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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5245

04/02/2024 Authored by Becker-Finn, Curran and Frazier
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law
04/24/2024 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to judiciary; providing for funding and related policy changes to Supreme
1.3 Court and district courts; establishing State Board of Civil Legal Aid; modifying
1.4 Safe at Home program certification; providing for restorative process for certain
1.5 acts; appropriating money; amending Minnesota Statutes 2022, sections 5B.02;
1.6 5B.03, subdivision 3; 5B.04; 5B.05; 13.045, subdivision 3; 260B.198, subdivision
1.7 1; 260B.225, subdivision 9; 260B.235, subdivision 4; 480.24, subdivisions 2, 4;
1.8 480.242, subdivisions 2, 3; 480.243, subdivision 1; Minnesota Statutes 2023
1.9 Supplement, section 299A.95, subdivision 5; Laws 2023, chapter 52, article 1,
1.10 section 2, subdivision 3; proposing coding for new law in Minnesota Statutes,
1.11 chapter 480; repealing Minnesota Statutes 2022, section 480.242, subdivision 1.

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

1.13 ARTICLE 1
1.14 JUDICIARY APPROPRIATIONS

1.15 Section 1. APPROPRIATIONS.

1.16 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
1.17 and for the purposes specified in this article. The appropriations are from the general fund,
1.18 or another named fund, and are available for the fiscal years indicated for each purpose.
1.19 The figures "2024" and "2025" used in this article mean that the appropriations listed under
1.20 them are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively.
1.21 "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium"
1.22 is fiscal years 2024 and 2025.

Table with 2 columns: 2024, 2025. Header: APPROPRIATIONS Available for the Year Ending June 30

1.27 Sec. 2. SUPREME COURT

2.1	<u>Subdivision 1. Total Appropriation</u>	\$	<u>2,250,000</u>	\$	<u>1,750,000</u>
2.2	<u>The amounts that may be spent for each</u>				
2.3	<u>purpose are specified in the following</u>				
2.4	<u>subdivisions.</u>				
2.5	<u>Subd. 2. Supreme Court Operations</u>		<u>2,250,000</u>		<u>1,750,000</u>
2.6	<u>(a) Safe and Secure Courthouse Initiative</u>				
2.7	<u>\$500,000 in fiscal year 2024 is for a</u>				
2.8	<u>competitive grant program for courthouse</u>				
2.9	<u>safety and security improvements. Grants may</u>				
2.10	<u>be awarded to governmental entities to fund</u>				
2.11	<u>courthouse security assessments, equipment,</u>				
2.12	<u>technology, construction, or training needs.</u>				
2.13	<u>Grant recipients must provide a 50 percent</u>				
2.14	<u>nonstate match.</u>				
2.15	<u>(b) Enhancing Cyber Security</u>				
2.16	<u>\$1,750,000 each year is to fund critical</u>				
2.17	<u>improvements to the judiciary branch cyber</u>				
2.18	<u>security program. The base for this</u>				
2.19	<u>appropriation is \$0 beginning in fiscal year</u>				
2.20	<u>2026.</u>				
2.21	<u>Sec. 3. DISTRICT COURTS</u>	\$	<u>15,185,000</u>	\$	<u>16,815,000</u>
2.22	<u>(a) Expanded Access to Forensic Examiners</u>				
2.23	<u>\$13,082,000 in fiscal year 2024 and</u>				
2.24	<u>\$13,237,000 in fiscal year 2025 are to meet</u>				
2.25	<u>the increased demand for psychological</u>				
2.26	<u>examinations in criminal and civil</u>				
2.27	<u>commitment cases. These appropriations are</u>				
2.28	<u>onetime and are available until June 30, 2027.</u>				
2.29	<u>(b) Forensic Examiner Rate Increase</u>				
2.30	<u>\$1,070,000 in fiscal year 2025 is to raise</u>				
2.31	<u>examiner payment rates.</u>				
2.32	<u>(c) Court Interpreter Deficit</u>				

3.1 \$1,290,000 each year is to address the current
 3.2 deficit in Minnesota's court interpreter
 3.3 program. The base for this appropriation is \$0
 3.4 beginning in fiscal year 2026.

3.5 **(d) Court Interpreter Rate Increase**

3.6 \$235,000 in fiscal year 2025 is to raise
 3.7 payment rates for certified court interpreters.

3.8 **(e) Court Interpreter Paid Travel Time**

3.9 \$170,000 in fiscal year 2025 is to reimburse
 3.10 certified court interpreters for travel time.

3.11 **(f) Jury Program Deficit**

3.12 \$788,000 each year is to address the current
 3.13 deficit in Minnesota's jury program. The base
 3.14 for this appropriation is \$0 beginning in fiscal
 3.15 year 2026.

3.16 **(g) Trauma Services for Jurors**

3.17 \$25,000 each year is to provide vicarious
 3.18 trauma services for jurors.

