



MINNESOTA JUDICIAL BRANCH COMMITTEE FOR EQUALITY AND JUSTICE

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

January 2025

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

January 2025	1
Introduction	3
Recommendations, Actions Taken, and Comments	4
1. Arrest/Charging/Forfeiture	4
2. Victim Services	5
3. Bail and Pretrial Release	5
4. Plea Negotiations	8
5. Juries	8
6. Trials.....	16
7. Presentence Investigations.....	19
8. Sentencing.....	20
9. Crimes Motivated by Bias	21
10. Interpreters	22
11. Law Enforcement.....	31
12. Juvenile and Family Law	31
13. Juvenile Delinquency	34
14. Access to Representation and Interaction, and General Civil Process	36
15. Minnesota Bar Examination.....	40
16. Judicial Education	41
17. Building Cultural Diversity in the Justice System Workplace	41

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Introduction

“Recognizing that actual bias and the perception of bias are severely damaging to the courts, the 1990 Minnesota Legislature and the Supreme Court undertook to examine the extent to which racial bias exists throughout the state’s judicial system. In December 1990, Chief Justice A.M. (Sandy) Keith signed an order creating the Minnesota Supreme Court Task Force on Racial Bias.”¹

After the report was released, the Supreme Court established the Racial Fairness Implementation Committee, chaired by Justice Alan Page, to carry out the recommendations of the task force. In 2010, the Racial Fairness Implementation Committee was sunset, and the Committee for Equality and Justice (CEJ) was established “to advance efforts to eliminate bias from court operations, promote equal access to the court, and inspire a high level of trust and public confidence in the Minnesota Judicial Branch”, including continuing the work of the Racial Fairness Implementation Committee.

The CEJ tracked the actions taken by the judicial branch in response to the [1993 Racial Bias Task Force \(Task Force\) Report](#) in a “Racial Bias Task Force Grid” that was periodically updated and published on the CEJ website. This response is an update on the judicial branch’s work to specifically address the recommendations from the 1993 Task Force (hereinafter the 1993 Report). It is a summary of the work and may not reflect every action taken over the last thirty years and does not intend to state, even in areas marked complete, that work on these efforts will stop. See [Administrative File Archive, File C8-90-2693](#).

¹ Excerpted from the 1993 Minnesota Supreme Court Task Force on Racial Bias in the Judicial System Final Report, May 1993, available at www.mncourts.gov/Minnesota-Judicial-Council/CEJ.aspx.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Recommendations, Actions Taken, and Comments

1. Arrest/Charging/Forfeiture

Arrest/Charging/Forfeiture Recommendation

“The [Minnesota] Supreme Court, through a future Community/Law Enforcement Relations Commission, should conduct a statewide study of all law enforcement and county and/or city attorney offices' arrest and charging policies and procedures to determine if people of color are disproportionately arrested and charged on an insufficient basis.” (1993 Report, pg. 14-15).

Action Taken

On March 1, 1996, the Board of Peace Officers Standard and Training released a model policy regarding the professional conduct of peace officers developed in response to a 1995 legislative mandate based on the Task Force recommendations.

Since 2001, the judicial branch has required self-reported race data collection in all criminal, delinquency, CHIPS, and traffic cases with a court appearance. There is a separate performance measure reviewing race data collection response rates by county, district, and statewide. Minnesota Judicial Branch Policy 902. CEJ staff shared information with each judicial district on available race data, collection rates, adult criminal filings and dispositions, and defendants in pretrial custody throughout FY16-17 at Equal Justice Committee (EJC) meetings, court administrators' meetings and/or bench meetings.

CEJ staff provided a statewide overview of race data collection rates for the Judicial Administrators and Directors (“JAD”) in March 2015 to encourage courts to obtain race data collection rates of at least 90%. (2015 Diversity and Inclusion Report.)

By Executive Order (16-09) issued October 12, 2016, Governor Mark Dayton established the Council on Law Enforcement and Community Relations. This council is charged with independently reviewing quantitative and qualitative data and making policy recommendations to the governor and legislature that will lead to substantive changes, strengthening police and community relations.²

² Additionally, in March 2018, the Minnesota Advisory Committee to the U.S. Commission on Civil Rights issued a report entitled, “Civil Rights and Policing Practices in Minnesota” detailing civil rights concerns associated with police practices in Minnesota.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

A report with recommendations was issued on September 29, 2017:

<https://www.lrl.mn.gov/docs/2017/other/170940.pdf>

Comments

According to the Minnesota Attorney General's office there are no additional orders, work, or task forces developed on data collection pursuant to the recommendations in the report. The Minnesota County Attorneys Association (MCAA) does not track or collect any of the data for county attorneys either.

2. Victim Services

Victim Services Recommendation

"The [Minnesota] Supreme Court should require all judges, court administrators, clerks, probation officers, attorneys and other court personnel to receive training on victims' rights as well as cultural diversity training." (1993 Report, pg. 19).

Action Taken

In 1992, the Minnesota legislature passed Minnesota Statute section 480.30, which requires, in part, that the Supreme Court's judicial education program include ongoing training for district court judges on civil and criminal court issues, including information about the specific needs of victims. Minn. Stat. § 480.30, subd. 1(1) (1992).

As of July 2017, [Minnesota Judicial Council Policy 400: Human Resources and Development](#) requires diversity education for all judicial officers and judicial branch employees.

Comments

Organizations, such as the Hennepin County Attorney's Office, have long-standing victim advocacy training. The Minnesota Attorney General's Office is also a programming resource.

3. Bail and Pretrial Release

Bail and Pretrial Release Recommendation (a)

(a) "Prosecutors, judges, and bail evaluators should be mandated to attend cultural diversity training as well as special skills training in the area of racially and culturally neutral bail determinations." (1993 Report, pg. 26).

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Action Taken

The Judicial Education Program must include training for judges, judicial officers, and court operations personnel on how to ensure their bail evaluations and decisions are racially and culturally neutral.

As of July 2017, [Minnesota Judicial Council Policy 524: Pretrial Release Evaluation](#) requires diversity education for all judicial officers and judicial branch employees.

Bail and Pretrial Release Recommendations (b) and (c)

(b) “The Hennepin County Pretrial Services Point Scale should be used by prosecutors, judges, and bail evaluators as a model in developing neutral presentence tools *based upon* factors which relate only to pretrial failure to appear and risk of pretrial crime.” (1993 Report, pg. 27; emphasis in original).

(c) “Each county should be required to conduct bail evaluation/supervisory release studies.” (1993 Report, pg. 27).

Action Taken

Under Minn. Stat. § 629.74, Judicial Council approves Pretrial Evaluation Forms to be used in each county.

[Minnesota Judicial Council Policy 524: Pretrial Release Evaluation](#), adopted by Judicial Council in 2018 (effective March 1, 2018, and January 1, 2019).³

Policy 524 requires that judges use evidence-based assessment of risk in setting pretrial release conditions and shall presumptively use non-financial release conditions to the greatest degree consistent with evidence-based assessment of flight risk and threat to public safety and to victims of crimes. All counties statewide except Anoka, Cass, Hennepin, Sherburne, and Wright, which opted out, are required to use the Minnesota Pretrial Assessment Tool (MNPAT). The MNPAT will be validated through the State Court Administrator’s Office to promote consistent risk analysis. The 5 counties that opted out of using the MNPAT have adopted alternative tools that meet the statewide standards. Alternative tools require approval from the Judicial Council. Districts or counties using an alternative tool are required to meet the statewide standards for validation.

³ The effective date was staggered to allow for training and implementation of the validated risk assessment tool in 2018

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Information on the Pretrial Release Initiative can be found on the website at:

<https://www.mncourts.gov/GovernmentPartners/Pretrial-Release-Initiative.aspx>

Comments

The Racial Fairness Committee’s recommendation that a branch-wide review of evidence-based practices used in making pretrial release decisions take place, was adopted, and included in the judicial branch’s FY14-15 Strategic Plan. (2013 Diversity and Inclusion Report).

The Judicial Council, through the FY14-15 Minnesota Judicial Branch Strategic Plan, directed the CEJ to study evidence-based tools for use in making pretrial release decisions statewide. The purpose of the study was to provide information that would lead to a greater understanding of: (1) Statewide pretrial release practices; (2) The use of risk assessment tools; and (3) Studying pretrial release outcomes impacted by race or gender.

The State Court Administrator’s Office (SCAO), Court Services Division, Research and Evaluation Unit conducted the study with assistance from representatives from the Minnesota Department of Corrections, the Fourth Judicial District’s Research Division, the Robina Institute at the University of Minnesota, and Arrowhead Regional Community Corrections. Members of the CEJ served on the Pretrial Release Project Advisory Workgroup. (2014 Diversity and Inclusion Report).

See also Priorities and Strategies. Focus on the Future. (Minnesota Judicial Council FY18-19 Strategic Plan).

A MNPAT Validation Study was completed in 2023. The [Final Report](#) of the Validation Study, with recommendations, was reviewed by Judicial Council at the [January 19, 2023, meeting](#). Based on the recommendations, a new Minnesota Pretrial Release Evaluation Form and Pretrial Risk Assessment Tool – Minnesota Pretrial Release Evaluation Form and Assessment Tool – Revised (MNPAT-R) was adopted, effective January 1, 2024. A [Fast Facts](#) on the MNPAT-R is available on the judicial branch webpage. More information can also be found at [Pretrial Release Initiative](#) judicial branch webpage.

Bail and Pretrial Release Recommendation (d)

(d) “The [Minnesota] Supreme Court Advisory Committee on Rules of Criminal Procedure should amend Rule 6.02 to expressly authorize the posting of a refundable ten percent (10%) of the face value of an unsecured bond to the court. This procedure would be consistent with the federal system and Rule 341(g)(2) of the Uniform Rules of Criminal

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Procedure (1987) and Standard 10-5.3(d) of the American Bar Association Standards for Criminal Justice (1985).” (1993 Report, pg. 27).

