
CHAPTER 322—S.F.No.2504

An act relating to the district court; second judicial district in Ramsey county and fourth judicial district in Hennepin county; amending Minnesota Statutes 1971, Sections 140.19; 140.20; 140.21; 140.23; 140.24; 140.25; 508.12; 508.74; 611.26, Subdivision 1; Minnesota Statutes, 1973 Supplement, Section 485.01; Laws 1923, Chapter 289, Sections 1, 2, 3, 4, 6, 11, and 13, as amended; Laws 1923, Chapter 77, Section 10, as amended; Laws 1951, Chapter 653, Section 1; Laws 1965, Chapter 469, Section 8; Laws 1965, Chapter 709, Section 1; Laws 1969, Chapter 838, Sections 1, 2, and 3; Laws 1969, Chapter 839, Section 1; and repealing Minnesota Statutes 1971, Sections 260.305 and 485.015; Laws 1923, Chapter 77, Sections 1 to 9; and Laws 1925, Chapter 52.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1971, Section 140.19, is amended to read:

140.19 DISTRICT COURTS; RAMSEY AND HENNEPIN COUNTIES; SECOND JUDICIAL DISTRICT, LAW LIBRARY. In Ramsey county the second judicial district, there is hereby established a law library which shall be subject to the provisions of sections 140.19 to 140.25.

Sec. 2. Minnesota Statutes 1971, Section 140.20, is amended to read:

140.20 WHO MAY USE. The use of ~~such~~the law library ~~shall be~~is free to the judges of the state, to state officials, to all the judges of the second judicial district, and the municipal, and probate courts of ~~the Ramsey~~ county, to all the city and county officials, to the members of the bar, and to the inhabitants of the county under proper regulation.

Sec. 3. Minnesota Statutes 1971, Section 140.21, is amended to read:

140.21 FEES. ~~It shall be the duty of~~ The clerk of the district court of ~~such county to collect in each~~the second judicial district shall collect the sum of \$3 from each plaintiff or person instituting a civil suit, action or proceeding filed in ~~such~~that court, at the time of the filing of the first paper therein and in addition thereto, as law library fees, ~~the sum of \$3 from the plaintiff or person instituting such suit, action or proceeding, at the time of the filing of the first paper therein,~~ and the sum of \$3 from ~~the~~each defendant or other adverse or intervening party, or any one or more of several defendants, or other adverse or intervening parties appearing separately from the others, to be collected when his

Changes or additions indicated by underline deletions by ~~strikeout~~

~~or their~~ appearance is entered in ~~such-the~~ action or proceeding or when the first paper on his ~~or their~~ part is filed therein. ~~Such-These~~ law library fees ~~shall be~~ are costs in the case, and taxable as such, and shall be allotted for the support of ~~said-the~~ library.

Sec. 4. Minnesota Statutes 1971, Section 140.23, is amended to read:

140.23 FEES PAID TO COUNTY TREASURER. On the first day of each month the clerk of the district court ~~making collection of such fees of the second judicial district~~ shall pay the same fees collected to the treasurer of the county taking his receipt therefor; and the Ramsey county treasurer is authorized and directed, ~~shall~~ upon itemized vouchers approved by the board of law library trustees, ~~to~~ disburse the same and any other money belonging to the board to pay the necessary expenses of equipping and maintaining the library.

Sec. 5. Minnesota Statutes 1971, Section 140.24, is amended to read:

140.24 LAW LIBRARY TRUSTEES. Subdivision 1. COMPOSITION. The management of the law library ~~shall be~~ is under a board of law library trustees, who shall serve without compensation, to be chosen for the terms and in the manner following: The board ~~shall consist~~ consists of seven members, namely, two district judges of the county second judicial district, ~~to be~~ selected by the district judges thereof; one municipal judge ~~to be~~ selected by the municipal judges of the principal city in the county-city of St. Paul; three members of the bar ~~to be~~ elected by the oldest bar association in the county affiliated with the Minnesota state bar association in the manner provided in the by-laws of the county bar association; one member of the board of county commissioners, ~~to be~~ selected by the county board annually at its annual election of officers of the board.

Subd. 2. TERM. All members of the board of law library trustees, except the county commissioner, ~~shall~~ hold office for four years.

Subd. 3. ORGANIZATION. The board of law library trustees shall elect one of its members president and another member secretary and the board ~~shall have authority to may~~ appoint a librarian and ~~such-the~~ assistants and clerical help as may be necessary, fix their compensation, and provide rules and regulations for the management thereof.

