

**Agency Purpose**

**M**innesota’s Supreme Court is the state’s court of last resort, serving as the final guardian of the Minnesota Constitution and interpreting/applying the United States Constitution. The court is responsible for overseeing the machinery of justice in the state, for regulating the practice of law, and making recommendations for improvement of the judicial system.

- ◆ The mission of the judicial branch is to provide justice through a system that assures equal access for the fair, competent, and timely resolution of cases and controversies.
- ◆ The judicial branch vision is that the general public and those who use the court system will refer to it as accessible, fair, consistent, responsive, free of discrimination, independent, and well managed.

**Core Functions**

The Supreme Court has original jurisdiction in remedial cases as prescribed by law, appellate jurisdiction over all cases, and supervisory jurisdiction over all courts in the state. The Supreme Court’s supervisory jurisdiction includes the authority to prescribe, amend, and modify the rules of practice in all courts; the rules governing the examination and admission of attorneys to the state bar; and the rules governing judicial and attorney professional conduct.

The Chief Justice serves as chair for the Minnesota Judicial Council and is responsible for supervising the administrative operations of the state court system, including the financial affairs of the court system and the assignment of judges to serve in courts needing assistance.

The Supreme Court expedites its decisions in child protection cases, election contests and others as required by law.

**Operations**

The adjudicative and supervisory functions of the Supreme Court have an impact on all Minnesota citizens.

**Adjudicative Operations**

In reviewing more than 800 cases each year, justices are assisted in their work by law clerks, the Supreme Court Commissioner’s Office, and the Clerk of Appellate Courts Office.

**Supervisory Operations**

In the Chief Justice’s role as chair of The Minnesota Judicial Council and general supervisory role over the courts, he is assisted by the State Court Administrator’s Office, which provides the administrative infrastructure for the judicial branch.

Working at the direction of the Judicial Council, the state court administrator is responsible for providing judicial branch finance, human resources, technology, training, communications, research/evaluation, caseload management, and cross-district judicial assignment services.

**At A Glance**

- ◆ Supreme Court reviews more than 800 cases a year.
- ◆ The judicial branch operates in a constantly changing environment.
  - ⇒ Laws, case types, and legal sanctions change annually.
  - ⇒ Caseload volume is determined by other branches and levels of government, and by private citizens and business entities who bring disputes for resolution.
- ◆ The Minnesota Courts regularly review their effectiveness by monitoring
  - ⇒ case filing trends;
  - ⇒ case clearance rates; and
  - ⇒ elapsed case time from filing to disposition.

**Key Goals**

The Supreme Court Court conducts its administrative functions in support of the following three strategic priority areas:

- ◆ **Access to Justice** – A justice system that is open, affordable, understandable, and provides appropriate levels of service to all users.
- ◆ **Administering Justice for More Effective Results** – Adopting approaches and processes for the resolution of cases that enhance the outcomes for individual participants and the public.
- ◆ **Public Trust Accountability and Impartiality** – A justice system that engenders public trust and confidence through impartial decision-making and accountability for the use of public resources.

**Key Measures**

To further the three goals contained in the branch’s strategic plan – Access to Justice; Administering Justice for More Effective Results; and Public Trust Accountability and Impartiality – the strategic plan outlines future priorities. Each of these specific priorities addresses challenges facing the court system by targeting judicial branch resources in a focused manner on achievable and measurable strategies. Implementation of these priorities will take place over the life of the strategic plan with specific performance measures to evaluate their success.

[http://www.mncourts.gov/documents/0/Public/Court\\_Administration/Strategic\\_Plan\\_for\\_Minnesota\\_Courts.pdf](http://www.mncourts.gov/documents/0/Public/Court_Administration/Strategic_Plan_for_Minnesota_Courts.pdf)

**Budget**

Of the funding for the Supreme Court, 87% is from general fund direct appropriations. Federal grants represent 10% of the funding for the court. The balance of the funding is from special revenue funds and other grants and gifts, representing 3% of the courts funding.

