paul. After the arguments, the Court confers about the merits of the case and one of the justices writes the opinion. The opinion circulates among all the justices, who may choose to agree with the

decision (which is called “*concurring*”) or disagree (which is called “*dissenting*”). A majority of the justices must concur with the opinion before it is released.

The opinions of the appellate courts are carefully written, since the decisions guide all of the state’s courts in the future. Once released, the opinions are saved for future reference.

The Supreme Court’s decision is the final decision in Minnesota. If someone disagrees with the Minnesota high court, he or she may appeal only to the United States Supreme Court and then only if a question of the United States Constitution is involved. Chances of the United States Supreme Court reviewing a case are slight, since that court considers only about 80 of the 10,000 cases that are appealed to it by people from all over the country.

The Minnesota Supreme Court is also responsible for overseeing the operations of the entire state court system, making plans to improve the judicial system, and monitoring the conduct of judges and lawyers. To complete these tasks, there is a state court administrator who is responsible for the management of the state courts.

Minnesota Supreme Court justices are elected on a statewide basis and serve six-year terms; vacancies occurring during a term are filled by appointments made by the Governor.

SPECIAL COURTS NOT IN THE JUDICIAL BRANCH

There are special courts that are created by state law to deal with only one technical area of the law. Rather than seen as part of the judicial branch, they are seen as *executive branch agencies*. These courts are the Tax Court and the Workers’ Compensation Court of Appeals.

Tax Court

Three judges, appointed by the governor to six-year terms with approval by the Minnesota Senate, serve on the Tax Court. They must be knowledgeable about taxes, but they do not have to be lawyers. The Tax Court hears non-criminal tax cases from all over the state. The Tax Court is located in St. Paul but hears cases in the locality where the taxpayer lives.

Workers’ Compensation Court of Appeals

Five judges, appointed by the governor to six-year terms with the approval of the Minnesota Senate, hear workers’ compensation cases that are appealed from compensation hearings or that are transferred from district court. Judges must be lawyers. They have offices in St. Paul and hear cases there or elsewhere in the state. Workers’ compensation cases include issues that arise when workers are injured while on the job.