Sec. 6. Minnesota Statutes 1971, Section 140.25, is amended to read:

140.25 MAY ACQUIRE LIBRARIES. The board of law library trustees, in the name of ~~the-Ramsey~~ county, may acquire and maintain ~~such-the~~ library by gift, grant, donation, bequest, purchase, lease, or loan and title to ~~such-the~~ library shall vest and be in ~~the-Ramsey~~ county. The board of law library trustees may sell or exchange ~~such~~

Changes or additions indicated by underline deletions by ~~strikeout~~

the items in the library to ~~such the~~ persons and upon ~~such the~~ terms as the board ~~may deem~~ considers best.

Sec. 7. Minnesota Statutes, 1973 Supplement, Section 485.01, is amended to read:

485.01 ELECTION; BOND; DUTIES. There shall be elected in each county a clerk of the district court, who, before entering upon the duties of his office, shall give bond to the state, to be approved by the county board, in a penal sum of not less than \$1,000 nor more than \$10,000 conditioned for the faithful discharge of his official duties. In ~~counties having a population of more than 200,000 and less than 350,000~~ the second judicial district the amount of such bond shall be \$10,000 and in ~~counties having a population of more than 350,000~~ the fourth judicial district the amount of such bond shall be \$25,000, which bond, with his oath of office, shall be filed for record with the register of deeds. Such clerk shall perform all duties assigned him by law and by the rules of the court. He shall not practice as an attorney in the court of which he is the clerk.

Sec. 8. Minnesota Statutes 1971, Section 508.12, is amended to read:

508.12 EXAMINERS OF TITLES. Subdivision 1. EXAMINER AND DEPUTY EXAMINER. The judges of the district court shall appoint a competent attorney in each county within their respective districts to be an examiner of titles and legal adviser to the registrar in said county, and may appoint one deputy examiner who shall act in the name of the examiner and under his supervision and control, and his acts shall be the acts of the examiners. The examiner of titles shall hold office subject to the will and discretion of the district court by which he is appointed. His compensation and that of his deputies shall be fixed and determined by the court and paid in the same manner as the compensation of other county employees is paid except that in all counties having less than 75,000 inhabitants, and in Stearns county and Dakota county the fees and compensations of the examiners for services as legal adviser to the registrar shall be determined by the judge of the district court and, paid in the same manner as the compensation of other county employees is paid, but in every other instance shall be paid by the person applying to have his title registered or for other action or relief which requires the services, certification or approval of the examiner.

Subd. 2. COUNTY ATTORNEY AS LEGAL ADVISER IN CERTAIN COUNTIES. Notwithstanding any provision of this section to the contrary, in all counties other than Hennepin, Ramsey and St. Louis having a full-time county attorney, the county board by resolution may provide that the county attorney shall also be the legal adviser to the registrar in said county.

Subd. 3. DEPUTY EXAMINERS IN THE SECOND AND FOURTH

Changes or additions indicated by underline deletions by ~~strikeout~~

JUDICIAL DISTRICTS. In ~~Ramsey county~~ the second judicial district the judges of the district court may appoint not more than three full time deputy examiners, in addition to the deputy examiner above provided for; and in ~~Hennepin county~~ the fourth judicial district the judges of the district court may appoint ~~not more than five full time deputy examiners, in addition to the deputy examiner above provided for;~~ or, in the event any said full time deputy examiners provided for in this paragraph or the paragraph immediately above are not appointed, two part time deputy examiners may be appointed for each such full time deputy examiner not so appointed. All deputy examiners shall be competent attorneys and shall act in the name of the examiner and under his supervision and control and their acts shall be the acts of the examiner. All deputies shall hold office subject to the will and discretion of the district court by which they are appointed and their compensation shall be fixed and determined by the court and paid in the same manner as the compensation of other county employees is paid.

Sec. 9. Minnesota Statutes 1971, Section 508.74, is amended to read:

508.74 CHARGES ON REGISTRATION. Subdivision 1. Upon the original registration of land, and also upon the registration of any land by the heirs or devisees of any deceased person, there shall be paid to the registrar two-tenths of one percent of the full and true value of the land, exclusive of improvements, as determined by the last official assessment for general taxation, or five dollars, whichever is the greater.

