

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 1298  
**Version:** As introduced

**DATE:** April 13, 2011

**Authors:** Smith and others

**Subject:** District court decisions; compliance with 90-day requirement

**Analyst:** Rebecca Pirius, 651-296-5044

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd](http://www.house.mn/hrd).

---

### Overview

Pursuant to section 546.27, when an issue of fact has been tried by the court, a written decision must be filed within 90 days after submission of the matter to the court. A judge's salary shall not be paid unless there is full compliance with this statute. Current statute provides for an annual compliance review by the Board on Judicial Standards. This bill authorizes a monthly review and outlines new procedures for reviewing infractions.

**1 Board on Judicial Standards review.** Authorizes a monthly review process by the Board on Judicial Standards regarding district judges' compliance with the 90-day requirement. Establishes a new review procedure:

- Upon the first 90-day infraction, the board shall refer the matter to the chief judge of the judicial district where the infraction occurred.
- For a second 90-day infraction in five years, the board shall again refer the matter to the chief judge who shall develop, and notify the board of, a written plan to remedy and prevent infractions. The plan must include: measures taken to release timely decisions, timelines for substantial compliance, and audit procedures to monitor progress. The chief judge must notify the board if the judge fails to follow the written plan.
- Upon a third 90-day infraction in five years, the board shall take immediate action.