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Dollars in Thousands

	Current		Forecast Base		Biennium 2010-11
	FY2008	FY2009	FY2010	FY2011	
<b><u>Direct Appropriations by Fund</u></b>					
<b>General</b>					
Current Appropriation	44,592	44,972	44,972	44,972	89,944
<b>Forecast Base</b>	<b>44,592</b>	<b>44,972</b>	<b>43,992</b>	<b>43,992</b>	<b>87,984</b>
Change		0	(980)	(980)	(1,960)
% Biennial Change from 2008-09					-1.8%
<b><u>Expenditures by Fund</u></b>					
<b>Carry Forward</b>					
Miscellaneous Special Revenue	61	0	0	0	0
<b>Direct Appropriations</b>					
General	43,039	46,525	43,992	43,992	87,984
<b>Statutory Appropriations</b>					
General	141	50	50	50	100
Miscellaneous Special Revenue	1,426	1,581	1,451	1,659	3,110
Federal	4,835	5,521	5,543	5,308	10,851
Miscellaneous Agency	0	1	1	1	2
Gift	94	111	99	99	198
<b>Total</b>	<b>49,596</b>	<b>53,789</b>	<b>51,136</b>	<b>51,109</b>	<b>102,245</b>
<b><u>Expenditures by Category</u></b>					
Total Compensation	21,805	23,974	23,850	23,868	47,718
Other Operating Expenses	13,292	15,251	13,875	13,830	27,705
Local Assistance	14,499	14,564	13,411	13,411	26,822
<b>Total</b>	<b>49,596</b>	<b>53,789</b>	<b>51,136</b>	<b>51,109</b>	<b>102,245</b>
<b><u>Expenditures by Program</u></b>					
Supreme Court Operations	35,171	39,326	37,826	37,799	75,625
Civil Legal Services	14,425	14,463	13,310	13,310	26,620
<b>Total</b>	<b>49,596</b>	<b>53,789</b>	<b>51,136</b>	<b>51,109</b>	<b>102,245</b>
<b>Full-Time Equivalents (FTE)</b>	<b>253.1</b>	<b>264.8</b>	<b>259.1</b>	<b>253.9</b>	

**Program Description**

Minnesota's Supreme Court is the state's court of last resort, serving as the final guardian of the state constitution and interpreting/applying the United States Constitution. The court is also responsible for regulating the practice of law and promulgating the rules of procedure before all courts of the state.

**Program at a Glance**

- ◆ Supreme Court has seven justices
- ◆ Supreme Court reviews more than 800 cases each year.

**Population Served**

The adjudicative and supervisory functions of the Supreme Court have an impact on all Minnesota citizens.

**Services Provided**

The Minnesota Supreme Court considers appeals from judgments of the Court of Appeals, the Workers Compensation Court of Appeals, and the Tax Court. It hears special term matters, motions, and petitions for extraordinary relief. The Supreme Court also hears mandatory cases. This includes first-degree murder, tax court and workers' compensation court of appeals, as well as attorney discipline.

In addition to this appellate function, the Supreme Court supervises admission to the practice of law in the state and regulates legal practice. The court also promulgates rules governing practice and procedure in the courts throughout the state, a function that involves special advisory committees and requires numerous public hearings.

**Key Goals**

The Supreme Court Court conducts its administrative functions in support of the following three strategic priority areas:

- ◆ **Access to Justice** – A justice system that is open, affordable, understandable, and provides appropriate levels of service to all users.
- ◆ **Administering Justice for More Effective Results** – Adopting approaches and processes for the resolution of cases that enhance the outcomes for individual participants and the public.
- ◆ **Public Trust Accountability and Impartiality** – A justice system that engenders public trust and confidence through impartial decision-making and accountability for the use of public resources.

**Key Program Measures**

The Supreme Court seeks to maintain or improve the dispositional time while maintaining the high quality of legal analysis and clarity of its decisions.

The Supreme Court seeks to use its personnel:

- ◆ to manage its workload so that each case receives adequate attention as its importance demands;
- ◆ to decide petitions for review within 60 days;
- ◆ to maintain an orderly and uniform legal process and procedure throughout the state through the promulgation of uniform rules;
- ◆ to regulate the admission to and practice of law in Minnesota so that each citizen seeking legal counsel is assured of competent representation;
- ◆ to ensure the financial integrity of the court system in accordance with generally accepted accounting principles and to ensure correct payment of invoices within the statutorily required 30 days; and
- ◆ to ensure the effective operation of the state court system in a way that provides access to all citizens.

**Program Funding**

The general fund primarily funds the Supreme Court Operations budget. A small amount of support from the special revenue fund is received for the State Law Library, the Court Interpreter Program, and the Attorney Registration Program. Some federal funds are received and directed towards children's initiatives.