Action Taken

While Rule of Criminal Procedure 6.02 does not expressly authorize the posting of a refundable ten percent (10%) of the face value of an unsecured bond to the Court, the Supreme Court Advisory Committee on Rules of Criminal Procedure did address this issue in the Comments to Rule 6.⁴ https://www.revisor.mn.gov/court_rules/cr/id/6/

4. Plea Negotiations

The 1993 Report did not identify any actions for the Minnesota Judicial Branch to take with respect to plea negotiations.

5. Juries

Juries Recommendation (a)

(a) “Jury Management Rules should be amended to require that source lists for juries be expanded to include tribal eligible voter lists and lists of recently naturalized citizens.” (1993 Report, pg. 36).

Action Taken

While the rules have not been amended to "mandate" supplemental lists, the Research and Information Technology Office (RITO) of the Minnesota Supreme Court studied the requirements for supplemental source lists and inquired about the availability of certain lists.⁵

⁴ In the comments to Rule 6, the Minnesota Supreme Court Advisory Committee on Rules of Criminal Procedure stated, “Rule 341(g)(2) of the Uniform Rules of Criminal Procedure (1987) and Standard 10-5.3(d) of the American Bar Association Standards for Criminal Justice (1985) provide for release upon posting of ten percent of the face value of an unsecured bond and upon posting of a secured bond by an uncompensated surety. Although Rule 6.02 does not expressly authorize these options, the Rule is broad enough to permit the Court to set such conditions of release in an unusual case. If the ten percent cash option is authorized by the District Court, it should be in lieu of, not in addition to, an unsecured bond, because there is generally no reasonable expectation of collecting on the unsecured bond and the public should not be deluded into thinking it will be collected. The Court should consider the availability of a reliable person to help assure the defendant's appearance.”

⁵ The work previously performed by the Minnesota Supreme Court’s Research and Information Technology Office has since shifted to several individual divisions and units with the Minnesota Judicial Branch’s State Court Administrator’s Office. The Minnesota State Jury Source List: Creation, Questions, Standards, Aspirational Goals, Historical Background, The Minnesota Jury Rule 803 Committee, Susan Jennen Larson,

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

In 2007-2008, the feasibility of supplementing the Juror Source List with the tribal lists was explored and analyzed. The findings of this effort revealed that nearly all jury-eligible tribe members on the lists had a Minnesota driver's license or were government ID holders. Therefore, adding tribal lists would result in a duplication of names already included in the Juror Source List. In addition, some tribes were not willing to share tribal member lists for this purpose. This effort was not pursued further.

Comments

[The 2020-2021 CEJ Study on Jury Race Data](#) did not find a significant disparity in the representation of Native Americans throughout each stage of the jury selection process.

Juries Recommendation (b)

(b) "Public education programs should be promoted to increase awareness about the purpose and function of the grand and petit juries." (1993 Report, pg. 36).

Action Taken

A jury orientation video was produced and released in 2003 with a minor update in 2012. In 2019, a new jury orientation video was created to better reflect Minnesota's diversity. The judicial branch's Jury Handbook was also updated in 2019.

The Minnesota Jury Commissioners have:

- Met with Hmong elders to discuss jury duty and answer questions
- Made copies of the jury orientation video available to community groups
- Participated on cable access and radio programs to explain the importance of jury service
- Prompted newspaper articles
- Distributed brochures to local community centers
- Sponsored education in local high school civics classes.

The judicial branch developed a webpage, <http://mncourts.gov/Jurors.aspx> with information tailored to jurors and jury service.

Comments

Minnesota Supreme Court (RITO), Lois McBride, Minnesota Supreme Court (RITO), and Wayne Minske, Hennepin County (September 1997, Revised August 1998) (approved by Minnesota Jury Commissioners (Judicial District Administrators or their designees) and The Minnesota Conference of Chief Judges (now called Minnesota Judicial Council.)

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

The judicial branch's website is regularly updated with jury information and materials. Most recently, information about juror accommodations and an accommodation request form was added, as well as cautionary warnings about jury scams and what to do about them.

Jury materials are regularly provided (upon request) to schools, for courthouse open house events, conferences, or to whomever requests them.

Each year, the Jury Management Resources Team ("JMRT") launches 'Law Day' campaigns and puts out news releases to the public about jury service.

The [2020-2021 CEJ Study on Jury Race Data](#) recommends targeted community outreach including, but not limited to:

The importance of providing race data and why the judicial branch needs race information;

Information on how to get on the source list; and

Information on how to ensure that your current address is accurate and the importance of doing so.

Juries Recommendation (c)

(c) "The trial courts should educate themselves about the U.S. Supreme Court *Batson* decision and related cases, with an eye toward strict enforcement regarding peremptory challenges. Because of the cultural diversity of our community and bias held by many members of the community, lawyers should be given ample opportunity to inquire of jurors as to racial bias." (1993 Report, pg. 37).

Action Taken

In 1994, the Minnesota Rules of Criminal Procedure were revised to address *Batson* challenges.

All ten judicial districts received training on handling *Batson* challenges to jurors. ([1999 Race Bias Task Force Progress Report.](#))

The Honorable Tammi A. Fredrickson New Judge Orientation Program, designed for newly appointed and elected judicial officers, incorporates a *Batson* challenge section.

Comment

[The 2020-2021 CEJ Study on Jury Race Data](#) found that under-representation of certain communities of color on seated juries generally stems from under-representation among those who report for jury duty, not from disproportionate impacts during voir dire.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Juries Recommendation (d)

(d) “Measures should be adopted to decrease the impact of hardships on potential jurors. For example, judicial districts should pay for drop-in daycare for jurors who normally are not daycare users.” (1993 Report, pg. 37).

Action Taken

In 1994, to help reduce daycare hardships on potential jurors, the Legislature appropriated funds to increase juror per diem from \$15.00 per day to \$30.00 per day. This was a follow-up to the 1993 legislation, which provided funds for juror daycare reimbursement. These legislative initiatives were undertaken to achieve greater representation on juries. Due to a later, statewide financial downturn, the jury per diem was reduced.

Under Minn. Stat. § 480.182(7) the state courts are required to pay jury program costs. Juror pay rates are established in [Minnesota Judicial Council Policy 509: Jury Management](#). The most recent policy change was effective: July 1, 2016:

- Juror per diem pay was increased from \$10.00 to \$20.00 for each day they report to the courthouse.
- Juror mileage reimbursement for roundtrip travel to the courthouse was increased from \$.27 per mile to \$.54 per mile.
- Daycare reimbursement was also expanded to include daycare for a disabled adult family member
- Jurors who care for their children or a disabled family member during the day can be reimbursed for daycare expenses up to \$50.00 per day in addition to other fees paid. Under the State of Minnesota guidelines, there are two levels of daycare reimbursement:
 - One - Licensed Daycare: Actual expenses, not to exceed \$50.00 per day of service per family, not per family member; and
 - Two - Non-Licensed Daycare: Actual expenses up to \$5.00 per hour, not to exceed \$40.00 per day of service per family.

During the 2024 legislative session, the judicial branch requested funding to increase the juror per diem from \$20.00 per day to \$100.00 per day. Although this funding request was not granted, the judicial branch remains committed to working to increase jury payment rates.

Comments

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

- Juror pay information is on the website under the [FAQ tab of the Juror website](#).
- The judicial branch currently does not collect financial information regarding jurors.

Juries Recommendations (e), (f), and (g)

(e) “Chief Judges should ensure that jury commissioners collect racial information on people responding to the jury summons as required by the Jury Management Rules.” (1993 Report, pg. 37).

(f) “The Minnesota Supreme Court should amend the Jury Management Rules to require Jury Commissioners to collect racial information on people granted excuses and deferrals, reporting for jury duty, selected for voir dire panels and seated on juries.” (1993 Report, pg. 37).

(g) “Judges and District Court Administrators should be provided annual demographic information for their Districts so that they can compare their jury pools to their District’s population. The State Court Administrator should be required to set a minimum percentage of people of color for jury pools based upon the racial composition of each District. These minimum percentages should be submitted annually to the Supreme Court for review.” (1993 Report, pg. 37).

Action Taken

The Jury Management Rules address race data collection at Minnesota General Rule of Practice 807(d)(3).

In February of 1994, RITO and the Minnesota Land Management Information Center provided state and county demographic data to each county using the 1990 federal census.

The Conference of Chief Judges met on June 16, 1995, and adopted mandatory language for collecting race demographics on the juror summons and questionnaire.

Race information has since been collected on the Juror Summons and Questionnaire, and updated census information is used to compare the population to the collected jury race data.

Judicial Council Policies also address the collection and study of juror race data:

- Pursuant to [Judicial Council Policy 505.2](#): Key Results and Measures (adopted in 2005 and updated periodically), Judicial Council annually reviews jury race data and the data is published in the annual [Performance Measures report](#).

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

- Pursuant to [Judicial Council Policy 509: Jury Management](#), the judicial branch will ensure that the jury pool is representative of the population from which the jury is drawn.

No action was taken to set a minimum percentage of people of color for jury pools. See the entry relating to recommendation (h) below for additional information and explanation.

Comments

Minnesota Jury Commissioners continue to work to improve demographic information and jury statistics.

In FY18, only 1% of the statewide reporting jurors opted out of completing the demographical section of the qualification questionnaire.

The [2020-2021 CEJ Study on Jury Race Data](#) recommends:

- That SCAO study whether additional steps can be taken to obtain race data where it may have otherwise not been disclosed or may have been refused, and
- That SCAO consider and recommend amendments to the General Rules of Practice that would ensure a fair cross section of Minnesotans are serving on juries across the state. For example, Rule 806(e) should be amended to require the Jury Commissioner to review the Jury Source List every year (rather than every four years) for its inclusiveness.

