

Senate Counsel, Research, and Fiscal Analysis

Tom Bottern, Director
Minnesota Senate Building
95 University Ave. W. Suite 3300
St. Paul, MN 55155-1800
(651) 296-4791
www.senate.mn/scrfa



S.F. No. 2818 – Office of the Attorney General performance of legal services specification (As amended by the A-1 amendment)

Author: Senator Mary Kiffmeyer
Prepared by: Stephanie James, Senate Counsel (651/296-0103)
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Section 1 [Minn. Stat. section 8.011; Performance of Legal Services] requires that all legal services of the attorney general be performed by an employee of the attorney general, an employee of another state government entity, or an employee of the federal government under an agreement. This summary will refer to these employees as “the listed employees.”

Specifies that the sole source of compensation paid to the employees of the attorney general for performing legal services for the state must be appropriations under Minnesota Statutes, chapter 8, and by appropriations made by law. The statutory appropriations in chapter 8 are of a portion of the money recovered from certain actions against the United States (section 8.10) and fees charged to agencies and local governments for services provided by the attorney general (section 8.15, subdivision 3).

When the attorney general contracts with anyone for legal services other than listed employees, the sole consideration must be bargained for in an arm’s length transaction. The contract must state the authority for the office to enter the contract.

Only the listed employees are allowed to work on premises leased by the Attorney General.

This section does not prohibit the Attorney General from entering a settlement agreement with a defendant arising from a case litigated or prosecuted by a federal or local governmental entity or an attorney general from another state or territory. This section does not prohibit the attorney general from employing or providing office space to an unpaid intern who is not licensed to practice law.