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# SUPREME COURT

## Program: SUPREME COURT OPERATIONS

## Program Summary

Dollars in Thousands

	Current		Forecast Base		Biennium 2010-11
	FY2008	FY2009	FY2010	FY2011	
<b><u>Direct Appropriations by Fund</u></b>					
<b>General</b>					
Current Appropriation	31,292	31,792	31,792	31,792	63,584
<b>Forecast Base</b>	<b>31,292</b>	<b>31,792</b>	<b>31,792</b>	<b>31,792</b>	<b>63,584</b>
<b><u>Expenditures by Fund</u></b>					
<b>Carry Forward</b>					
Miscellaneous Special Revenue	61	0	0	0	0
<b>Direct Appropriations</b>					
General	29,783	33,301	31,792	31,792	63,584
<b>Statutory Appropriations</b>					
General	141	50	50	50	100
Miscellaneous Special Revenue	257	342	341	549	890
Federal	4,835	5,521	5,543	5,308	10,851
Miscellaneous Agency	0	1	1	1	2
Gift	94	111	99	99	198
<b>Total</b>	<b>35,171</b>	<b>39,326</b>	<b>37,826</b>	<b>37,799</b>	<b>75,625</b>
<b><u>Expenditures by Category</u></b>					
Total Compensation	21,776	23,974	23,850	23,868	47,718
Other Operating Expenses	13,288	15,248	13,872	13,827	27,699
Local Assistance	107	104	104	104	208
<b>Total</b>	<b>35,171</b>	<b>39,326</b>	<b>37,826</b>	<b>37,799</b>	<b>75,625</b>
<b><u>Expenditures by Activity</u></b>					
Supreme Court Operations	9	35	35	35	70
Supreme Court Operations	5,486	5,761	5,665	5,870	11,535
State Court Administration	27,577	31,315	29,975	29,743	59,718
Law Library Operations	2,099	2,215	2,151	2,151	4,302
<b>Total</b>	<b>35,171</b>	<b>39,326</b>	<b>37,826</b>	<b>37,799</b>	<b>75,625</b>
<b>Full-Time Equivalents (FTE)</b>	<b>252.7</b>	<b>264.3</b>	<b>258.6</b>	<b>253.4</b>	

**Program Description**

Appointed by the Supreme Court, the Legal Services Advisory Committee distributes funds to civil legal services programs to provide legal assistance to low-income persons meeting statutory income eligibility guidelines. By statute, 85% of the funding is granted to six regional legal services programs (Coalition Programs) with 38 offices or projects throughout the state, which had demonstrated an ability as of 7-01-1982 to provide legal services with funds provided by the federal Legal Services Corporation.

**Program at a Glance**

- ◆ Number of programs funded – 34
- ◆ Direct legal assistance – 52,909 closed cases reported statewide
- ◆ Preventive education – 70,000 (est.) attendees at legal education sessions

The remaining 15% of the funding is awarded annually on a competitive basis to nonprofit organizations providing legal or alternative dispute resolution services. In FY 2008-2009, 34 programs received grants to provide or support legal services to the poor.

**Population Served**

Over 522,000 people, or approximately 11% of Minnesota’s population, with incomes at or below 125% the federal poverty level qualify for civil legal services through the Coalition Programs. Another approximately 500,000 people are between 125% and 200% of federal poverty guidelines and could qualify under the statutory guidelines of this program. (M.S. 480.24-480.244). In the fall of 2005, the Legal Services Corporation issued a report entitled, *Documenting the Justice Gap in America*. This national study (which included Minnesota) established that for every client who received legal aid services, one applicant was turned away. The Minnesota Supreme Court’s Minnesota Legal Services Planning Commission, after considering a variety of studies, determined that “nevertheless, in Minnesota, as in the rest of America, a very large percentage, perhaps, more than three-quarters of the legal needs of the disadvantaged remains unaddressed.”

Because of the nature of poverty, nearly 70% of persons served by the Coalition Programs are women and their children. Nearly 15% are age 60 or over and more than 37% are persons of color. Nearly 20% of the Coalition Programs’ clients are persons with physical or mental disabilities and 14% are English language learners.