3.19 **Sec. 4. STATE BOARD OF CIVIL LEGAL AID.**

3.20 The general fund appropriation base for the State Board of Civil Legal Aid is \$34,167,000
 3.21 beginning in fiscal year 2026 for staffing and other costs needed to establish and perform
 3.22 the duties of the State Board of Civil Legal Aid.

3.23 Sec. 5. Laws 2023, chapter 52, article 1, section 2, subdivision 3, is amended to read:

3.24 Subd. 3. Civil Legal Services	33,560,000	33,560,000
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3.25 The general fund base is ~~\$34,167,000~~ \$0
 3.26 beginning in fiscal year 2026.

3.27 **Legal Services to Low-Income Clients in**
 3.28 **Family Law Matters**

3.29 \$1,017,000 each year is to improve the access
 3.30 of low-income clients to legal representation

4.1 in family law matters. This appropriation must
4.2 be distributed under Minnesota Statutes,
4.3 section 480.242, to the qualified legal services
4.4 program described in Minnesota Statutes,
4.5 section 480.242, subdivision 2, paragraph (a).
4.6 Any unencumbered balance remaining in the
4.7 first year does not cancel and is available in
4.8 the second year.

4.9 Sec. 6. **EFFECTIVE DATE.**

4.10 This article is effective the day following final enactment.

4.11 **ARTICLE 2**
4.12 **STATE BOARD OF CIVIL LEGAL AID**

4.13 Section 1. Minnesota Statutes 2022, section 480.24, subdivision 2, is amended to read:

4.14 Subd. 2. **Eligible client.** "Eligible client" means an individual that is financially unable
4.15 to afford legal assistance, as determined by a recipient on the basis of eligibility guidelines
4.16 established by the ~~supreme court~~ State Board of Civil Legal Aid pursuant to section 480.243,
4.17 subdivision 1.

4.18 Sec. 2. Minnesota Statutes 2022, section 480.24, subdivision 4, is amended to read:

4.19 Subd. 4. **Recipient.** "Recipient" means a qualified legal services program that receives
4.20 funds ~~from the supreme court~~ pursuant to section 480.242 to provide legal services to eligible
4.21 clients.

4.22 Sec. 3. **[480.2415] STATE BOARD OF CIVIL LEGAL AID.**

4.23 Subdivision 1. **Structure; membership.** (a) The State Board of Civil Legal Aid is a
4.24 part of but is not subject to the administrative control of the judicial branch of government.

4.25 (b) The board shall consist of 11 members as follows:

4.26 (1) six members appointed by the supreme court; and

4.27 (2) five members appointed by the governor.

4.28 (c) All candidates shall have demonstrated a commitment in maintaining high-quality
4.29 civil legal services to people of low or moderate means. The appointing entities shall seek

5.1 board members who reflect the diverse populations served by civil legal aid through attorney
5.2 and nonattorney members.

5.3 (d) The appointing entities may not appoint an active judge to be a member of the board,
5.4 but may appoint a retired judge. The appointing entities may not appoint a person who is
5.5 closely affiliated with any entity awarded funding pursuant to section 480.242 or any entity
5.6 seeking funding pursuant to section 480.242. The board may set term limits for board
5.7 members. An appointing authority may not make an appointment that exceeds the term
5.8 limits established by the board.

5.9 (e) The terms, compensation, and removal of board members shall be as provided in
5.10 section 15.0575, except that the board may establish a per diem in excess of the amount
5.11 provided in law. The members shall elect the chair from among the membership for a term
5.12 of two years.

5.13 Subd. 2. **Duties and responsibilities.** (a) The State Board of Civil Legal Aid shall work
5.14 to ensure access to high-quality civil legal services in every Minnesota county.

5.15 (b) The board shall:

5.16 (1) approve and recommend to the legislature a budget for the board and the civil legal
5.17 services grants distributed subject to section 480.242;

5.18 (2) establish procedures for distribution of funding under section 480.242; and

5.19 (3) establish civil program standards, administrative policies, or procedures necessary
5.20 to ensure quality advocacy for persons unable to afford private counsel.

5.21 (c) The board may propose statutory changes to the legislature and rule changes to the
5.22 supreme court that are in the best interests of persons unable to afford private counsel.

5.23 (d) The board shall not interfere with the discretion or judgment of civil legal services
5.24 programs in their advocacy.

5.25 Subd. 3. **State civil legal aid program administrator.** The State Board of Civil Legal
5.26 Aid shall appoint a program administrator who serves at the pleasure of the board. The
5.27 program administrator is not required to be licensed to practice law. The program
5.28 administrator shall attend all meetings of the board, but may not vote, and shall:

5.29 (1) carry out all administrative functions necessary for the efficient and effective operation
5.30 of the board and the civil legal aid delivery system, including but not limited to hiring,
5.31 supervising, and disciplining program staff;

6.1 (2) implement, as necessary, resolutions, standards, rules, regulations, and policies of
6.2 the board;

6.3 (3) keep the board fully advised as to its financial condition, and prepare and submit to
6.4 the board the annual program and State Board of Civil Legal Aid budget and other financial
6.5 information as requested by the board;

6.6 (4) recommend to the board the adoption of rules and regulations necessary for the
6.7 efficient operation of the board and the civil legal aid program; and

6.8 (5) perform other duties prescribed by the board.

