
BROWN & CARLSON COVID-19 UPDATE OAH PROCEDURAL CHANGES

As we work through the many challenges we face as a result of the COVID-19 virus, OAH has continued to modify their procedures. Below is the most recent OAH Update after MN Governor Walz's ordered a shutdown of non-essential workers in the State of MN for a two week period. As an arm of the judicial branch, OAH is open and operating as further outlined below.

Brown & Carlson is considered an Essential employer in Minnesota so we are open. We have long history of personnel working from their homes so it has been a very smooth transition for us to switch from being in the office to our homes. It is our goal to work remotely as much as feasibly possible to help do our part to slow the spread of this virus. As many are aware, we are being asked to reschedule depositions and IME in the short term. OAH has made it clear that Judges understand the issues and will be very flexible in granting extensions to deadlines as well as continuances depending on the facts of each individual case. Many depositions and mediations are being completed by telephone or skype if the facts of the case warrant such a change without harming our defense of the case.

For any questions related to your specific files, please contact your assigned attorney for how these rule changes are procedurally affecting your cases.

Continuation of Priority OAH Operations

Governor Walz signed Executive Order 20-20 and announced that Minnesota will join Wisconsin, Illinois, several other states around the nation, and many countries around the world in a stay at home order from Friday, March 27 at 11:59 p.m. until Friday, April 10.

OAH is committed to the continuation of our critical court services while also providing a safe environment for both the people we serve and our employees.

Following guidance from Governor Walz and the Minnesota Department of Health, we are taking aggressive steps to prevent the spread of COVID-19, including **requiring our staff to work remotely** whenever possible, utilizing social distancing, and implementing certain procedural changes described below.

Continuances for in-person hearings

Judges will contact parties with in-person hearings scheduled from Monday, March 30 through Friday, April 10, 2020.

Decisions on continuances will be made on a case-by-case basis, recognizing that in some situations hearings can effectively occur by telephone and some priority situations may require an in-person hearing for the protection of personal financial resources or other priority legal services described in Executive Order 20-20.

Judges will also use their authority to grant continuances on a case-by-case basis without

requiring signatures by both parties as provided in Minn. Stat. 176.341, Subd. 4.

Room capacity for in-person hearings

For priority matters that are not continued and cannot effectively take place by telephone, we will use a larger hearing room that will accommodate social distancing of 6 feet between participants. Extra seating has been removed from all hearing rooms. Each remaining chair's location is marked by blue tape. This provides a visual cue on seating areas that are 6 feet away from one another.

Signs are posted outside each room with room capacity identified. Conference rooms are also available for an attorney and their client to confer in private while maintaining a distance of 6 feet.

Telephone proceedings

The following proceedings will remain by telephone: **mediations; asbestos conferences; settlement conferences; 239 conferences; 106 conferences; pretrial conferences; motion hearings; and attorney fee hearings.**

Please make sure the assigned judge has a telephone number to reach you. If Executive Order 20-20 results in your unavailability, please communicate your unavailability to the assigned judge as quickly as possible.

Exhibits

All **exhibits** must be **eFiled** at least **one day in advance** of the proceeding, regardless of the proceeding's location. This means all exhibits for 239 and 106 conferences, motion hearings, attorney fee hearings, and in-person and video evidentiary hearings **must be eFiled**. This direction supersedes any other order that requires paper or email filings.

Other courts

Judicial Branch

If you have a matter before a court in the Minnesota Judicial Branch, visit [the Judicial Branch](#) website for information. The orders of the judicial branch do not apply to OAH.

Work Comp Court of Appeals

If you have a matter before the Work Comp Court of Appeals, visit [the WCCA website](#) for information. The orders of the WCCA **do not** apply to OAH.

We will continue to provide COVID-19 WC updates as warranted. If you have any questions, please contact any of our attorneys for assistance.

Stay Healthy!

Visit our Website

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