**Services Provided**

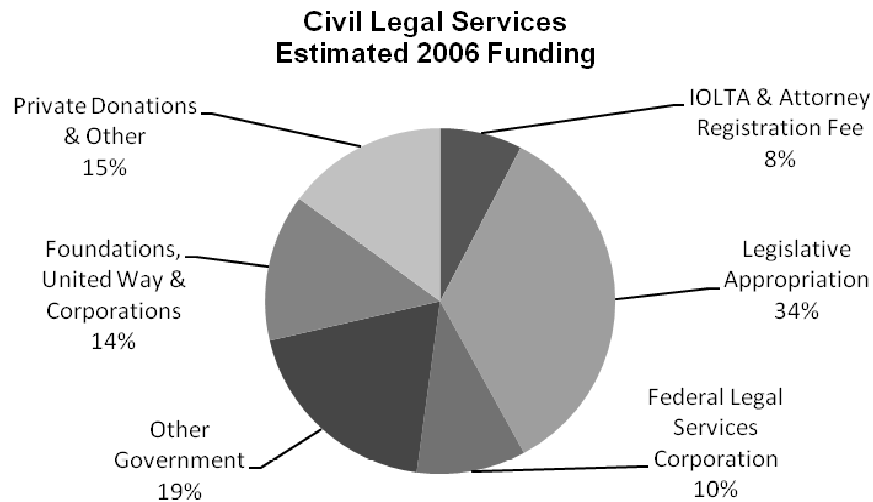
Through representation, negotiation, conciliation, community education, and preventive law work, lawyers in these programs constructively resolve the legal problems of low-income applicants for program services. Most of the legal problems handled by these programs directly and significantly affect the day-to-day lives of persons in need: their homes, family, health, support for their children, and personal safety.

**Historical Perspective**

Since the early 1980s Coalition Programs have experienced a 60% increase in requests for services while program income in real dollars has increased only to the extent that programs are able to serve 20% more Minnesotans. Funding for civil legal services in Minnesota is a combination of state, federal, foundation, and private funding. The Minnesota Legal Services Planning Commission has recommended “that the Minnesota legislature increase the funding for delivery of civil legal services to the disadvantaged.”

The Supreme Court has assessed attorneys an annual fee to support legal services which raises approximately \$1 million annually. Statewide, volunteer attorneys have contributed time valued in excess of \$5.6 million annually.

In 2006, the estimated funding for the all the legal services programs in the state was \$35,864,865 from the following sources:



**Key Program Goals**

Funding civil legal services supports the goals of both the **Minnesota Milestones** and the **Minnesota Judicial Branch Strategic Plan**.

**◆ Minnesota Milestones Statewide Goals**

- ⇒ “Families will provide a stable, supportive environment for children.” “Our communities will be safe.” “Our children will not live in poverty.” – Legal Aid breaks the cycle of domestic violence for many families, helping them restructure their lives to be safe and stable for children, thereby increasing their chances to also break the cycle of poverty.
- ⇒ “All Minnesotans will have decent, safe, and affordable housing.” – Legal Aid prevents homelessness for thousands of families each year; obtains needed repairs; helps eligible families access public or subsidized housing; and is helping families respond to the mortgage foreclosure crisis.
- ⇒ “Government in Minnesota will be cost-efficient, and services will be designed to meet the needs of the people who use them.” – Legal Aid helps the Judicial Branch be more efficient by keeping thousands of non-meritorious cases out of court and by settling thousands of meritorious cases before trial.
- ⇒ “People in need will receive support that helps them live as independently as they can.” – Legal Aid helps families get the training and education they need to make the transition from welfare to work, and assists seniors and persons with disabilities. It helps those unable to work to access benefits that enable them to meet their basic needs such as access to health care.

**◆ Minnesota Judicial Branch Strategic Plan Goals**

- ⇒ “Strategic Goal 1: Access to Justice – A justice system that is open, affordable, understandable and provides appropriate levels of service to all users.” – Legal Aid gives the poorest and most vulnerable Minnesotans, including non-English speakers, access to the courts. One of the strategic priorities under this goal is the expansion of resources for pro se litigants. Legal services providers have been an important partner with the courts and law libraries to provide self-help services around the state.
- ⇒ “Strategic Goal 3: Public Trust, Accountability and Impartiality – A justice system that engenders public trust and confidence through impartial decision making and accountability for the use of public resources.” – One of the strategic priorities under this goal is to assure equitable treatment of all people in the court system regardless of race or ethnicity. Legal Aid clients, like the poor in general, are disproportionately people of color. Access to an attorney is an important part of assuring equitable treatment regardless of race or ethnicity.