6.9 Subd. 4. **Administration.** The board may contract for administrative support services.

6.10 Subd. 5. **Access to records.** Access to records of the State Board of Civil Legal Aid is
6.11 subject to the Rules of Public Access for Records of the Judicial Branch, excluding the
6.12 appeals process in rule 9. Pursuant to section 13.90, the board is not subject to chapter 13.

6.13 Sec. 4. Minnesota Statutes 2022, section 480.242, subdivision 2, is amended to read:

6.14 Subd. 2. **Review of applications; selection of recipients.** At times and in accordance
6.15 with any procedures ~~as the supreme court adopts in the form of court rules~~ adopted by the
6.16 State Board of Civil Legal Aid, applications for the expenditure of civil legal services funds
6.17 shall be accepted from qualified legal services programs or from local government agencies
6.18 and nonprofit organizations seeking to establish qualified alternative dispute resolution
6.19 programs. The applications shall be reviewed by the ~~advisory committee, and the advisory~~
6.20 ~~committee, subject to review by the supreme court~~ State Board of Civil Legal Aid, which
6.21 shall distribute the funds available for this expenditure to qualified legal services programs
6.22 or to qualified alternative dispute resolution programs submitting applications. The funds
6.23 shall be distributed in accordance with the following formula:

6.24 (a) Eighty-five percent of the funds distributed shall be distributed to qualified legal
6.25 services programs that have demonstrated an ability as of July 1, 1982, to provide legal
6.26 services to persons unable to afford private counsel with funds provided by the federal Legal
6.27 Services Corporation. The allocation of funds among the programs selected shall be based
6.28 upon the number of persons with incomes below the poverty level established by the United
6.29 States Census Bureau who reside in the geographical area served by each program, as
6.30 ~~determined by the supreme court~~ determined by the State Board of Civil Legal Aid on the basis of the most
6.31 recent national census. All funds distributed pursuant to this clause shall be used for the
6.32 provision of legal services in civil and farm legal assistance matters as prioritized by program
6.33 boards of directors to eligible clients.

7.1 (b) Fifteen percent of the funds distributed may be distributed (1) to other qualified legal
7.2 services programs for the provision of legal services in civil matters to eligible clients,
7.3 including programs which organize members of the private bar to perform services and
7.4 programs for qualified alternative dispute resolution, (2) to programs for training mediators
7.5 operated by nonprofit alternative dispute resolution corporations, or (3) to qualified legal
7.6 services programs to provide family farm legal assistance for financially distressed state
7.7 farmers. The family farm legal assistance must be directed at farm financial problems
7.8 including, but not limited to, liquidation of farm property including bankruptcy, farm
7.9 foreclosure, repossession of farm assets, restructuring or discharge of farm debt, farm credit
7.10 and general debtor-creditor relations, and tax considerations. If all the funds to be distributed
7.11 pursuant to this clause cannot be distributed because of insufficient acceptable applications,
7.12 the remaining funds shall be distributed pursuant to clause (a).

7.13 A person is eligible for legal assistance under this section if the person is an eligible
7.14 client as defined in section 480.24, subdivision 2, or:

7.15 (1) is a state resident;

7.16 (2) is or has been a farmer or a family shareholder of a family farm corporation within
7.17 the preceding 24 months;

7.18 (3) has a debt-to-asset ratio greater than 50 percent; and

7.19 (4) satisfies the income eligibility guidelines established under section 480.243,
7.20 subdivision 1.

7.21 Qualifying farmers and small business operators whose bank loans are held by the Federal
7.22 Deposit Insurance Corporation are eligible for legal assistance under this section.

7.23 Sec. 5. Minnesota Statutes 2022, section 480.242, subdivision 3, is amended to read:

7.24 Subd. 3. **Timing of distribution of funds.** The funds to be distributed to recipients
7.25 selected in accordance with the provisions of subdivision 2 shall be distributed by the
7.26 ~~supreme court~~ State Board of Civil Legal Aid no less than twice per calendar year.

7.27 Sec. 6. Minnesota Statutes 2022, section 480.243, subdivision 1, is amended to read:

7.28 Subdivision 1. **Committee eligibility guidelines.** The ~~supreme court, with the advice~~
7.29 ~~of the advisory committee,~~ State Board of Civil Legal Aid shall establish guidelines ~~in the~~
7.30 ~~form of court rules~~ to be used by recipients to determine the eligibility of individuals and
7.31 organizations for legal services provided with funds received pursuant to section 480.242.
7.32 The guidelines shall be designed solely to assist recipients in determining whether an

8.1 individual or organization is able to afford or secure legal assistance from private counsel
8.2 with respect to the particular matter for which assistance is requested.