Subd. 2. ~~Provided that, in the counties of Hennepin and Ramsey-~~ In the second and fourth judicial districts the required fee shall be one-tenth of one percent of ~~the full and true~~ one-third of the market value of the land, exclusive of improvements, or one dollar, whichever is the greater.

Subd. 3. For the issuance and registration of the new certificate of title there shall be paid to the registrar the sum of two dollars, in addition to any other sum prescribed by law, which shall be disposed of in the manner provided by section 508.75.

Sec. 10. Minnesota Statutes 1971, Section 611.26, Subdivision 1, is amended to read:

611.26 DISTRICT PUBLIC DEFENDERS. Subdivision 1. A majority of the judges of any judicial district not subject to the provisions of section 611.12, except the second, may, by written order filed with the state judicial council, establish in such district the public defender system provided in Laws 1965, Chapter 869. Such an order shall be effective 30 days after its filing. Notwithstanding this subdivision the state public defender may assist the public defenders of ~~Hennepin and Ramsey counties~~ the second and fourth judicial districts at their request.

Sec. 11. Laws 1923, Chapter 289, Section 1, as amended by Laws
Changes or additions indicated by underline deletions by ~~strikeout~~

1949, Chapter 61, Section 1, as amended by Laws 1965, Chapter 469, Section 1, is amended to read:

Section 1. **COURT SERVICES DEPARTMENT, SECOND JUDICIAL DISTRICT.** There is hereby established, in Ramsey county the second judicial district, a probation and investigation court services department in connection with the courts of ~~such~~ Ramsey county. ~~Such~~ ~~The~~ department shall be ~~is~~ in the charge of a chief probation officer, also to be known as the director of court services. ~~Such chief probation officer~~ ~~The district judges~~ shall be appointed by the district judges and appoint the director who shall serve for four years unless sooner removed for cause by ~~said~~ the judges. The ~~chief probation officer~~ ~~director~~ shall supervise and administer services of the department to any courts of ~~such~~ Ramsey county, establish necessary policy, and may divide the duties of the department into branches or divisions and appoint from department personnel, the heads of the branches or divisions, all with the approval of the district judges.

Sec. 12. Laws 1923, Chapter 289, Section 2, as amended by Laws 1965, Chapter 469, Section 2, is amended to read:

Sec. 2. **OFFICERS, EMPLOYEES.** The chief probation officer ~~director~~ may appoint, as the judges may approve; ~~such deputies, assistants, consultants, probation officers, case workers, investigators, psychiatrists, psychologists, clerical help, student trainees, and such other employees as are needed~~, three principal assistants or division supervisors. ~~Department personnel may be removed for cause and after 30 days' notice, upon a hearing before the chief probation officer with the consent of the judges. The district judges may by order, determine the necessary qualifications of applicants for positions in the department.~~

Sec. 13. Laws 1923, Chapter 289, Section 3, as amended by Laws 1965, Chapter 469, Section 3, is amended to read:

Sec. 3. **OFFICE ROOM AND RECORDS.** ~~The~~ Ramsey county ~~commissioners of such county~~ shall provide the chief probation officer ~~director~~ and department personnel with suitable furnished office rooms, record books, stationery, postage, expenses of investigation and visitation ordered by the court, and ~~such~~ ~~the~~ other actual expenses as are required for the proper execution of ~~the~~ ~~their~~ duties of the office pursuant to sections 1 to 9 of this act.

Sec. 14. Laws 1923, Chapter 289, Section 4, as amended by Laws 1965, Chapter 469, Section 4, is amended to read:

Sec. 4. **OFFICIAL ATTENDANCE AT COURT.** The chief probation officer ~~director~~ or a department person designated by him shall be present in the municipal courts in each subdivision of ~~such~~ Ramsey county and in the juvenile court of ~~such~~ ~~the~~ county at each regular session, and shall be present in the district court, the probate court of the county and any other court now or hereafter established in the county

Changes or additions indicated by underline deletions by ~~strikeout~~

when so requested by a judge of ~~such~~ that court.

Sec. 15. Laws 1923, Chapter 289, Section 6, as amended by Laws 1965, Chapter 469, Section 5, is amended to read:

Sec. 5. **DUTIES OF DEPARTMENT.** The duties of ~~such~~ the department ~~shall be~~ are :

(1) To supervise persons placed on probation by any of the judges of any of the courts of ~~such~~ Ramsey county, to keep accurate records of ~~such~~ this supervision, and to make reports thereon.