The Third Judicial District is conducting a pilot that includes providing translated materials and additional information regarding the need for juror race data.

Juries Recommendation (h)

(h) “[On a pilot project basis,] [t]he Minnesota Supreme Court should amend the Jury Management Rules to allow Hennepin and Ramsey County District Courts to adopt new jury selection procedures that will guarantee minority representation on the Grand Jury equal to the percentage of the minority adult population of each judicial district as measured by the most recent census. This pilot project would allow jurors to be randomly selected as required under the current rules, unless there are no people of color among the first 21 grand jurors selected. The selection process should continue until at least two out of the 23 grand jurors are people of color, thereby proportionately reflecting the minority population in Hennepin or Ramsey Counties. (In May 1993, the Fourth Judicial District, Hennepin County, overwhelmingly approved the adoption of the Grand Jury Pilot Project.)” (1993 Report, pg. 37).

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Action Taken

In 1994, the Supreme Court authorized Hennepin and Ramsey Counties to adopt new jury selection procedures that guarantee minority representation on the Grand Jury equal to the percentage of the minority adult population of each judicial district as measured by the 1990 census. The judicial districts must report back to the Supreme Court in two years on the impact of the new procedures. ([1994 Implementation Committee Progress Report](#)); ([1999 Race Bias Task Force Progress Report](#).)

Hennepin County created a policy that guarantees minority representation on grand juries. ([April 2002 Race Bias Task Force Progress Report](#).)

2017: The Mille Lacs County court worked on following up with individuals when jury summonses are sent out to help achieve appropriately diverse jury pools. This process stemmed from not seeing a proportional number of Native Americans on the juries, despite a nearby reservation with a large Ojibwe population.

Comments

Discontinued. In researching background for the [2020-2021 CEJ Study on Jury Race Data](#), it was discovered that this pilot project was never implemented due to equal protection concerns. See *Hennepin County v. Perry*, 561 N.W.2d 889, 896-897 (1997).

Juries Recommendation (i)

(i) “The State Court Administrator's Office should undertake an analysis to determine the nature of problems that may be barriers to minority jury participation and propose appropriate steps to rectify them.” (1993 Report, pg. 37).

Action Taken

Minnesota continues to follow National Center for State Court’s (NCSC) best practices to address these issues. See www.ncsc-jurystudies.org.

In November 2024, the Minnesota Judicial Council discussed the establishment of a Jury Task Force. The purposes of the Task Force are to increase efforts to encourage jury participation and survey targeted communities to identify barriers in jury service.

Comments

The [2020-2021 CEJ Study on Jury Race Data](#) recommends that SCAO further study the effect of potential jurors who do not report for service on the representativeness of the jury pool and make recommendations to improve the system.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Juries Recommendation (j)

(j) “The [Minnesota] Supreme Court should require that the juror summons and qualification form be written in plain English.” (1993 Report, pg. 37).

Action Taken

The Supreme Court phased in a requirement that juror summons and qualification forms be written in plain English. ([1994 Implementation Committee Progress Report.](#))

Minn. Gen. R. Prac. 807(b)(2) requires that the juror summons and questionnaire shall be “phrased so as to be readily understood by an individual unfamiliar with the legal and jury systems.”

Comments

The juror summons and qualification questionnaire has been updated periodically. The current form is available in [Appendix A to the State Jury Administration Plan](#). Jurors may complete the questionnaire online on the website: <https://mncourts.gov/jurors.aspx>.

Juries Recommendation (k)

(k) “The State Court Administrator's Office should implement outreach programs for employers to encourage payment of employees' salaries during jury service.” (1993 Report, pg. 38).

Action Taken

A 2015 Juror Compensation Survey was conducted, the results of which found that most employers have policies that pay employee’s regular salaries while serving on jury duty.

Comments

Making this mandatory would require legislation.

As of research conducted in 2019 by the Minnesota House Research Committee, jury leave payment is still not required: <https://www.house.leg.state.mn.us/hrd/pubs/ss/ssjury.pdf>

The judicial branch does not collect financial information regarding jurors. In the 2024 legislative session, Minnesota Statutes 593.50, subd. 1, was amended to provide “An employer must release an employee from the employee's regular work schedule, including any shift work, to permit the employee to attend court for prospective jury service. An employer must not require an employee to work an alternative shift on any day the juror is required to report to the courthouse for jury service.”

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

6. Trials

Trials Recommendation (a)

(a) “The [Minnesota] Supreme Court, through the Implementation Committee, should require cultural sensitivity training for judges, prosecutors, private defense attorneys, public defenders, law clerks, bailiffs, and other court personnel.” (1993 Report, pg. 43).

Action Taken

Since 1996, Supreme Court rule requires that attorneys report 2 hours of approved courses in the elimination of bias every 3-year reporting period.

The CEJ developed an Implicit Bias Bench Card for use by judicial officers. The purpose of the bench card is to build awareness of and address the potential for unconscious bias at various decision points in the court process. The bench card was distributed statewide to judges in 2015.

The CEJ recommended to the Judicial Council to add diversity and inclusion education requirements to the judicial branch Education Policy, resulting in one hour of such education per year for all judicial officers and employees. This was approved effective July 1, 2017.

As of July 2017, [Judicial Council Policy 400: Human Resources and Development](#) requires diversity education for all judicial officers and judicial branch employees. In May 2023, the Minnesota Judicial Council added Diversity, Equity, and Inclusion (DEI) to the list of core values that are identified as part of the Judicial Branch’s mission, vision, and strategic plans.

Judges and referees have received training in domestic violence.

New judges, experienced judges, and court administration leadership have received implicit bias training.

Judicial officer trainings have also been conducted to address cultural competence, sexual orientation, and gender identity issues.

Available judicial officer and court employee trainings include:

- Judicial officer training:
 - Annual Conference of Judges
 - Bridging the Gap for Senior Judges
 - New Judge Orientation

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

- Judicial officer and court employee training: “Cultural Perspectives”, 200-300 attendees in each live session since 2008.
- Court employees: “Why Diversity Matters” became required as a part of the New Employee Orientation (2008 - 2023). Approximately 100 new and existing employees attend per session. This program was revised and replaced by “Creating an Inclusive Workplace” in 2023 (2023 – present).

Comments

The State Law Library has held many diversity and inclusion-related courses over the last few years.

Cultural Perspectives courses are 90 to 120 minutes long and are offered at least four times per year. The courses are recorded for future viewing as well. Continuing judicial education (CJE) and continuing legal education (CLE) elimination of bias credits are offered.

“Why Diversity Matters” and “Creating an Inclusive Workplace” are 90 minutes long and are interactive, live sessions offered multiple times per year.

Trials Recommendation (b)

(b) “More minority judges must be appointed to the Bench.” (1993 Report, pg. 43).

Action Taken

In 1992, only five percent of judges were people of color. The Commission on Judicial Selection has made important efforts to encourage more women and diverse candidates to apply for judicial vacancies. Since 2011, the diversity of Minnesota’s judicial officers has increased by almost 100%. 82% of all the Hispanic judges in Minnesota have been appointed during this time. In Hennepin County, racial diversity has increased by 157% since 2011. Achieving racial diversity in Greater Minnesota has been more difficult, but efforts continue. Since the Task Force report was issued, there have been some notable landmark appointments; Justice Wilhelmina Wright, the first African American woman appointed to the Supreme Court⁶, Justice Anne McKeig, Chief Justice Natalie Hudson, the first African American Chief Justice in Minnesota, the state’s first Native American woman appointed to the Supreme Court, and Judge Peter Reyes, the first Latino/a appointed to the Court of Appeals. Since 2011, of the 2,132 Minnesotans who applied for judicial

⁶ The first-ever African American serving on the Minnesota Supreme Court was Justice Alan C. Page, who ran in 1992 and won the election following preliminary litigation over his right to be included on the ballot. Page v. Carlson, 488 N.W.2d 274 (Minn. 1992).

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

vacancies, 59.52% were male to 40.48% female; 84.76% were Caucasian; 4.83% were African American; 3.33% were Asian; 2.82% were Hispanic; and 1.27% were Native American. Contrast these statistics with 2016 Lawyers Registration Data, which shows that, among those who responded, 79.45% of attorneys in Minnesota are white, with the second-largest share dropping dramatically to 2.3% Asian/Pacific Islanders, followed by 1.85% for African Americans; 1 for Hispanic/Latinos; and 0.42% for Native Americans.

Comments

This effort is ongoing, requiring direct contact with the Governor's Office and Judicial Selection Commission to ensure continued diversification of the Bench.

Trials Recommendation (c)

(c) "Each [D]istrict, through the efforts of the [C]hief [J]udge, should familiarize itself with the state court system's racial harassment policy and disseminate this information to court personnel and others who come in contact with the court system." (1993 Report, pg. 44; footnote omitted).

Action Taken

[Judicial Council Policy 304: Discrimination and Harassment Policy](#) became effective in 2006 and was amended in August 2018. It includes a detailed complaint procedure and addresses all forms of potential harassment and discrimination including sexual harassment. This policy is covered in new employee orientation. A question-and-answer document accompanies the policy.

Comments

Training opportunities are ongoing for both judges and court staff.

Trials Recommendation (d)

(d) "The [Minnesota] Supreme Court, through the [1993 Report] Implementation Committee⁷, should require all courts to be more vigilant on issues concerning race, including, but not limited to, the following:

- a. Eliminating and discouraging racially disparaging remarks made in the courtroom and in chambers.

⁷ This Implementation Committee subsequently became known as the Minnesota Judicial Branch's Committee for Equality and Justice.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

b. *Batson* challenges

The Supreme Court, through the Implementation Committee, should create a process to address complaints about issues of race involving the judiciary.” (1993 Report, pg. 44).

