



Minnesota Judicial Branch Policy

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Category:	Legislative Strategy
Title:	Judicial Council Endorsement of Proposed Legislation
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I. POLICY STATEMENT

It is the policy of the Judicial Council to promote a unified approach to the Legislature regarding legislation impacting judicial branch operations. Proposed legislation will not receive official judicial branch endorsement without Judicial Council approval.

Proposed legislation will generally fall into four categories:

1. Legislation that affects court structure, operation, or administration.
2. Legislation directing non-court officials or employees to provide information or services or take other action necessary to (affecting) the administration, processing, or adjudication of cases.
3. Legislation addressing procedure that will help in the achievement of fair and efficient administration of justice.
4. Legislation that changes substantive law.

The Council may support, oppose or take no position regarding the proposed legislation in categories one, two, and three. It generally will take no position on proposals in category four or other legislation that is not directed at the internal operations of the court or the handling or resolution of cases unless, because of fiscal considerations, the legislation:

1. Impairs the Branch's ability to fulfill existing or proposed constitutional or statutory requirements; or
2. Improves the Branch's ability to fulfill existing or proposed requirements by either saving money or making operations more efficient.

If a proposal for a change in substantive law appears likely to have a significant impact on judicial administration or may require clarification, the Judicial Council may direct the SCAO to notify the appropriate committees and prepare a legal

memorandum advising the legislature of relevant constitutional or other legal considerations if that appears helpful to the legislative consideration of the proposal.

Nothing herein is intended to restrict the authority of any judicial body or organization or any member of the judiciary from pursuing legislative proposals in its own name, provided there is no representation that the proposal has the support of the Judicial Council or is endorsed by the Judicial Branch. In the interests of promoting a unified judicial branch approach to the Legislature and to provide the Judicial Council the opportunity to consider official Judicial Branch endorsement, judicial organizations, judicial branch employees or members of the judiciary are requested to notify the Judicial Council's Legislative Advisory Workgroup of any legislation they are pursuing or endorsing which would impact judicial branch operations.

II. IMPLEMENTATION AUTHORITY

The State Court Administrator shall annually develop a procedure and timetable to solicit legislative proposals from judges, employees, and judicial branch associations and organizations for Judicial Council consideration.

III. EXECUTIVE LIMITATIONS

The State Court Administrator may not pursue legislative change without Judicial Council approval.