8.3 **Sec. 7. STATE BOARD OF CIVIL LEGAL AID; STAFF.**

8.4 Staff currently employed to support the advisory committee created pursuant to Minnesota
8.5 Statutes, section 480.242, shall transfer to the State Board of Civil Legal Aid upon the
8.6 effective date consistent with Minnesota Statutes, section 15.039, subdivision 7.

8.7 **Sec. 8. REPEALER.**

8.8 Minnesota Statutes 2022, section 480.242, subdivision 1, is repealed.

8.9 **Sec. 9. EFFECTIVE DATE.**

8.10 Sections 1 to 8 are effective on July 1, 2025.

8.11 **ARTICLE 3**

8.12 **SAFE AT HOME**

8.13 Section 1. Minnesota Statutes 2022, section 5B.02, is amended to read:

8.14 **5B.02 DEFINITIONS.**

8.15 (a) For purposes of this chapter and unless the context clearly requires otherwise, the
8.16 definitions in this section have the meanings given them.

8.17 (b) "Address" means an individual's work address, school address, or residential street
8.18 address, as specified on the individual's application to be a program participant under this
8.19 chapter.

8.20 (c) "Applicant" means an adult, a parent or guardian acting on behalf of an eligible
8.21 minor, or a guardian acting on behalf of an incapacitated person, as defined in section
8.22 524.5-102.

8.23 (d) "Domestic violence" means an act as defined in section 518B.01, subdivision 2,
8.24 paragraph (a), and includes a threat of such acts committed against an individual in a domestic
8.25 situation, regardless of whether these acts or threats have been reported to law enforcement
8.26 officers.

8.27 (e) "Eligible person" means an adult, a minor, or an incapacitated person, as defined in
8.28 section 524.5-102 for whom there is good reason to believe (1) that the eligible person is a
8.29 victim of domestic violence, sexual assault, or harassment or stalking, or (2) that the eligible

9.1 person fears for the person's safety, the safety of another person who resides in the same
9.2 household, or the safety of persons on whose behalf the application is made. In order to be
9.3 an eligible person, an individual must reside in Minnesota in order to be an eligible person
9.4 or must certify that the individual intends to reside in Minnesota within 60 days. A person
9.5 registered or required to register as a predatory offender under section 243.166 or 243.167,
9.6 or the law of another jurisdiction, is not an eligible person.

9.7 (f) "Mail" means first class letters and flats delivered via the United States Postal Service,
9.8 including priority, express, and certified mail, and excluding (1) periodicals and catalogues,
9.9 and (2) packages and parcels unless they are clearly identifiable as nonrefrigerated
9.10 pharmaceuticals or clearly indicate that they are sent by the federal government or a state
9.11 or county government agency of the continental United States, Hawaii, District of Columbia,
9.12 or United States territories.

9.13 (g) "Program participant" means an individual certified as a program participant under
9.14 section 5B.03.

9.15 (h) "Harassment" or "stalking" means acts criminalized under section 609.749 and
9.16 includes a threat of such acts committed against an individual, regardless of whether these
9.17 acts or threats have been reported to law enforcement officers.

9.18 Sec. 2. Minnesota Statutes 2022, section 5B.03, subdivision 3, is amended to read:

9.19 Subd. 3. **Certification.** (a) Upon filing a completed application, the secretary of state
9.20 shall certify the eligible person as a program participant. Unless the program participant is
9.21 not a Minnesota resident, program participants shall must be certified for four years following
9.22 the date of filing unless the certification is canceled, withdrawn or invalidated before that
9.23 date. Applicants from outside of Minnesota must be certified for 60 days. Upon receiving
9.24 notice that the participant has moved to Minnesota, the participant must be certified for four
9.25 years following the date of filing unless the certification is canceled, withdrawn, or
9.26 invalidated before that date. The secretary of state shall by rule establish a renewal procedure.

9.27 (b) Certification under this subdivision is for the purpose of participation in the
9.28 confidentiality program established under this chapter only. Certification must not be used
9.29 as evidence or be considered for any purpose in any civil, criminal, or administrative
9.30 proceeding related to the behavior or actions giving rise to the application under subdivision
9.31 1.

10.1 Sec. 3. Minnesota Statutes 2022, section 5B.04, is amended to read:

10.2 **5B.04 CERTIFICATION CANCELLATION.**

10.3 (a) If the program participant obtains a legal change of identity, the participant loses
10.4 certification as a program participant.

10.5 (b) The secretary of state may cancel a program participant's certification if there is a
10.6 change in the program participant's legal name or contact information, unless the program
10.7 participant or the person who signed as the applicant on behalf of an eligible person provides
10.8 the secretary of state with prior notice in writing of the change.

10.9 (c) The secretary of state may cancel certification of a program participant if mail
10.10 forwarded by the secretary to the program participant's address is returned as nondeliverable.