Action Taken

- As of July 2017, [Judicial Council Policy 400: Human Resources and Development](#) requires diversity education for all judicial officers and judicial branch employees.
- In 1994, the Minnesota Rules of Criminal Procedure were revised to address *Batson* challenges.
- All ten districts received training on handling *Batson* challenges to jurors. ([1999 Race Bias Task Force Progress Report.](#))
- Initial training for new judges incorporates a *Batson* challenge section.
- There are resources on the judicial branch website for filing a complaint against a judge: <https://mncourts.gov/Help-Topics/Lawyer-and-Judge-Regulation.aspx>.
- The information for filing a formal complaint against a judge with the Board of Judicial Standards is public information: <http://www.bjs.state.mn.us/>.
- Individual districts may also have local forms and procedures available to address these issues.

Comments

Training opportunities are ongoing for both judicial officers and court staff. Efforts continue to ensure that diversity, equity, and inclusion topics are also covered in new judge training.

7. Presentence Investigations

Presentence Investigations Recommendation

“The [Minnesota] Supreme Court should encourage the creation of more culturally specific treatment programs, and probation officers and judges should be encouraged to divert appropriate people of color into such programs.” (1993 Report, pg. 48).

Action Taken

Treatment program content is outside the purview of the judicial branch.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

District courts and tribal courts have partnered to establish several treatment courts across the state: <https://mncourts.gov/Help-Topics/Treatment-Courts.aspx>.

Other treatment courts include tribal representation as part of the treatment court team.

The MSGC ([Minnesota Sentencing Guidelines Commission](#)) studies and publishes data on probation revocation rates by race.

See [2020-2021 Committee for Equality and Justice Study on Probation Revocations and Recommendations](#). Counties and districts continue to analyze this data and take steps to address the issue.

8. Sentencing

Sentencing Recommendation (a)

(a) “Judges and probation officers should be mandated to attend cultural diversity training as well as special skills training in the areas of racially and culturally neutral sentencing determinations.” (1993 Report, pg. 58).

Action Taken

As of July 2017, [Judicial Council Policy 400: Human Resources and Development](#) requires diversity education for all judicial officers and judicial branch employees. Probation Officers are not within the judicial branch purview.

Sentencing Recommendation (b)

(b) “Each judicial district should implement a continuing program for diversion for first time drug offenders into treatment. For people of color, when possible, the treatment should be culturally specific/sensitive. Monitoring should be done by the Chief Judge of the judicial district with periodic reporting to the [C]hief [J]ustice.” (1993 Report, pg. 59).

Action Taken

In 1993, the Minnesota Legislature passed Minnesota statute section 401.065, which required that, by July 1, 1994, every county attorney of a county participating in the Community Corrections Act shall establish a pretrial diversion program for adult offenders.

Pursuant to Minnesota Statutes Section 152.18, a court may defer prosecution on certain drug offenses.⁸

⁸ The offenses that qualify are Minn. Stat. § 152.023, subd. 2; Minn. Stat. § 152.024, subd. 2; Minn. Stat. § 152.025, subd. 2; and Minn. Stat. § 152.027, subd. 2, 3, 4, or 6.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Comments

Minnesota statutes do not indicate culturally specific treatment.

Sentencing Recommendation (c)

(c) “The State Court Administrator's Office, in conjunction with the Sentencing Guidelines Commission, should study and evaluate sentencing disparities in order to identify and recommend ways to eliminate those based on race.” (1993 Report, pg. 59).

Action Taken

Pursuant to Minn. Stat. § 244.09, subds. 6, 11, and 14, the MSGC is mandated to prepare and submit a report to the legislature. Race data is included as part of this report.

SCAO and MSGC presented information, including major criminal filing trends and felony sentencing data, at the July 11, 2013, CEJ meeting.

In 2013, the State of Minnesota Council on Black Minnesotans prepared a report entitled, “Disparity Analysis: A review of disparities between White Minnesotans and other racial groups.” Racial Disparities in the Minnesota Criminal Justice System, Perry L. Moriearty, University of Minnesota Law School Robina Institute.

The MSGC studies and publishes data on sentencing and probation revocation rates by race.

See 2020-2021 CEJ Study on Probation Revocations and Recommendations. Counties and districts continue to analyze this data and take steps to address the issue.

The judicial branch has [Data Dashboards including case filings by race](#).

9. Crimes Motivated by Bias

Crimes Motivated by Bias Recommendation

“To the extent permissible by law, the Minnesota Sentencing Guidelines Commission should amend the sentencing guidelines to recognize bias motivation as an aggravating factor in felony prosecutions.” (1993 Report, pg. 61).

Action Taken

In 1994, the [1993 Report] Implementation Committee successfully sought legislation that mandated that all county attorneys and city attorneys receive training on prosecuting bias-motivated crimes. ([1994 Implementation Committee Progress Report](#)).

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Pursuant to the MSGC section 2.D.3.b(11), it is an aggravating factor if the offender intentionally selected the victim or the property against which the offense was committed, in whole or in part, because of the victim's, the property owner's, or another's actual or perceived race, color, religion, sex, sexual orientation, disability, age, or national origin.⁹

10. Interpreters

Interpreters Recommendation (a)

(a) "The Minnesota Supreme Court should recommend and the Legislature should establish and fund a State Board for Interpretive Services to propose standards and procedures for the training, professional conduct, certification, qualification, testing and adequate compensation of certified interpreters. In establishing standards and qualifications, the Board should consult with the affected communities. If such a Board is not recommended or established by the Legislature, the Minnesota Supreme Court should establish an equivalent Board." (1993 Report, pg. 77).

Action Taken

In 1994, the Minnesota Legislature appropriated \$100,000 to fund the establishment of a statewide judicial interpreter certification program for court interpreters. 1994 Minn. Laws, Chap. 636, Art. 1, Sec. 14.

On September 16, 1994, the Supreme Court issued an order establishing the Court Interpreter Advisory Committee to implement the Task Force recommendations. The Committee made several recommendations that the Supreme Court adopted, including the promulgation of court rules governing court interpreter procedure, and adoption of a Code of Professional Responsibility. This work established the foundation for the Court Interpreter Program.

Comments

Information about the judicial branch Court Interpreter Program can be found online at <https://www.mncourts.gov/Help-Topics/Court-Interpreter-Program.aspx>.

See [Administrative File Archive, file C9-94-1898](#).

Interpreters Recommendation (b)

⁹ Minnesota Sentencing Guidelines Commission. Minnesota Sentencing Guidelines and Commentary, page 46. St. Paul, MN: The Commission, 2018.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

(b) “The Minnesota Supreme Court should define the qualifications of appropriate bilingual and bilingual/multicultural court support personnel and should adopt policies to ensure that services delivered by court support personnel to people in need of interpreters are linguistically and culturally appropriate.” (1993 Report, pg. 77).

Action Taken

On [November 9, 1995, the Supreme Court adopted Rule 8 of the General Rules of Practice governing Interpreters](#), effective January 1, 1996.

On [September 19, 1996, the Supreme Court promulgated the Rules on Certification of Court Interpreters](#).

On [October 14, 2005](#), the certification rules were made part of Rule 8.

Rule 8 has been updated periodically, most recently by orders filed February 28, 2020, and May 21, 2020, in file ADM09-8009, to update and clarify court interpreter program requirements.

On March 1, 2009, the Supreme Court promulgated amendments to Rule 111 of the Minnesota General Rules of Practice for District Courts, which requires parties to provide advance notice to the Court when an interpreter is needed.

In 2008, the Judicial Council adopted [Policy 513: Court Interpreter Program](#), which has been updated periodically.

In 2014, the State Court Administrator adopted [Policy 513\(c\) Court Interpreter Roster Qualifications](#), which has been updated periodically.

Interpreters Recommendation (c)

(c) “The Chief Justice should recommend that the Higher Education Coordinating Board designate several public institutions of higher education as centers for (1) training court interpreters and legal translators, (2) equipping people preparing for employment in internal or external judiciary support services with cultural fluency and optional, ancillary interpreting and translating skills, and (3) developing the requisite skills of court personnel who are presently employed as interpreters, legal translators, or providers of bilingual/multicultural support services.” (1993 Report, pg. 77).

Action Taken

In July 1995, Minnesota was a founding member of the Consortium for State Court Interpreter Certification, a multi-state partnership dedicated to developing court

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

interpreter proficiency tests, making tests available to member states, and regulating the use of the tests.¹⁰

Comments

The judicial branch administers two interpreter exams, including (1) Written Test Part 1: English Proficiency; and (2) Written Test Part 2: Ethics and Terminology.

All interpreters on the statewide roster must complete New Court Interpreter Orientation.

An eLearning module: Working with Interpreters is available for judges.

Judicial staff are also provided with mandatory cultural sensitivity training.

Interpreters Recommendation (d)

(d) “The Legislature should define the term ‘qualified interpreter’ to be a person who is certified by the State Board for Interpretive Services.” (1993 Report, pg. 77).

Action Taken

Pursuant to Minnesota Statutes Section 546.44, subd. 1, a qualified interpreter is defined as, “a person who is readily able to communicate with the disabled person, translate the proceedings for the disabled person, and accurately repeat and translate the statements of the disabled person to the officials before whom the proceeding is taking place.”

Comments

There is no State Board for Interpretive Services but there is a SCAO Court Interpreter Program. Qualifications are defined in Rule 8 and in judicial branch policy. Appointment of the most qualified interpreter is data that is regularly monitored by SCAO through reports and issues are addressed.

