

PROTOCOL FOR HENNEPIN COUNTY JUDICIAL RIDE-ALONG PROGRAM

The Hennepin County Bar Association and the judges of the Fourth Judicial District created the Judicial Ride-Along Program so that attorneys could "ride-along" with judges to witness firsthand a judge's role in a case, both in chambers and in the courtroom. The program should provide attorneys with valuable insight into the day-to-day issues facing judges. It is hoped that such insight will enhance the attorney's interaction with the court and promote respect for the judicial system. Additionally, attorneys who participate in the program may find the experience useful in training and mentoring other lawyers.

For this program to work effectively, it is necessary to adopt certain guidelines to assist in the administration of the program and to safeguard the interests of litigants in privacy and fair process and the interests of the judicial system in avoiding the appearance of impropriety. Accordingly, this protocol has been developed.

Who may participate?

Any lawyer currently licensed to practice law in the State of Minnesota or any law student qualified to practice under the Minnesota student practice rules (hereafter "attorney") may participate.

How is the program administered?

(1) Each year the Executive Director of the Hennepin County Bar Association (hereafter "the Coordinator") will circulate a request among the judges of the Fourth Judicial District for volunteers for the program. Each judge who wishes to participate in the program will provide his or her name to the Coordinator.

(2) The Coordinator will prepare a list of those judges who have indicated an interest in participating. From this list, the Coordinator will draw the names of judges on a rotating basis.

(3) The program will be published in the *Hennepin Lawyer* magazine to advise the bar about the program.

How does one apply?

(1) Any attorney who wishes to participate will contact the Coordinator to advise of his or her interest in participating in the program. The Coordinator will provide the attorney with: (a) this Protocol and (b) the Ride-Along Participation Form. While the attorney will not be permitted to request assignment to a specific judge, he or she can specify any judge(s) to whom the attorney does not wish to be assigned. The attorney may also specify any area of law the attorney is not interested in observing.

(2) The Coordinator will contact the next available judge from the list and advise him or her of the prospective participant's name. If the judge in his or her discretion believes that the proposed assignment is not advisable, the judge will advise the Coordinator who will then attempt to make a pairing from the next available judge on the list.

(3) Once a judge has agreed to be paired with the prospective attorney, the Coordinator will advise the attorney of the proposed assignment. The attorney will then contact the judge or his/her staff directly to select a date that is mutually agreeable for the ride-along experience, unless the attorney, in his or her discretion, believes that the proposed assignment is not advisable in which case the attorney will request reassignment from the Coordinator.

(4) The attorney and the judge or his/her staff shall endeavor, if at all possible, to identify the nature of the matter(s) and the parties anticipated to be before the court on the proposed date for the ride-along and determine whether participation by the attorney might create the appearance of impropriety. In evaluating the appearance of impropriety, the attorney should apply the canons of judicial conduct as if the attorney were the judge.

(5) If there is no apparent appearance of impropriety, the attorney shall fill out the Ride-Along Participation Form and forward the original to the Coordinator and a copy to the judge.

(6) The day before the proposed ride-along, the attorney shall contact the judge or his/her staff to reconfirm the date for the ride-along and determine whether there has been any change in the court's calendar. If there has been a change in the calendar, the judge and the attorney shall reevaluate whether participation by the attorney will create the appearance of impropriety and, if so, reschedule the ride-along.

What rules apply during the ride-along experience?

(1) Before the attorney may observe any non-public proceeding or in-chambers conference during the ride-along experience, the court must disclose the identity of the attorney participating in the ride-along program and obtain written consent for his or her presence from the parties or their attorneys. If written consent is not feasible under the circumstances, *i.e.* there is an extended calendar anticipated and taking time to obtain written consent from each litigant or attorney will unduly hamper the process, then in the discretion of the judge, oral consent by the parties or their counsel will suffice.

(2) Attorneys participating in the ride-along program must wear appropriate courtroom attire and observe appropriate courtroom decorum.

(3) Attorneys participating in the ride-along program must refrain from any conduct that might be construed as advocating for a party before the court.

(4) At all times, the judge retains authority to control his or her courtroom and may, for reasons in the discretion of the court, ask the attorney participating in the ride-along program to leave.

(5) Attorneys are required to maintain the confidentiality of all non-public information to which they have access during the judicial ride-along experience.

HENNEPIN COUNTY JUDICIAL RIDE-ALONG PROGRAM
PARTICIPATION FORM

I, _____, am an attorney duly licensed to practice law in the State of Minnesota or a law student qualified to practice under the Minnesota student practice rules. I plan to participate in the Hennepin County Judicial Ride-Along Program. I have been assigned to the Honorable _____ and the ride-along has been scheduled for _____.

I have read the Protocol for Hennepin County Judicial Ride-Along Program and agree to abide by its terms. Furthermore, I agree to maintain the confidentiality of all non-public information to which I have access during the judicial ride-along experience. I have applied the canons of judicial conduct to the matters which, to my knowledge, will be before the court on the day of the judicial ride-along and have determined that my participation would not create the appearance of impropriety. I agree that I will re-examine the appearance of impropriety for any matter which might come before the court on the day of the ride-along as to which I do not have advance notice.

Dated: _____

By: _____