10.11 (d) The secretary of state may cancel a program participant's certification if the program
10.12 participant is no longer an eligible person.

10.13 (e) The secretary of state shall cancel certification of a program participant who applies
10.14 using false information.

10.15 (f) The secretary of state shall cancel certification of a program participant who does
10.16 not reside in Minnesota within 60 days of Safe at Home certification.

10.17 Sec. 4. Minnesota Statutes 2022, section 5B.05, is amended to read:

10.18 **5B.05 USE OF DESIGNATED ADDRESS.**

10.19 (a) When a program participant presents the address designated by the secretary of state
10.20 to any person or entity, that address must be accepted as the address of the program
10.21 participant. The person ~~may~~ or entity must not require the program participant to submit
10.22 any address that could be used to physically locate the participant either as a substitute or
10.23 in addition to the designated address, or as a condition of receiving a service or benefit,
10.24 unless the service or benefit would be impossible to provide without knowledge of the
10.25 program participant's physical location. Notwithstanding a person's or entity's knowledge
10.26 of a program participant's physical location, the person or entity must use the program
10.27 participant's designated address for all mail correspondence with the program participant,
10.28 unless the participant owns real property through a limited liability company or trust. A
10.29 person or entity may only mail to an alternative address if the participant owns real property
10.30 through a trust or a limited liability company and the participant has requested that the
10.31 person or entity mail correspondence regarding that ownership to an alternate address.

11.1 (b) A program participant may use the address designated by the secretary of state as
11.2 the program participant's work address.

11.3 (c) The Office of the Secretary of State shall forward all mail sent to the designated
11.4 address to the proper program participants.

11.5 (d) If a program participant has notified a person or entity in writing, on a form prescribed
11.6 by the program, that the individual is a program participant and of the requirements of this
11.7 section, the person or entity must not knowingly disclose the participant's name or address
11.8 identified by the participant on the notice. If identified on the notice, the ~~individual~~ person
11.9 or entity receiving the notice must not knowingly disclose the program participant's name,
11.10 home address, work address, or school address, unless the person to whom the address is
11.11 disclosed also lives, works, or goes to school at the address disclosed, or the participant has
11.12 provided written consent to disclosure of the participant's name, home address, work address,
11.13 or school address for the purpose for which the disclosure will be made. This paragraph
11.14 applies to the actions and reports of guardians ad litem, except that guardians ad litem may
11.15 disclose the program participant's name. This paragraph does not apply to records of the
11.16 judicial branch governed by rules adopted by the supreme court or government entities
11.17 governed by section 13.045.

11.18 Sec. 5. Minnesota Statutes 2022, section 13.045, subdivision 3, is amended to read:

11.19 Subd. 3. **Classification of identity and location data; amendment of records; sharing**
11.20 **and dissemination.** (a) Identity and location data for which a program participant seeks
11.21 protection under subdivision 2, paragraph (a), that are not otherwise classified by law as
11.22 not public are private data on individuals.

11.23 (b) Notwithstanding any provision of law to the contrary, private or confidential location
11.24 data on a program participant who submits a notice under subdivision 3, paragraph (a), may
11.25 not be shared with any other government entity or nongovernmental entity unless:

11.26 (1) the program participant has expressly consented in writing to sharing or dissemination
11.27 of the data for the purpose for which the sharing or dissemination will occur;

11.28 (2) the data are subject to sharing or dissemination pursuant to court order under section
11.29 13.03, subdivision 6;

11.30 (3) the data are subject to sharing pursuant to section 5B.07, subdivision 2;

11.31 (4) the location data related to county of residence are needed to provide public assistance
11.32 or other government services, or to allocate financial responsibility for the assistance or
11.33 services;

12.1 (5) the data are necessary to perform a government entity's health, safety, or welfare
12.2 functions, including the provision of emergency 911 services, the assessment and
12.3 investigation of child or vulnerable adult abuse or neglect, or the assessment or inspection
12.4 of services or locations for compliance with health, safety, or professional standards; or

12.5 (6) the data are necessary to aid an active law enforcement investigation of the program
12.6 participant.

12.7 (c) Data disclosed under paragraph (b), clauses (4) to (6), may be used only for the
12.8 purposes authorized in this subdivision and may not be further disclosed to any other person
12.9 or government entity. Government entities receiving or sharing private or confidential data
12.10 under this subdivision shall establish procedures to protect the data from further disclosure.

12.11 (d) Real property record data are governed by subdivision 4a.

12.12 (e) Notwithstanding sections 15.17 and 138.17, a government entity may amend records
12.13 to replace a participant's location data with the participant's designated address.