The judicial branch continues to be a member in good standing of the National Center for State Courts (NCSC) Council of Language Access Coordinators. As a member, Minnesota’s Court Interpreter Program Coordinator is trained and authorized to administer the court

¹⁰ In 1994, judicial leaders in Minnesota and Oregon, who were committed to improving interpreter programs in their states, asked the National Center for State Courts (“NCSC”) for assistance in developing interpreter testing programs of equal quality and effectiveness to those then in existence in New Jersey and Washington (which were studied and documented in the Model Guides publication). Staff of the NCSC invited representatives of those four states to work together with the NCSC to create a voluntary program in which member states could pool financial resources and professional expertise to eliminate duplication of expense and effort and lower the cost of interpreter test development and administration for all the member states. In July 1995, Minnesota along with New Jersey, Oregon, and Washington became the founding members of the Consortium for State Court Interpreter Certification.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

interpreter written exam, which is required for placement on the statewide roster of qualified interpreters, and the oral spoken language certification exam, which is required to become a certified court interpreter.

Interpreters Recommendations (e) and (f)

(e) “The [Minnesota] Supreme Court should require continuing professional education of current and future personnel who provide court interpreting, legal translation, bilingual and bilingual/multicultural court support services. This includes attorneys and other individuals who represent clients in need of interpreters.” (1993 Report, pg. 77).

(f) “The Minnesota Supreme Court should adopt canons of ethics binding upon all people who interpret or translate in or for the courts.” (1993 Report, pg. 77).

Action Taken

The Code of Professional Responsibility for Court Interpreters was adopted by the [Minnesota Supreme Court by order filed September 19, 1995](#) and was effective January 1, 1996.

Pursuant to Canon 10 of the Code of Professional Responsibility for Court Interpreters adopted by the Supreme Court, “Interpreters shall continually strive to improve their skills and knowledge and advance the profession through activities such as professional training and education, and interaction with colleagues, and specialists in related fields.”¹¹

Comments

The Court Interpreter Program does not currently require continuing education for interpreters on the roster. Rule 8 does allow the SCAO to develop a continuing education program, but it has not yet been developed, primarily because of the cost of continuing education to the interpreter. Continuing education opportunities are communicated to interpreters on the roster in hopes they will take advantage of those opportunities on their own based on Canon 10.

Work could be done to put a requirement in place that would not be a burden for rare language interpreters.

No changes have been made to the Code of Professional Responsibility since it was adopted in 1995.

¹¹ Canon 10, Code of Professional Responsibility for Court Interpreters adopted by the Minnesota Supreme Court on September 18, 1995.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Interpreters Recommendation (g)

(g) “The [Minnesota] Supreme Court should recommend, and the Legislature should establish a comprehensive statutory basis for providing adequate court interpretation and legal translation services for all people in need of interpreters. (Existing statutory provisions for the deaf and hearing impaired may serve as a model.)” (1993 Report, pg. 77).

Action Taken

Minnesota Statutes Sections 546.42, 546.43, 546.44 appointment and qualification of court interpreters in civil proceedings.

Minnesota Statutes Sections §§ 611.31, 611.32, 611.33 appointment and qualification of court interpreters in criminal proceedings.

Interpreters Recommendation (h)

(h) “The [Minnesota] Supreme Court should adopt uniform standards to govern all phases of all interpreted court proceedings and determine responsibilities for paying the related costs.” (1993 Report, pg. 78).

Action Taken

Minnesota General Rule of Practice 8 roster requirements, certification, and court appointment of interpreters.

Minnesota General Rule of Practice Title IV. Rule 358, court appointment of interpreters in child support matters.

Minnesota Rules of Civil Procedure 43.07, court appointment of interpreters in civil matters.

Minnesota Rules of Criminal Procedure 5.02, court appointment of interpreters in criminal matters.

Minnesota Rules of Criminal Procedure 26.03, subd. 17, court appointment of interpreters for jurors.

Minnesota Rules of Evidence 604, treatment of interpreters as expert witnesses.

Under Minnesota Statutes Section 480.182(1) the state courts are required to pay “court interpreter program costs, including the costs of hiring court interpreters for the costs of interpreters for court proceedings.”

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

In 2001, the State Court Administrator adopted [Policy 513\(a\) Court Interpreter Payment Policy](#), which has been updated periodically.

Comments

The judicial branch website provides interpreters with a method of submitting an invoice for services rendered, called the [Interpreter Resource Management Application](#) (IRMA).

Interpreters Recommendation (i)

(i) “The [Minnesota] Supreme Court should ensure effective organization and efficient administration of court interpreting, legal translating, and bilingual and bilingual/multicultural court support services at the state and local levels.” (1993 Report, pg. 78).

Action Taken

The judicial branch offers classes in court interpreting and participates in a national court interpreter certification program. Certification exams are offered in sixteen languages.

The judicial branch has developed and disseminated considerable resources including Interpreter Voir Dire Resource, Interpreter Jury Trial Guide, Criminal Jury Instruction Guide or Civil Jury Instruction Guide, Interpreter Bench Card, Video Remote Interpreting Bench Card, Video Remote Interpreting Information for Attorneys, and Tips for Working with Interpreters in the Courtroom. [Minnesota Judicial Branch - Court Interpreter Program \(mncourts.gov\)](#)

Comments

The SCAO employs a full-time staff member to coordinate the Court Interpreter Program and other language access services for the judicial branch.

See sections above for additional information.

Interpreters Recommendation (j)

(j) “The [Minnesota] Supreme Court should adopt policies that will attract, employ, and retain sufficient numbers of qualified court interpreters, legal translators, bilingual and bilingual/multicultural court support personnel.” (1993 Report, pg. 78).

Action Taken

Numerous employee recruitment events are attended by Human Resources and Development Division (HRD) staff. HRD often includes preference for bilingual applicants on job postings when needed.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

The judicial branch employs several full-time spoken language staff interpreters.

Comments

In 2024, the judicial branch created a Language Access Committee that advises and reports to the State Court Administrator. The Committee is charged with working to enhance language access and court interpreter service delivery of the Minnesota Judicial Branch.

See also <https://www.mncourts.gov/State-Court-Administrators-Office/careers.aspx> under “Diversity and Inclusion” tab.

Interpreters Recommendation (k)

(k) “The [Minnesota] Supreme Court should adopt a policy that requires all judicial forms and documents used by people involved in court proceedings to be drafted in easily translatable English and be translated into such additional languages as the State Court Administrator approves. All such translations are to be made by approved legal translators, and all such translations should be printed at levels of quality equal to that of the corresponding English versions.” (1993 Report, pg. 78).

Action Taken

State Court Administrator Policy 503(b), Translation of Court Forms was developed and effective September 2014. Funds for translation are made available through the Mandated Services Budget.

The CEJ and Court Interpreter Program coordinator worked to change the language on the interpreter Complaint Process webpage to help address access concerns for individuals with low literacy. (2015 Diversity and Inclusion Report.)

The Court Interpreter Program and Language Access Services have improved translated forms and documents for Limited English Proficient court users. (2016 Diversity and Inclusion Report.)

The CEJ has worked in conjunction with the Court Interpreter Program to develop and implement a customer service satisfaction survey of court users who have interacted with a court interpreter. (2017 Diversity and Inclusion Report.)

Interpreters Recommendation (l)

(l) “The [Minnesota] Supreme Court should adopt a program of informing people in need of interpreters about the judiciary and its services and should establish a procedure to enable people in need of interpreters to seek redress for allegations of unprofessional performance or unequal access.” (1993 Report, pg. 78).

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Action Taken

The Elimination of Barriers to Access subcommittee participated in a SCAO workgroup to create the 30-minute video “Going to Court in Minnesota” in English, Spanish, Hmong, and Somali. Nearly 1,250 captioned DVD videos were produced and distributed across the state in collaboration with ECHO Minnesota. The program aired on Twin Cities Public Television and YouTube. It is linked on the ECHO Minnesota and the [judicial branch websites](#). An English Language Learner (ELL) curriculum was also developed as a part of this project. (2013 Diversity and Inclusion Report.)

[The Statewide Language Access Plan](#) addresses the need for signage at court facilities informing court users of their right to an interpreter. The complaint policies related to language access and interpreters are also addressed in the Language Access Plan and monitored by the SCAO Interpreter Program and Self-Represented Litigant Program.

The first statewide Language Access Plan was approved in 2016, and most recently updated in 2020.

In [2018 an Information About Language Access in Minnesota Courts card](#) was published; it is available in multiple languages.

Interpreters Recommendation (m)

(m) “The [Minnesota] Supreme Court should adopt policies and programs to orient and sensitize all court personnel who deliver services to people in need of interpreters with regard to the importance and complexities of communicating with people of diverse linguistic and cultural backgrounds. This orientation should include instruction regarding techniques for working with a court interpreter as well as how to develop a better “ear” for communicating with people whose English may be heavily accented.” (1993 Report, pg. 78).

Action Taken

Training for all new judicial officers as part of New Judge Orientation was replaced with an online training module. Some judicial districts have developed training for their local bench.

The eLearning module is updated regularly, most recently on February 3, 2021, under the direction of the Second Judicial District Chief Judge Leonardo Castro and Court Interpreter Program Coordinator Polly Ryan. The eLearning module identifies 4 online resources including an updated bench card.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Interpreter-related training was provided at the 2020 Annual Conference of Judges.

Court Interpreter Program resources are available on the [judicial branch Website's Court Interpreter Program help topic in the Resources tab](#).

Comments

Some judicial districts have developed training for their local bench. Local Equal Justice Committee (EJC) members are, or can be, provided information on the use of interpreter services at the district and county levels. Data reports, known as the Interpreter Power BI Report, provide monthly interpreter usage information.

Special resources about the most efficient use of interpreters, including instructions on how to use simultaneous interpreting, during remote and hybrid hearings have been developed. Court reporters have been provided information on simultaneous interpreting using remote hearing tools to support judicial officers in the courtroom.

Court administration staff have multiple training opportunities available, including the following topics: Remote Interpreting for Court Staff; Court Interpreter Scheduling Specialist Training; Working with Interpreters in Your Courtroom; and IRMA for Court Staff.