(2) To make ~~such~~ investigations with regard to ~~any~~ a child or person as may be ordered by the court before, during, or after the trial or hearing of ~~such~~ the child or person, and shall furnish to the court ~~such~~ the information, recommendations, and assistance as may be required.

(3) To inquire into the nature of every juvenile delinquency or criminal matter in any court where authorized to appear and have supervision of ~~such~~ the child or person during the continuance or suspension of sentence or order of commitment, and in general, perform ~~such~~ the acts with reference thereto as ~~any~~ the court of the county may direct. In the execution of official duties, ~~such~~ the department personnel shall have all the power of a peace officer.

(4) To perform the duties required of probation officers by law, including but not limited to, Minnesota Statutes, Chapter 260, and acts amendatory thereof, and the criminal code of 1963, and acts amendatory thereof.

(5) To provide for psychiatric, psychological, and medical diagnosis or services for ~~any~~ a person when directed or ordered by ~~any~~ a court of the county, or when ~~such~~ the services are part of the probation and investigation process.

(6) To make collections of support money in divorce and other actions when ordered by a judge of ~~any~~ a court of the county and to make collections of money and property when ordered to be paid as restitution or reimbursement and to turn over ~~such~~ the money or property to the person or persons entitled thereto as directed by the court.

(7) To make investigations both as to custody and other matters and provide counseling in domestic relation cases as required and to exercise supervision over children and other persons in ~~such~~ the cases ~~as that~~ the court ~~may direct~~ directs .

(8) To perform ~~such~~ other duties for the protection of children and parents as ~~may be directed by~~ any a court of the county directs .

(9) To provide ~~such~~ services as marital counseling, taking of wage assignments, financial reports, marriage consent investigations, and

Changes or additions indicated by underline deletions by ~~strikeout~~

~~any other such~~ duties as ~~any a~~ court of the county ~~might direct~~ directs

(10) To make all necessary inquiries and prepare petitions for withdrawals from minor trust funds when directed by the judge of the district court.

(11) To perform ~~such~~ other acts in relation to the above listed duties and any other services as the courts of ~~such county may direct~~ the district direct .

Sec. 16. Laws 1923, Chapter 289, Section 11, as amended by Laws 1953, Chapter 593, Section 2, as amended by Laws 1965, Chapter 469, Section 7, is amended to read:

Sec. 7. **ANNUAL REPORT.** The ~~chief probation officer~~ director shall report, annually, to the district court of the second judicial district with reference to the conditions and disposition and other pertinent facts relative to the work of the department and shall furnish a copy of ~~such the~~ report to the board of county commissioners, the commissioner of public welfare, and to the commissioner of corrections.

Sec. 17. Laws 1923, Chapter 289, Section 13, as amended by Laws 1965, Chapter 469, Section 9, is amended to read:

Sec. 9. **SALARIES PAYABLE OUT OF RAMSEY COUNTY TREASURY.** All annual salaries ~~mentioned in sections 1 to 9 of this act for~~ the second judicial district court services department shall be payable of the Ramsey county treasury.

Sec. 18. Laws 1923, Chapter 77, Section 10, as amended by Laws 1955, Chapter 581, as amended by Laws 1959, Chapter 551, as amended by Laws 1969, Chapter 799, Section 10, is amended to read:

Sec. 10. **COURT REPORTERS, SECOND JUDICIAL DISTRICT; CHARGE FOR TRANSCRIPT.** In addition to ~~such salaries~~ his salary each court reporter in the second judicial district may charge for one transcript of his record ordered by any person other than the judge not to exceed 35 cents per folio thereof and not to exceed seven and one half cents per folio for each manifold or other copies thereof when so ordered that they can be made with ~~such the~~ original transcript.

Sec. 19. Laws 1951, Chapter 653, Section 1, is amended to read:

Section 1. **CLERK OF JUVENILE COURT, SECOND JUDICIAL DISTRICT.** The judge of the district court presiding over the juvenile court in ~~districts having therein a county having more than 300,000 and less than 450,000 inhabitants~~ the second judicial district shall appoint a clerk of the juvenile court for ~~such county~~ the district who ~~thereafter~~ shall serve as ~~such~~ clerk of juvenile court unless removed

Changes or additions indicated by underline deletions by ~~strikeout~~

for cause by the judge ~~then~~ presiding over ~~such~~ juvenile court, who shall not be under civil service, and whose salary shall be fixed by the Ramsey county board of ~~county~~ commissioners ; ~~and shall not exceed the sum of \$4,500 .~~