12.14 **ARTICLE 4**

12.15 **RESTORATIVE PRACTICES RESTITUTION PROGRAM**

12.16 Section 1. Minnesota Statutes 2022, section 260B.198, subdivision 1, is amended to read:

12.17 Subdivision 1. **Court order, findings, remedies, treatment.** (a) If the court finds that
12.18 the child is delinquent, it shall enter an order making any of the following dispositions of
12.19 the case which are deemed necessary to the rehabilitation of the child:

12.20 (1) counsel the child or the parents, guardian, or custodian;

12.21 (2) place the child under the supervision of a probation officer or other suitable person
12.22 in the child's own home under conditions prescribed by the court including reasonable rules
12.23 for the child's conduct and the conduct of the child's parents, guardian, or custodian, designed
12.24 for the physical, mental, and moral well-being and behavior of the child, or with the consent
12.25 of the commissioner of corrections, in a group foster care facility which is under the
12.26 management and supervision of said commissioner;

12.27 (3) if the court determines that the child is a danger to self or others, subject to the
12.28 supervision of the court, transfer legal custody of the child to one of the following:

12.29 (i) a child-placing agency;

12.30 (ii) the local social services agency;

13.1 (iii) a reputable individual of good moral character. No person may receive custody of
13.2 two or more unrelated children unless licensed as a residential facility pursuant to sections
13.3 245A.01 to 245A.16;

13.4 (iv) a county home school, if the county maintains a home school or enters into an
13.5 agreement with a county home school; or

13.6 (v) a county probation officer for placement in a group foster home established under
13.7 the direction of the juvenile court and licensed pursuant to section 241.021;

13.8 (4) transfer legal custody by commitment to the commissioner of corrections;

13.9 (5) if the child is found to have violated a state or local law or ordinance which has
13.10 resulted in damage to the person or property of another, the court may order the child to
13.11 make reasonable restitution for such damage and may offer the child an opportunity to
13.12 participate in a restorative process to satisfy the restitution obligation, where available;

13.13 (6) require the child to pay a fine of up to \$1,000. The court shall order payment of the
13.14 fine in accordance with a time payment schedule which shall not impose an undue financial
13.15 hardship on the child;

13.16 (7) if the child is in need of special treatment and care for reasons of physical or mental
13.17 health, the court may order the child's parent, guardian, or custodian to provide it. If the
13.18 parent, guardian, or custodian fails to provide this treatment or care, the court may order it
13.19 provided;

13.20 (8) if the court believes that it is in the best interests of the child and of public safety
13.21 that the driver's license of the child be canceled until the child's 18th birthday, the court
13.22 may recommend to the commissioner of public safety the cancellation of the child's license
13.23 for any period up to the child's 18th birthday, and the commissioner is hereby authorized
13.24 to cancel such license without a hearing. At any time before the termination of the period
13.25 of cancellation, the court may, for good cause, recommend to the commissioner of public
13.26 safety that the child be authorized to apply for a new license, and the commissioner may so
13.27 authorize;

13.28 (9) if the court believes that it is in the best interest of the child and of public safety that
13.29 the child is enrolled in school, the court may require the child to remain enrolled in a public
13.30 school until the child reaches the age of 18 or completes all requirements needed to graduate
13.31 from high school. Any child enrolled in a public school under this clause is subject to the
13.32 provisions of the Pupil Fair Dismissal Act in chapter 127;

14.1 (10) if the child is petitioned and found by the court to have committed a controlled
14.2 substance offense under sections 152.021 to 152.027, the court shall determine whether the
14.3 child unlawfully possessed or sold the controlled substance while driving a motor vehicle.
14.4 If so, the court shall notify the commissioner of public safety of its determination and order
14.5 the commissioner to revoke the child's driver's license for the applicable time period specified
14.6 in section 152.0271. If the child does not have a driver's license or if the child's driver's
14.7 license is suspended or revoked at the time of the delinquency finding, the commissioner
14.8 shall, upon the child's application for driver's license issuance or reinstatement, delay the
14.9 issuance or reinstatement of the child's driver's license for the applicable time period specified
14.10 in section 152.0271. Upon receipt of the court's order, the commissioner is authorized to
14.11 take the licensing action without a hearing;

14.12 (11) if the child is petitioned and found by the court to have committed or attempted to
14.13 commit an act in violation of section 609.342; 609.343; 609.344; 609.345; 609.3451;
14.14 609.746, subdivision 1; 609.79; or 617.23, or another offense arising out of a delinquency
14.15 petition based on one or more of those sections, the court shall order an independent
14.16 professional assessment of the child's need for sex offender treatment. An assessor providing
14.17 an assessment for the court must be experienced in the evaluation and treatment of juvenile
14.18 sex offenders. If the assessment indicates that the child is in need of and amenable to sex
14.19 offender treatment, the court shall include in its disposition order a requirement that the
14.20 child undergo treatment. Notwithstanding section 13.384, 13.85, 144.291 to 144.298, or
14.21 260B.171, or chapter 260E, the assessor has access to the following private or confidential
14.22 data on the child if access is relevant and necessary for the assessment:

- 14.23 (i) medical data under section 13.384;
- 14.24 (ii) corrections and detention data under section 13.85;
- 14.25 (iii) health records under sections 144.291 to 144.298;
- 14.26 (iv) juvenile court records under section 260B.171; and
- 14.27 (v) local welfare agency records under chapter 260E.