Interpreters Recommendation (n)

(n) "The [Minnesota] Supreme Court Chief Justice should recommend that the state's law schools and continuing legal education providers offer instruction to attorneys and legal personnel on how best to provide effective services that are sensitive to the diverse backgrounds of people in need of interpreters, as well as how to work with a court interpreter." (1993 Report, pg. 78).

Comments

Court Interpreter Program staff have provided CLEs and trainings when requested.

Interpreter training has been provided to Minnesota County Attorneys' Association (MCAA) members. When offered, it is typically in relationship to the Ethics and Bias Course for Government Attorneys.

Minnesota Continuing Legal Education (MINNCLE) indicates that it has presented several seminars on using interpreter services. Those seminars have been presented as both stand-alone programs and as part of larger programs. MINNCLE currently offers an interpreter course in the MINNCLE on-demand classroom.

<https://www.minncle.org/seminar/1735242101>

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

11. Law Enforcement

Law Enforcement Recommendation

“The [Minnesota] Supreme Court should establish, and the Legislature should fund an initiative to develop long-term plans to address problems in minority community-law enforcement relations. The initiative should include the funding of the proposed Community/Law Enforcement Relations Commission.” (1993 Report, pg. 67).

Action Taken

The Governor’s Council on Law Enforcement and Community Relations convened in 2016. The Introduction of [the Initial Report](#) begins: “*Minnesota’s citizens, like the rest of the country, watched as young men of color from multiple states died tragically due to the use of deadly force by law enforcement officers; they also saw police officers around the country tragically slain.*”

The Final Report is found at: <https://www.leg.state.mn.us/docs/2017/other/170940.pdf>

12. Juvenile and Family Law

Juvenile and Family Law Recommendation (a)

(a) “The [Minnesota] Supreme Court should require Courts to collect accurate race-specific data on all people being brought into juvenile court.” (1993 Report, pg. 94).

Action Taken

In 2001-2002, the Racial Fairness Committee (Committee) oversaw the creation of a statewide Race Data Collection Project. The Committee made the decision to use self-reported data, and to follow U.S. Census race and ethnicity categories. The Committee also decided data would be collected at the first court appearance so the data could be used to analyze all stages of the process. ([Minnesota Judicial Branch Implementation of the 1993 Racial Bias Task Force Report Final Progress Report \(2010\).](#))

Effective June 2006, the Judicial Council adopted [Policy 1502: Racial, Ethnic, and Gender Fairness Policy](#). Under this policy, SCAO is required to collect race and other pertinent data and provide data analysis assistance. In addition, Policy 1502 requires each judicial district to establish and maintain an EJC, tasked with analyzing available data and developing and implementing plans to address problem areas.

In 2018 check in kiosks were deployed in Hennepin and Ramsey counties, which helped improve race data collection.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

As more districts install kiosks for pre-hearing check-in, and when the statewide eCheck-In system is implemented (targeted for fall 2024), collection of race data information is expected to improve.

Comments

The statewide eCheck-In system is an application built to enable parties to check in for their hearing in district court, and it includes the options to collect self-reported race data. Parties can access eCheck-In using a URL or QR code on their hearing notice from their computer or smart device or, when available, from a kiosk or tablet at the courthouse. eCheck-In offers check-in in English, Spanish, Karen, Somali, and Hmong.

Juvenile and Family Law Recommendation (b)

(b) “Because a child's racial background may often not be visibly apparent, rules should be adopted by appropriate bodies, including the Minnesota Supreme Court and the Department of Human Services, that will allow the complete elicitation of racial and ethnic or cultural affiliations from the child who is the subject of the data or people related to that child, and that such elicitation be done at the earliest opportunity in a manner that is non-coercive, in order that the legal philosophy of protecting the racial, ethnic, or cultural affiliations of the child is enhanced.” (1993 Report, pg. 94).

Action Taken

SEE section above regarding race data collection.

Judges receive ongoing training on effective ways to collect race information for data purposes. [Minnesota Judicial Council Policy 1502: Racial, Ethnic, and Gender Fairness Policy](#).

The adoption of rules by the Department of Human Services is outside the purview of the judicial branch.

Juvenile and Family Law Recommendation (c)

(c) “All current judges, attorneys, social workers, guardians’ ad litem, and other court personnel should receive education and training to increase their sensitivity to cultural and racial issues, including training in the provisions of the ICWA.”

Action Taken

Judicial Education is provided on the Indian Child Welfare Act (ICWA).

[1994 Implementation Committee Progress Report](#).

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Beginning in 2014, the State Court Administration Programs Office provides ICWA training annually through the Children's Justice Initiative. This training is provided to judicial officers, attorneys, and others.

Judicial Education and Cultural Perspectives and CJI trainings.

Juvenile and Family Law Recommendation (d)

"The Courts should more actively pursue recruitment and retention of minority Guardian ad Litem on a statewide basis, and all Guardian ad Litem should be adequately compensated."

Action Taken

In 2010 the Minnesota Legislature created the State Guardian ad Litem (GAL) Board (Minnesota Statute section 480.35), which moved the administration of the GAL Program from the state court system and to the Board. Prior to 2010, pursuant to the General Rules of Practice for District Courts, Title X, Rule 902, the SCAO established GAL Program Standards and the standards were approved by the Judicial Council. The GAL Board revised the standards and renamed them Requirements and Guidelines (Non-statutory) on September 23, 2011. Pursuant to section II. (a) (Recruitment). for external postings, the recruitment of persons to apply to be GALs shall be announced to the public. Public announcements shall be made by, or under the direction of, the GAL Program Manager. Every public announcement shall contain an equal opportunity statement, and an active recruitment shall be made to solicit applications from individuals whose gender, ethnic, racial, cultural, and socio-economic backgrounds reflect the diversity of the population the applicant is expected to serve. Announcements shall be provided to tribal social service agencies and to public agencies and private organizations serving ethnic and cultural communities and shall be placed in publications directed to ethnic and cultural communities in the county or counties to be served. ¹²

Comments

The GAL Program is no longer part of the judicial branch.

Juvenile and Family Law Recommendation (e)

¹² State Guardian ad Litem Board Policy No. 4, Guardian ad Litem Program Requirements and Guidelines (Non-statutory), (Formerly Guardian Ad Litem System Program Standards) Supersedes: CCJ Administrative Policy #20. (Approved: September 23, 2011) (Effective Date: November 1, 2011).

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

(e) “The Minnesota Supreme Court should amend the Rules of Juvenile Court to require whenever non-same race placements are made that such cases be closely monitored by the trial court, including seeking same race placements on a continual basis.”

Action Taken

During the 2024 legislative session, the Minnesota African American Family Preservation and Child Welfare Disproportionality Act (AAFPA) was passed, modeled after the Minnesota Indian Family Preservation Act (MIFPA). The Act provides that:

(a) The purposes of the Minnesota African American Family Preservation and Child Welfare Disproportionality Act are to:

(1) protect the best interests of African American and disproportionately represented children;

(2) promote the stability and security of African American and disproportionately represented children and their families by establishing minimum standards to prevent the arbitrary and unnecessary removal of African American and disproportionately represented children from their families; and

(3) improve permanency outcomes, including family reunification, for African American and disproportionately represented children.

Chapter 117—S.F.No.716 (2024).

Comments

The Commissioner of Human Services must establish a phase-in program beginning January 1, 2025, for Hennepin and Ramsey Counties. Case review reports must be provided beginning January 1, 2026. The Commissioner of Human Services may allow other counties to participate in the phase-in program upon their request; otherwise the AAFPA is effective January 1, 2027.

13. Juvenile Delinquency

Juvenile Delinquency Recommendations (a) and (b)

(a) “The [Minnesota] Supreme Court should mandate that courts collect accurate race-specific data on all people subject to juvenile court jurisdiction.” (1993 Report, pg. 107).

(b) “Rules should be adopted by appropriate agencies, including the [Minnesota] Supreme Court and the [Minnesota] Department of Human Services, that will allow the complete elicitation of racial and ethnic or cultural affiliations from the child who is the subject of the data or people related to that child and that such elicitation be done at the earliest

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

opportunity in a non-coercive manner in order that the legal philosophy of protecting racial, ethnic, or cultural affiliations of the child is enhanced.” (1993 Report, pg. 107).

Action Taken

In 1994, the Minnesota Legislature mandated that the Criminal and Juvenile Information Policy Group, as one of its many tasks, would determine how to collect data on race and ethnicity in the criminal justice information systems. The group consists of the chair of the MSGC, the Commissioner of Corrections, the Commissioner of Public Safety, and the State Court Administrator.

In 2001-2002, the Implementation Committee oversaw the creation of a statewide race data collection project. The Committee made the decision to use self-reported data, and to follow U.S. Census race and ethnicity categories. The Committee also decided data would be collected at the first court appearance so the data could be used to analyze all stages of the process. See [Policy 505.2 Key Results and Measures Priority Measures for Implementation](#) adopted in 2005 and updated periodically.

In June 2006, the Judicial Council adopted judicial branch [Minnesota Judicial Council Policy 1502, Racial, Ethnic, and Gender Fairness Policy](#).” Under this policy, SCAO is required to collect race and other pertinent data and provide data analysis assistance. In addition, Policy 1502 requires each judicial district to establish and maintain an EJC, tasked with analyzing available data and developing and implementing plans to address problem areas.

Minnesota Judicial Branch Policy 1502 (Rev. 2017) (previously Minnesota Judicial Branch Policy 1002).

[See Minnesota Judicial Branch Implementation of the 1993 Racial Bias Task Force Report Final Progress Report \(2010\)](#)page 2.

See also Minn. Stat. § 260B.171, subd. 2(d)(1).

In 2018 check in kiosks were deployed in Hennepin and Ramsey counties, which helped improve race data collection. As more districts install kiosks for pre-hearing check-in, and when the statewide eCheck-In system is implemented (targeted for fall 2024), collection of race data information is likely to improve even more.

