

Agenda
DR calendar training
July 26, 2017

1. FCEP Overview

- a. Types of cases
- b. Philosophies & goals
 - Providing Ps & kids with financial relief allowed by statute, but not consistently provided due to time constraints on "standard" DA calendars;
 - Providing for custody & PT arrangements that protect the safety & well-being of Ps & their children;
 - Holding offending parent accountable for his/her abusive behavior; and
 - Establishing least restrictive parenting time arrangement considering the above priorities.

2. DR scheduling

- a. DASC does most DA/DR scheduling
- b. Parties have a joint minor child AND:
 - either party files a petition, amended petition, motion, or amended motion requesting temporary custody/ parenting time, child support, spousal maintenance, programming (counseling, treatment or other services)
 - respondent files request for hearing.
 - if children live with the respondent/ perpetrator and a non-parent is claiming a relationship to the children in petitioner or subsequent pleading.
 - All other cases are scheduled on the DA calendar.
- Note: General timelines:
 - Initial setting: 3-7 days (NEVER more than 7)
 - SAMS: minimum 14 days
 - Amend: minimum 18 days
 - Extend: minimum 7 (should ensure that order won't expire)
 - Dismissal: typically 7 days (flexible) also P v. R
 - Request for Hearing: must be set within 10 days of request, must give petitioner 5 day notice

- Note: Admin is directed to overbook DR over scheduling DR cases on DA calendar.
 - Note: incorrect calendar assignments
3. **New calendar scheduling:** Monday, Tuesday, Thursday
- a. DR 1: 3 cases at 8:45 a.m. and 2 cases 9:45 a.m.
 - b. DR 2: 3 cases at 9:15 a.m. and 2 cases 10:15 a.m.
4. **Case prep**
- a. Context – looking for:
 - Related family cases (dissolution, custody & parenting time, CS)
 - Possible reassignments – *communication with other chambers*
 - Juvenile cases (CHIPS and TPR)
 - Related criminal cases (current or past violent crimes between the parties)
 - DANCOS
 - Former OFPs or HROs between the parties
 - b. Relating cases in MNCIS
5. **Order prep**
- a. Why prep orders?
 - Time management
 - Familiarize yourself/JO with facts/issues
 - Allows for other clerks/JOs to assist in coverage if needed
 - b. What order(s) to prep
 - c. What form orders to use
 - *Note:* Current templates ensure necessary information required by the Law Enforcement Information System is included. All amended orders should include updated language.
6. **Review form orders**
- a. OFP after hearing
 - b. "Protect" and "unprotect" document
 - c. Options – agreement/evidentiary hearing
 - d. Custody & parenting time options - findings
 - e. No "as ordered in family court file" language
 - f. Support options - findings
 - g. No contact exceptions
 - h. Custody & parenting time options – order
 - i. Supervised parenting time
 - j. Support – AIW
 - k. Programming

- l. Review hearings
 - 1. Under what circumstances
 - 2. Timing of review hearing
 - 3. Where to wait
 - 4. Petitioners appearances by phone
 - 5. Respondents failure to comply
- m. Dismissals

7. The calendar

- a. Lync – who runs chat
- b. Managing the calendar (attachment 2)
- c. MWR considerations/concerns
- d. 1 clerk/2 clerks – options
- e. E-sign or physical signature

8. Central Minnesota Legal Services (CMLS)

- a. Meet with victims day of hearing
- b. 1 attorney, 1 staff person for each day
- c. Impact on calendar management

9. GALs

- a. Call parties to courtroom first
- b. Review options
- c. Explain role of GAL to parties
- d. Role & appointment order
- e. Contact GAL
- f. Coordinate next hearing date
- g. Serve parties with appointment order

10. Case assignment

- a. All cases heard on the DR calendar should be assigned to the JO who heard the calendar unless:
 - The cases is already assigned to a different JO
 - Case is continued for any reason except an evidentiary hearing or GAL appointment
 - The case is dismissed
- b. Reciprocal cases
- c. Companion cases
- d. Chambers responsibility to notify admin if JO wants assignment

- e. Post-order motions (motions, extends, amends, etc.) should be scheduled by admin on an upcoming DR calendar being heard by the assigned JO.
 - **Note:** For motions with a check in the "emergency" box needing to be set within 7 calendar days or if there is no upcoming calendar being heard by the assigned judicial officer that meets the timelines of the matter being scheduled, FC Administration will call the chamber for a hearing date and time.

11. Opening v. Reopening cases

12. Amending orders

- a. Option: cross out, bold, and italicize
- b. Better practice: new order with amendments applicable to review hearing

13. After the calendar

- a. Faxing copies of Orders to Sheriff/Police Departments – why?
 - **Not** for service purposes – solely for immediate notification to law enforcement agencies that an order has issued, amended, dismissed
- b. Service – **All** orders must be personally served, except Orders for Dismissal (certified mail)
 - Personal service by sheriff, if parties aren't served by clerk or in MWR
- c. Dispositions