14.28 Data disclosed under this clause may be used only for purposes of the assessment and
14.29 may not be further disclosed to any other person, except as authorized by law; or

14.30 (12) if the child is found delinquent due to the commission of an offense that would be
14.31 a felony if committed by an adult, the court shall make a specific finding on the record
14.32 regarding the juvenile's mental health and chemical dependency treatment needs.

15.1 (b) Any order for a disposition authorized under this section shall contain written findings
15.2 of fact to support the disposition ordered and shall also set forth in writing the following
15.3 information:

15.4 (1) why the best interests of the child are served by the disposition ordered; and

15.5 (2) what alternative dispositions were considered by the court and why such dispositions
15.6 were not appropriate in the instant case. Clause (1) does not apply to a disposition under
15.7 subdivision 1a.

15.8 Sec. 2. Minnesota Statutes 2022, section 260B.225, subdivision 9, is amended to read:

15.9 Subd. 9. **Juvenile major highway or water traffic offender.** If the juvenile court finds
15.10 that the child is a juvenile major highway or water traffic offender, it may make any one or
15.11 more of the following dispositions of the case:

15.12 (1) reprimand the child and counsel with the child and the parents;

15.13 (2) continue the case for a reasonable period under such conditions governing the child's
15.14 use and operation of any motor vehicles or boat as the court may set;

15.15 (3) require the child to attend a driver improvement school if one is available within the
15.16 county;

15.17 (4) recommend to the Department of Public Safety suspension of the child's driver's
15.18 license as provided in section 171.16;

15.19 (5) if the child is found to have committed two moving highway traffic violations or to
15.20 have contributed to a highway accident involving death, injury, or physical damage in excess
15.21 of \$100, the court may recommend to the commissioner of public safety or to the licensing
15.22 authority of another state the cancellation of the child's license until the child reaches the
15.23 age of 18 years, and the commissioner of public safety is hereby authorized to cancel the
15.24 license without hearing. At any time before the termination of the period of cancellation,
15.25 the court may, for good cause, recommend to the commissioner of public safety, or to the
15.26 licensing authority of another state, that the child's license be returned, and the commissioner
15.27 of public safety is authorized to return the license;

15.28 (6) place the child under the supervision of a probation officer in the child's own home
15.29 under conditions prescribed by the court including reasonable rules relating to operation
15.30 and use of motor vehicles or boats directed to the correction of the child's driving habits;

15.31 (7) if the child is found to have violated a state or local law or ordinance and the violation
15.32 resulted in damage to the person or property of another, the court may order the child to

16.1 make reasonable restitution for the damage and may offer the child an opportunity to
16.2 participate in a restorative process that raises funds where applicable to satisfy the restitution
16.3 obligation, where available;

16.4 (8) require the child to pay a fine of up to \$1,000. The court shall order payment of the
16.5 fine in accordance with a time payment schedule which shall not impose an undue financial
16.6 hardship on the child;

16.7 (9) if the court finds that the child committed an offense described in section 169A.20,
16.8 the court shall order that a chemical use assessment be conducted and a report submitted to
16.9 the court in the manner prescribed in section 169A.70. If the assessment concludes that the
16.10 child meets the level of care criteria for placement under rules adopted under section 254A.03,
16.11 subdivision 3, the report must recommend a level of care for the child. The court may require
16.12 that level of care in its disposition order. In addition, the court may require any child ordered
16.13 to undergo an assessment to pay a chemical dependency assessment charge of \$75. The
16.14 court shall forward the assessment charge to the commissioner of management and budget
16.15 to be credited to the general fund. The state shall reimburse counties for the total cost of
16.16 the assessment in the manner provided in section 169A.284.

16.17 Sec. 3. Minnesota Statutes 2022, section 260B.235, subdivision 4, is amended to read:

16.18 Subd. 4. **Dispositions.** If the juvenile court finds that a child is a petty offender, the court
16.19 may:

16.20 (1) require the child to pay a fine of up to \$100;

16.21 (2) require the child to participate in a community service project;

16.22 (3) require the child to participate in a drug awareness program;

16.23 (4) order the child to undergo a chemical dependency evaluation and if warranted by
16.24 this evaluation, order participation by the child in an outpatient chemical dependency
16.25 treatment program;

16.26 (5) place the child on probation for up to six months or, in the case of a juvenile alcohol
16.27 or controlled substance offense, following a determination by the court that the juvenile is
16.28 chemically dependent, the court may place the child on probation for a time determined by
16.29 the court;

16.30 (6) order the child to make restitution to the victim, which may be satisfied through
16.31 participation in an available restorative process to raise funds, where applicable; or

17.1 (7) perform any other activities or participate in any other outpatient treatment programs
17.2 deemed appropriate by the court.