Judicial officers receive ongoing training on effective ways to collect race information for data purposes.

Comments

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

The statewide eCheck-In system is an application built to enable parties to check in for their hearing in district court, which includes collection of race data. Parties can access eCheck-In using a URL or QR code on their hearing notice from their computer or smart device or, when available, from a kiosk or tablet at the courthouse. eCheck-in offers check-in in English, Spanish, Karen, Somali, and Hmong.

Juvenile Delinquency Recommendation (c)

(c) “The Courts should use great care so as not to be influenced by the pre-adjudication determination in making a final disposition. This merits further study by the Juvenile Justice Task Force of the [Minnesota] Supreme Court.” (1993 Report, pg. 108).

Multiple counties and districts have partnered with the Anne E. Casey Foundation to begin the Juvenile Detention Alternative Initiatives (“JDAI”), a collaboration of the juvenile court, juvenile probation, juvenile detention center, Department of Community Corrections and Rehabilitation (“DOCCR”) Administration, the Hennepin County Attorney’s office, public defender’s offices, and community members. The goals of JDAI are to:

- a. Decrease the number of youths unnecessarily or inappropriately detained;
- b. Reduce the number of youths who fail to appear in court or re-offend pending adjudication;
- c. Redirect public funds towards effective juvenile justice processes and public safety strategies;
- d. Reduce the disproportionate minority confinement and contact of the juvenile justice system; and
- e. Improve the juvenile justice system overall.

JDAI statewide expansion efforts have focused particularly on reducing the secured confinement rate for Native American youth.

Comments

These efforts are now led by the Casey Foundation: <https://www.aecf.org/work/juvenile-justice/jdai> and <http://jdai-mn.org/>.

14. Access to Representation and Interaction, and General Civil Process

Access to Representation and Interaction, and General Civil Process Recommendation (a)

(a) “The [Minnesota] Supreme Court, the Minnesota State Bar Association (MSBA), Minnesota Minority Lawyers Association (MMLA), other minority law associations, and legal aid providers should strengthen their commitment to motivating private attorneys to

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

provide pro bono or reduced-fee services, or otherwise financially support representation to people of color.” (1993 Report, pg. 122).

Action Taken

The Minnesota State Bar Association (MSBA) has a Pro Bono Director position, a standing Pro Bono Council group dedicated to increasing pro bono work across the state, and has created the NorthStar Lawyer, a recognition program for attorneys who provide 50 hours or more of legal services as defined in Rule 6.1(a), (b)(1) and (b)(2) of the Rules of Professional Conduct.

ProJusticeMN, a collaboration between MSBA and the Legal Service State Support provides an online location for attorneys to find pro bono cases in their area, receive advice and a directory of legal service providers, and other helpful resources.

Minnesota received a Justice for All grant from the National Center for State Courts in 2018 to work on increasing free and low-cost legal services statewide. This includes a redesigned www.lawhelpmn.org that was launched in 2019 to better connect users with available resources, including pro bono and low-fee representation. Through this project, the MSBA has created a low-cost, unbundled services roster.

Beginning April 2022, attorneys other than those employed by the government are required to report pro bono hours as defined in Rule 6.1 of the Minnesota Rules of Professional Conduct. See [Rule 25 of the Minnesota Rules of the Supreme Court on Lawyer Regulation](#).

In September 2020, the Minnesota Supreme Court issued an [Administrative Order Implementing Legal Paraprofessional Pilot Project](#) to evaluate the delivery of legal services by legal paraprofessionals, supervised by licensed attorneys, in certain areas with unmet legal needs. The Project was intended to increase access to civil legal representation in case types where one or both parties typically appear without legal representation.

In September 2024, the Minnesota Supreme Court issued an [Amended Order](#) extending the pilot through December 31, 2024, and establishing a successor Legal Paraprofessional Program.

Comments

Several affinity bar associations have been formed which provide and encourage pro bono services.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Other pro bono initiatives include Lawyers Step up for MN campaign, MSBA Diversity and Inclusion Council, MN Legal Advice Online, Unbundled Law Project, MSBA Access to Justice Committee.

Since 2020, the CEJ has a Civil Justice subcommittee.

Access to Representation and Interaction, and General Civil Process Recommendation (b)

(b) “The [Minnesota] Supreme Court should encourage and support the MSBA and Legal Aid Society efforts to raise foundation dollars to leverage pro bono time to create a specialized employment and/or housing discrimination panel (including necessary training, and support and administration activities) to assist people of color.” (1993 Report, pg. 122).

Action Taken

There are housing discrimination units at both Mid-Minnesota Legal Aid (MMLA) and Southern Minnesota Regional Legal Services (SMRLS) that have dedicated staff for this work. In addition, the number of closed general housing pro bono cases have increased dramatically in the past decade. Legal aid does not prioritize employment discrimination because it would compete with the private bar attorney’s fees structure for these cases. There are significant legal information resources on employment and housing discrimination on <https://www.lawhelpmn.org/>.

Comments

Legal Aid appears to be the best resource for this support.

Access to Representation and Interaction, and General Civil Process Recommendation (c)

(c) “The [Minnesota] Supreme Court, the MMLA, and other minority bar associations in conjunction with the MSBA should identify a pool of people with expertise to provide cultural diversity training for legal employers.” (1993 Report, pg. 123).

Action Taken

A portion of this work is being done by Twin Cities Diversity in Practice, a nonprofit association of legal employers with the “vision to create a vibrant and inclusive legal community and mission to strengthen efforts of member organizations to attract, recruit, advance and retain attorneys of color.”

Diversity and Inclusion Education courses are offered by the judicial branch.

www.diversityinpractice.org

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Comments

DEI Specialist position in Human Resources and Development division of SCAO.

IDI certification for multiple MJB staff.

MSBA Diversity and Inclusion

MMLA's committees, including CLE Committee.

Not fully within the purview of the branch. Focus should be on internal (MJB) training.

Access to Representation and Interaction, and General Civil Process Recommendation (d)

(d) "The [Minnesota] Supreme Court should work with the Minnesota Department of Education to develop materials and to encourage or require courses in the elementary and secondary school setting to develop greater understanding of the legal system." (1993 Report, pg. 123).

Action Taken

Many materials have been developed and published for use in elementary and secondary school settings.¹³ <http://mncourts.gov/Teachers-and-Students.aspx>

Access to Representation and Interaction, and General Civil Process Recommendation (e)

¹³ The following curriculum has been developed: 1) No Vehicles in the Park – Grades 3-8 lesson with the objective learn about the Court's role as interpreter of laws and to understand the sometimes difficult duty of considering the letter of the law as well as the intent of the law; 2) Resolving conflicts, A Grades K-5 (PDF) Objectives: To learn the mediation process for resolving conflict and to learn the Courts' role of resolving conflicts peacefully; 3) Choosing a Judge, Grades 7-12 Objectives: To explain and evaluate the procedures used to select judges. To understand the Governor's constitutional power to appoint judges. To identify factors that are considered in judicial appointments. Additionally, the following lessons were developed as part of a curriculum-development workshop that was sponsored by the Minnesota Supreme Court Historical Society, with the assistance of the Minnesota Supreme Court, the Minnesota State Bar Association's Civic Education Committee, and the Learning Law and Democracy Foundation: 1) Understanding the Minnesota Judiciary: Legislators and Judges are Different, Grades 9-12 lesson where students learn that judges and legislators have different roles to play in our system of government by analyzing a case study that describes the development and application of the Minnesota Move Over traffic law, which requires that drivers move over a lane when approaching a squad car involved in a traffic stop; 2) Understanding the Minnesota Judiciary: Judicial Decision Making, Grades 9-12 lesson describing Minnesota's different levels of Courts differentiating them by structure, function, and decision making processes; 3) Understanding the Minnesota Judiciary: Elections and Impartiality, Grades 9-12 lesson where students learn about judicial elections and impartiality through case studies on the exercise of First Amendment rights in judicial elections, limitations on corporate contributions, and procedures to protect impartiality. Other curriculum developed includes, "Going to Court in Minnesota" with a half-hour video designed to help immigrants, refugees, and others better understand the Minnesota Court system and be prepared to go to Court (Provided in four languages: English, Hmong, Somali, and Spanish), and "Going to Court" curriculum designed for use with the video by teachers in English Language Learner classes.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

(e) “Judges, justice system personnel and attorneys should receive specific training on the Indian Child Welfare Act and Native American treaty rights issues.” (1993 Report, pg. 123).

Action Taken

Judicial Education provided on Indian Child Welfare Act (ICWA).

The SCAO provides ICWA training annually through the Children’s Justice Initiative, to judicial officers, attorneys, and others.

Beginning in 2014, Cultural Perspectives sessions have been offered by the judicial branch on ICWA, Native Nations and Understanding Tribal, State, and Federal Courts.

The [Tribal Court State Court Forum](#) (TCSCF) is comprised of tribal court judges from Minnesota’s 11 federally recognized tribes and state court judges from Minnesota’s 10 judicial district courts, Court of Appeals, and Supreme Court. The first TCSCF meeting was held at Prairie Island Indian Community on July 18, 1997. Although its membership has changed over the years, the TCSCF has gathered quarterly for most of its existence alternating between tribal court and state court venues. Training and conference information is available on the TCSCF website.

15. Minnesota Bar Examination

Minnesota Bar Examination Recommendation

“The [Minnesota] Supreme Court should study the Minnesota bar examination process to determine if any of the following specific areas of concern affect pass/fail rates: English as a second language; unequal quality of education received prior to law school; financial status (i.e. needing to work during law school and during preparation for the bar); availability and/or efficacy of minority-focused tutoring programs; possible bias in some elements of law school curricula; possible bias in private bar preparation program curricula; the impact of poverty; the particular law school attended, LSAT scores, law school rank, etc.” (1993 Report, pg. 127).