Sec. 20. Laws 1965, Chapter 469, Section 8, is amended to read:

Sec. 8. **SALARIES.** ~~Subdivision 1. The chief probation officer-director and all the employees of the department-the three principal assistants or division supervisors shall receive such compensation as shall be fixed by the judges of the district court of the county second judicial district .~~

~~Subd. 2. The judges of the district court shall have the right to establish rules and regulations as to personnel practices.~~

Sec. 21. Laws 1965, Chapter 709, Section 1, is amended to read:

Section 1. **SECOND JUDICIAL DISTRICT JUVENILE COURT; REPORTER'S SALARY.** ~~Any~~ A judge of the second judicial district court in Ramsey county who is appointed pursuant to the provisions of Minnesota Statutes , Section 260.021, Subdivision 2, as a judge of the juvenile court in and for Ramsey county shall fix a salary increment to be paid to the court reporter of the judge so designated in an amount not to exceed \$1,000 per annum and approved by the county board in addition to the annual salary of ~~such~~ the court reporter as provided by statute. This salary increment is to be paid by the county of Ramsey in the same manner as other county employees are paid.

Sec. 22. Laws 1969, Chapter 838, Section 1, is amended to read:

Section 1. **PUBLIC DEFENDER; SECOND JUDICIAL DISTRICT; APPOINTMENT.** In ~~Ramsey county~~ the second judicial district , a majority of the judges of the district court ~~of said county~~ may appoint an attorney at law, a member of the bar in ~~said county-the district~~ who shall be known as the public defender of ~~Ramsey county-the district~~ . A majority of the judges of the district court may also appoint assistants to the public defender, the number of whom shall be fixed by a majority of the judges of the district court.

Sec. 23. Laws 1969, Chapter 838, Section 2, is amended to read:

Sec. 2. **DUTIES.** The public defender and his assistants shall appear for and defend all persons charged with a felony or gross misdemeanor in ~~said-Ramsey~~ county, and may appear for and represent all persons entitled to representation in juvenile court in ~~said-Ramsey~~ county, pursuant to the provisions of Minnesota Statutes , Chapter 260, and may appear for and represent persons entitled to representation in the probate court in ~~said-Ramsey~~ county pursuant to the provisions of Minnesota Statutes , Chapter 253A, and may appear for and represent all persons charged with a misdemeanor in a county court in

Changes or additions indicated by underline deletions by ~~strikeout~~

~~said—~~Ramsey county who are otherwise entitled to representation, when it shall appear to the court that the person to be so represented is unable, by reason of poverty, to procure counsel.

Sec. 24. Laws 1969, Chapter 838, Section 3, is amended to read:

Sec. 3. **COMPENSATION.** The public defender and his assistants ~~shall are entitled to~~ receive ~~such—the~~ compensation for their services as a majority of the judges of the district court shall fix, subject to the approval of the Ramsey county board of commissioners, ~~such—this~~ compensation to be paid by the county in the same manner and at the same time as the salaries of other county officials.

Sec. 25. Laws 1969, Chapter 839, Section 1, is amended to read:

Section 1. **CLERK OF DISTRICT COURT; SECOND JUDICIAL DISTRICT; DUTIES.** In ~~Ramsey county—the second judicial district~~ when any civil case is transferred from the district court to ~~any—a~~ municipal or county court, the clerk of the district court, upon receipt of an order for ~~such—the~~ transfer, shall forward the file and all fees ~~there-~~ ~~to~~ ~~fore~~ collected by him with respect to ~~such—the~~ case to the clerk of the transferee court.

Sec. 26. Minnesota Statutes 1971, Sections 260.305 and 485.015; Laws 1923, Chapter 77, Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9; and Laws 1925, Chapter 52, are repealed.

Approved March 28, 1974.

CHAPTER 323—S.F.No.2516
[Coded]

An act relating to official records; alternate methods of creation, maintenance and storage of information contained therein.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [15.171] **OFFICIAL RECORDS; COMPILATION, MAINTENANCE AND STORAGE OF INFORMATION.** Notwithstanding any other law, any public officer who has jurisdiction over a collection of official records may select and use, subject to the approval of the commissioner of administration, alternative methods for the compilation, maintenance and storage of the information contained in those records, subject to the following conditions:

(1) The methods selected must provide for access to the information contained in the records by those authorized by law to have access to that information; and

Changes or additions indicated by underline deletions by ~~strikeout~~