17.3 In all cases where the juvenile court finds that a child has purchased or attempted to
17.4 purchase an alcoholic beverage in violation of section 340A.503, if the child has a driver's
17.5 license or permit to drive, and if the child used a driver's license, permit, Minnesota
17.6 identification card, or any type of false identification to purchase or attempt to purchase the
17.7 alcoholic beverage, the court shall forward its finding in the case and the child's driver's
17.8 license or permit to the commissioner of public safety. Upon receipt, the commissioner shall
17.9 suspend the child's license or permit for a period of 90 days.

17.10 In all cases where the juvenile court finds that a child has purchased or attempted to
17.11 purchase tobacco in violation of section 609.685, subdivision 3, if the child has a driver's
17.12 license or permit to drive, and if the child used a driver's license, permit, Minnesota
17.13 identification card, or any type of false identification to purchase or attempt to purchase
17.14 tobacco, the court shall forward its finding in the case and the child's driver's license or
17.15 permit to the commissioner of public safety. Upon receipt, the commissioner shall suspend
17.16 the child's license or permit for a period of 90 days.

17.17 None of the dispositional alternatives described in clauses (1) to (6) shall be imposed
17.18 by the court in a manner which would cause an undue hardship upon the child.

17.19 Sec. 4. Minnesota Statutes 2023 Supplement, section 299A.95, subdivision 5, is amended
17.20 to read:

17.21 Subd. 5. **Grants.** (a) Within available appropriations, the director shall award grants to
17.22 establish and support restorative practices initiatives. An approved applicant must receive
17.23 a grant of up to \$500,000 each year.

17.24 (b) On an annual basis, the Office of Restorative Practices shall establish a minimum
17.25 number of applications that must be received during the application process. If the minimum
17.26 number of applications is not received, the office must reopen the application process.

17.27 (c) Grants may be awarded to private and public nonprofit agencies; local units of
17.28 government, including cities, counties, and townships; local educational agencies; and Tribal
17.29 governments. A restorative practices advisory committee may support multiple entities
17.30 applying for grants based on community needs, the number of youth and families in the
17.31 jurisdiction, and the number of restorative practices available to the community. Budgets
17.32 supported by grant funds can include contracts with partner agencies.

17.33 (d) Applications must include the following:

- 18.1 (1) a list of willing restorative practices advisory committee members;
- 18.2 (2) letters of support from potential restorative practices advisory committee members;
- 18.3 (3) a description of the planning process that includes:
- 18.4 (i) a description of the origins of the initiative, including how the community provided
- 18.5 input; and
- 18.6 (ii) an estimated number of participants to be served; and
- 18.7 (4) a formal document containing a project description that outlines the proposed goals,
- 18.8 activities, and outcomes of the initiative including, at a minimum:
- 18.9 (i) a description of how the initiative meets the minimum eligibility requirements of the
- 18.10 grant;
- 18.11 (ii) the roles and responsibilities of key staff assigned to the initiative;
- 18.12 (iii) identification of any key partners, including a summary of the roles and
- 18.13 responsibilities of those partners;
- 18.14 (iv) a description of how volunteers and other community members are engaged in the
- 18.15 initiative; and
- 18.16 (v) a plan for evaluation and data collection.
- 18.17 (e) In determining the appropriate amount of each grant, the Office of Restorative
- 18.18 Practices shall consider the number of individuals likely to be served by the local restorative
- 18.19 practices initiative.
- 18.20 (f) The Office of Restorative Practices may award grants to provide restitution funds
- 18.21 that allow a victim of a juvenile offense, juvenile petty offense, or major traffic offense as
- 18.22 defined in section 260B.225, subdivision 1, paragraph (b), committed by a juvenile to obtain
- 18.23 monetary compensation to satisfy the restitution obligations of a child who participates in
- 18.24 a restorative process to address harm.

480.242 DISTRIBUTION OF CIVIL LEGAL SERVICES FUNDS TO QUALIFIED LEGAL SERVICES PROGRAMS.

Subdivision 1. **Advisory committee.** The supreme court shall establish an advisory committee to assist it in performing its responsibilities under sections 480.24 to 480.244. The advisory committee shall consist of 11 members appointed by the supreme court including seven attorneys-at-law who are well acquainted with the provision of legal services in civil matters, two public members who are not attorneys and two persons who would qualify as eligible clients. Four of the attorney-at-law members shall be nominated by the State Bar Association in the manner determined by it, and three of the attorney-at-law members shall be nominated by the programs in Minnesota providing legal services in civil matters on July 1, 1982, with funds provided by the federal Legal Services Corporation in the manner determined by them. In making the appointments of the attorney-at-law members, the supreme court shall not be bound by the nominations prescribed by this section. In making appointments to the advisory committee, the supreme court shall ensure that urban and rural areas of the state are represented. The supreme court shall adopt by rule policies and procedures for the operation of the advisory committee including, but not limited to, policies and procedures governing membership terms, removal of members, and the filling of membership vacancies.