Action Taken

The Board of Law Examiners (BLE) worked with the Implementation Committee to ensure that all law examination questions are reviewed for bias and that at least 25% of graders are people of color. The BLE has also greatly increased its outreach efforts to explain how the exam is graded and make itself available to hear community concerns. ([April 2002 Race Bias Task Force Progress Report](#).)

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

The BLE published a brochure, which explains the character and fitness portion of the bar admission process. In addition, the BLE consulted with the minority bar associations on ways to increase the numbers of minority persons participating in the grading process. ([1994 Implementation Committee Progress Report.](#))

In 2021 the BLE commenced a [comprehensive two-year study](#) of the bar examination, which includes, as noted in [one preliminary report](#), an examination of barriers to the practice of law on the basis of race and alternative pathways to admission to achieve a more diverse bar.

16. Judicial Education

Judicial Education Recommendation (a) and (b)

- (a) “ Responsibly conducted surveys and resulting reports should comply with commonly accepted standards of sound survey design and analysis.”
- (b) “Recognizing that such surveys simply measure perceptions, the authors need to be sensitive to the real potential for such racial biases in their results, take steps to minimize such bias in their surveys, and warn the reader about this possibility in their reports.”

Action Taken

Effective May 1, 2021, the Judicial Council approved a mandatory Judicial Benchmark Survey Policy designed to assist each judicial officer to improve judicial performance and conduct and enhance the effective and efficient performance of official judicial duties. [Minnesota Judicial Council Policy 402: Judicial Benchmark Survey Policy.](#)

The Judicial Benchmark Survey shall be completed by attorneys, court staff, law enforcement, probation officers, social workers, guardians ad litem and other justice partners who have appeared before the judge in the previous year. The lists of attorneys and court personnel to be surveyed may be generated by the subject judge or by court administration. Mentor judges have been trained to debrief survey results with judges, being sensitive to addressing bias in feedback received.

17. Building Cultural Diversity in the Justice System Workplace

Building Cultural Diversity in the Justice System Workplace Recommendation (a)

- (a) “[Cultural Sensitivity Training](#). Agencies and departments should be required to provide cultural diversity training as recommended in other sections of this report.” (1993 Report, pg. 137).

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Action Taken

A proposal was submitted to the Conference of Chief Judges for a resolution requiring that all judges receive cultural diversity-related training by March 1995. The resolution was passed in March of 1994 and was in the implementation stage at the time the [1994 Implementation Committee Progress Report](#) was issued.

In October 1994, a seminar was given to improve diversity and to improve the recruitment, hiring, retention and promotion of diverse staff in Courts and criminal justice agencies.

Local committees created programs to improve the ability of people with limited English proficiency to navigate the Court system. The Fourth Judicial District received a grant to create a Multicultural Services Center that includes Spanish- and Somali-speaking liaisons.

On July 1, 2003, the Minnesota Judicial Council adopted [Judicial Council Policy 302 Equal Employment Opportunity](#).

In 2005, the Minnesota Supreme Court amended the [Minnesota Rules of Public Access](#) to add Rule 4, subdivision 1(e) regarding access to race and ethnicity records.

On January 20, 2006, the Minnesota Judicial Council adopted Policy 304 (Discrimination and Harassment Policy).

Why Inclusion Matters training is required for all new Branch employees and is offered four to six times per year.

As of July 2017, Minnesota Judicial Council Policy 400: Human Resources and Development requires diversity education for all judicial officers and judicial branch employees.

In May 2023, the Minnesota Judicial Council added Diversity, Equity, and Inclusion (DEI) to the list of core values that are identified as part of the Judicial Branch's mission, vision, and strategic plans.

In January 2024, the Judicial Administration and Directors approved the establishment of a Workplace Wellness Advisory Council. The Advisory Council is designed to foster better alignment of workplace wellness efforts and resources across the Branch. It serves to provide guidance and feedback on workplace wellness activities and resources across five hubs:

- Culture Champions: Supervisors and Managers
- Individual Needs and Development
- Executive Organizational Leadership

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

- Diversity, Equity, and Inclusion
- Quality Court Workplace Indicators

Comments

MJB “Cultural Perspectives” program is offered four times per year (live and recorded) and focuses on diversity, inclusion, and equity topics. Judicial Districts offer diversity and inclusion-related training during annual all staff training days. The “Compliance Education Policy and Procedure” (located on the site linked above and last updated 1/2021), requires all new hires to complete “Why Diversity Matters” within the first 90-days of employment.

Judges and referees have received training in domestic violence.

New judges, experienced judges, and court administration managers have received implicit bias training.

Judicial trainings have been conducted to address cultural competence, sexual orientation, and gender identity issues.

Branch Diversity and Inclusion Reports 2010 to present:

- [2022 Use and Display of the State Seal by the Judicial Branch](#)
- [2020-2021 Committee for Equality and Justice Study on Probation Revocations and Recommendations](#)
- [2020-2021 Committee for Equality and Justice Study on Jury Race Data and Recommendations](#)
- [2019 Minnesota Judicial Branch Diversity and Inclusion Annual Report](#)
- [2018 Minnesota Judicial Branch Diversity and Inclusion Annual Report](#)
- [2017 Minnesota Judicial Branch Diversity and Inclusion Annual Report](#)
- [2016 Minnesota Judicial Branch Diversity and Inclusion Annual Report](#)
- [2015 Minnesota Judicial Branch Diversity and Inclusion Annual Report](#)
- [2014 Minnesota Judicial Branch Diversity and Inclusion Annual Report](#)
- [2013 Minnesota Judicial Branch Diversity Update](#)
- [2011-2012 Minnesota Judicial Branch Diversity Update](#)
- [2009-2010 Minnesota Judicial Branch Diversity Update](#)

Building Cultural Diversity in the Justice System Workplace Recommendation (b)

(b) “Networking.” Expanding our existing ties with the communities we serve is essential. Community participation/leadership should be a preferred qualification for

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

hiring/promotion at all levels. Involvement in minority communities is a plus.” (1993 Report, pg. 137).

Action Taken

The judicial branch has participated in targeted career fairs since 2008.

The Community Resource Guide (Guide) was developed in 2008 and contained over 200 community groups. This Guide was shared with the CEJ and HRD. Starting in 2019, the Guide was used to engage community resources when jobs were posted.

Comments

HRD and EJs continue to participate in career fairs and outreach events, including some targeted within local and diverse communities. HRD, judicial district staff, and judicial officers attend outreach events throughout the year to educate the community about careers in the court.

Building Cultural Diversity in the Justice System Workplace Recommendation (c)

(c) “Each office responsible for hiring prosecutors, public defenders, law clerks, court reporters and other court personnel should actively recruit and hire more people of color for these positions.”

Action Taken

The Guide (referenced above) was developed in 2008 and contained over 200 community groups. This Guide was shared with the CEJ and HRD. Starting in 2019, the Guide was used to engage community resources when jobs were posted.

Numerous employee recruitment events are attended by HRD staff. HRD will often include preference for bilingual applicants on job postings when needed.

Hiring of prosecutors and public defenders is outside the purview of the judicial branch.

Building Cultural Diversity in the Justice System Workplace Recommendations (d) and (e)

(d) “Hiring. All job applications, tests and oral examinations should be modified to allow applicants an opportunity to demonstrate they possess this ability in addition to other job-related traits.” (1993 Report, pg. 137).

(e) “Promotions. Similarly, candidates for promotion should be required and given the opportunity to demonstrate a heightened ability to create and/or manage a culturally diverse workforce.” (1993 Report, pg. 137).

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

Action Taken

In October of 1994, a seminar was offered concerning how to improve diversity and improve the recruitment, hiring, retention and promotion of diverse staff in courts and criminal justice agencies. [1994 Implementation Committee Progress Report](#).

The Colors of Justice program was sponsored by the Implementation Committee.

Comments

A newly designed course titled, “Supporting a Fair and Equitable Hiring Process to Build a Diverse Judicial Workforce” was offered to judicial officers in 2021. This training reviews the biases in the hiring process and how to overcome them in the screening, interviewing, and selection processes.

“A Manager’s Guide to the Hiring Process” was developed in the Fall of 2020. Throughout this training, an emphasis is placed on identifying and reducing biases to support a fair and equitable process. A supplemental training for co-interviewers is also provided.

In “A Manager’s Guide to the Hiring Process” training and in materials, information is provided on how to create an inclusive job posting, free of gendered language, use of plain language, and removal of applicant barriers (such as requiring a driver’s license or “standing for long periods of time”).

Interview guides and interview questions have been developed, with the interview questions being tied directly to the performance competencies of the job type (individual contributor, manager/supervisor). In “A Manager’s Guide to the Hiring Process” training and in materials, hiring managers are instructed to ask only questions that are job-related. They are also instructed that the same questions must be asked of all candidates to support a fair interview process.

Building Cultural Diversity in the Justice System Workplace Recommendation (f)

(f) “Bilingual Skills. The ability to communicate in a foreign language should be considered a preferred or required qualification, which would depend upon community needs and agency resources.” (1993 Report, pg. 137).

Action Taken

When appropriate, job postings include bilingual preference or requirement.

Numerous employee recruitment events are attended by HRD staff. HRD will often include preference for bilingual applicants on job postings when needed.

Minnesota Judicial Branch Response to the 1993 Race Bias Task Force Report

The judicial branch employs several full-time spoken language staff interpreters.

Building Cultural Diversity in the Justice System Workplace Recommendation (g)

(g) “Affirmative Action Programs. Various agencies/departments within the system should be required to have affirmative action programs as recommended in other sections of this Report.” (1993 Report, pg. 137).

Action Taken

The judicial branch does not have an affirmative action program. The Diversity, Equity, & Inclusion (DE&I) Specialist role was created in 2007.

Comments

The judicial branch does not have an affirmative action program. DE&I Specialists in the judicial branch were created in 2021 in several judicial districts and SCAO.