**Key Program Measures**

Due to reduced revenue in 2001-2004, the Coalition Programs served about 11% fewer clients. State funding increases in 2005 helped to restore 30 of the 43 attorney positions lost statewide from 2001-03. With these funding increases, legal services providers statewide were able to increase the number of cases handled by 5% from 2006 – 2007. However, \$1 million per year of the current state appropriation is not included in the base funding, and will terminate at the end of this biennium unless renewed.

**Program Funding**

The Judicial Branch coordinates funding for civil legal services from a general fund appropriation, a dedicated portion of the attorney registration fee and Interest on Lawyer Trust Account (IOLTA) revenue. The legal services organizations are also funded by other federal, state and local government sources as well as United Ways, foundations and other private sources. These funding sources are described in the above chart.

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# SUPREME COURT

Program: CIVIL LEGAL SERVICES

Program Summary

*Dollars in Thousands*

	Current		Forecast Base		Biennium 2010-11
	FY2008	FY2009	FY2010	FY2011	
<b><u>Direct Appropriations by Fund</u></b>					
<b>General</b>					
Current Appropriation	13,300	13,180	13,180	13,180	26,360
<b>Technical Adjustments</b>					
One-time Appropriations			(980)	(980)	(1,960)
<b>Forecast Base</b>	<b>13,300</b>	<b>13,180</b>	<b>12,200</b>	<b>12,200</b>	<b>24,400</b>
<b><u>Expenditures by Fund</u></b>					
<b>Direct Appropriations</b>					
General	13,256	13,224	12,200	12,200	24,400
<b>Statutory Appropriations</b>					
Miscellaneous Special Revenue	1,169	1,239	1,110	1,110	2,220
<b>Total</b>	<b>14,425</b>	<b>14,463</b>	<b>13,310</b>	<b>13,310</b>	<b>26,620</b>
<b><u>Expenditures by Category</u></b>					
Total Compensation	29	0	0	0	0
Other Operating Expenses	4	3	3	3	6
Local Assistance	14,392	14,460	13,307	13,307	26,614
<b>Total</b>	<b>14,425</b>	<b>14,463</b>	<b>13,310</b>	<b>13,310</b>	<b>26,620</b>
<b><u>Expenditures by Activity</u></b>					
Legal Services	14,425	14,463	13,310	13,310	26,620
<b>Total</b>	<b>14,425</b>	<b>14,463</b>	<b>13,310</b>	<b>13,310</b>	<b>26,620</b>
<b>Full-Time Equivalents (FTE)</b>	<b>0.4</b>	<b>0.5</b>	<b>0.5</b>	<b>0.5</b>	

**SUPREME COURT**

Agency Revenue Summary

*Dollars in Thousands*

	<b>Actual FY2008</b>	<b>Budgeted FY2009</b>	<b>Current Law</b>		<b>Biennium 2010-11</b>
			<b>FY2010</b>	<b>FY2011</b>	
<b><u>Non Dedicated Revenue:</u></b>					
<b>Departmental Earnings:</b>					
General	557	550	550	550	1,100
<b>Other Revenues:</b>					
General	17	0	0	0	0
<b>Total Non-Dedicated Receipts</b>	<b>574</b>	<b>550</b>	<b>550</b>	<b>550</b>	<b>1,100</b>
<b><u>Dedicated Receipts:</u></b>					
<b>Departmental Earnings:</b>					
General	76	50	50	50	100
Miscellaneous Special Revenue	1,497	1,420	1,420	1,434	2,854
<b>Grants:</b>					
Miscellaneous Special Revenue	9	35	35	35	70
Federal	787	1,023	925	925	1,850
<b>Other Revenues:</b>					
Miscellaneous Special Revenue	0	7	7	7	14
Federal	4,256	4,360	4,360	4,360	8,720
Gift	116	93	92	92	184
<b>Other Sources:</b>					
Miscellaneous Agency	0	1	1	1	2
<b>Total Dedicated Receipts</b>	<b>6,741</b>	<b>6,989</b>	<b>6,890</b>	<b>6,904</b>	<b>13,794</b>
<b>Agency Total Revenue</b>	<b>7,315</b>	<b>7,539</b>	<b>7,440</b>	<b>7,454</b>	<b>14,894</b>