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AT A GLANCE

- Chief Legal Officer for the State of Minnesota
- Provides legal representation to State agencies, boards, and commissions
- Takes legal action on behalf of Minnesota residents

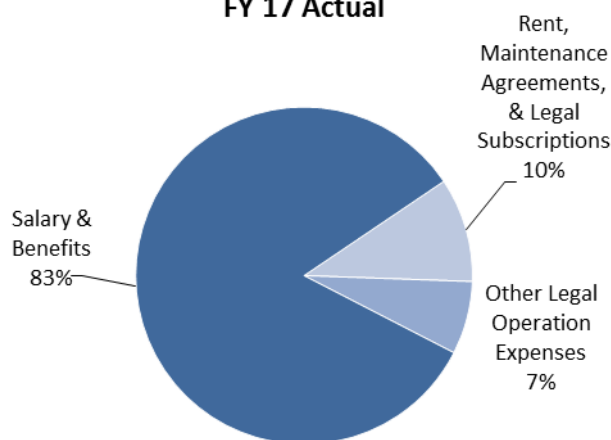
PURPOSE

The Attorney General is the State of Minnesota's Chief Legal Officer. The Attorney General helps to ensure that the laws the Legislature enacts are upheld. The Attorney General's Office provides legal representation to State agencies, boards, and commissions. The Attorney General's Office also protects the public by bringing lawsuits on behalf of the residents of Minnesota. Through its legal work, including the representation of State agencies, the Attorney General's Office helps to support the following statewide outcomes:

- Efficient and accountable government services
- People in Minnesota are safe
- Strong and stable families and communities
- A thriving economy that encourages business growth and employment opportunities
- All Minnesotans have optimal health
- Minnesotans have the education and skills needed to achieve their goals
- A clean, healthy environment with sustainable uses of natural resources

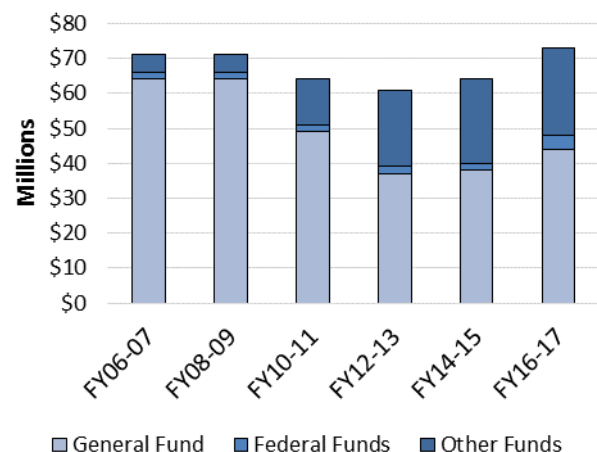
BUDGET

**Spending by Category
FY 17 Actual**



Source: SWIFT

Historical Spending



Source: MAPS & SWIFT

STRATEGIES

- Facilitate the enforcement of laws passed by the Minnesota Legislature.
- Defend laws enacted by the Minnesota Legislature against constitutional and other legal challenges.
- Deliver high-quality, efficient and effective legal representation to State agencies, boards and officials.
- Protect and save taxpayers' dollars by defending claims for monetary judgments against State agencies and employees.

- Provide legal representation to State agencies and boards in various civil and administrative proceedings and obtain monetary payments as directed by the Minnesota Legislature.
- Provide proactive legal advice to avoid lawsuits.
- Provide Minnesota counties and law enforcement agencies with assistance in serious criminal matters.
- Ensure that the public interest is protected in delivering legal services.
- Population primarily served is the residents of the State of Minnesota and the executive, legislative, and judicial branches of State government and State agencies, boards, and commissions.

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
<u>Expenditures by Fund</u>						
1000 - General	20,754	23,414	20,849	23,322	22,198	22,198
1201 - Health Related Boards	2,387	2,378	2,303	2,508	2,410	2,410
2000 - Restrict Misc Special Revenue	468	47	29	33	33	33
2001 - Other Misc Special Revenue	9,036	10,332	10,561	12,847	11,751	11,751
2800 - Environmental				145	145	145
2801 - Remediation				250	250	250
3000 - Federal	1,685	1,970	2,126	2,974	3,123	3,123
6000 - Miscellaneous Agency	816	4,390	407	127	6	6
Total	35,145	42,530	36,275	42,206	39,916	39,916
Biennial Change				806		1,351
Biennial % Change				1		2

Expenditures by Program

Attorney General	35,145	42,530	36,275	42,206	39,916	39,916
Total	35,145	42,530	36,275	42,206	39,916	39,916

Expenditures by Category

Compensation	29,818	31,552	31,204	35,156	34,252	34,252
Operating Expenses	5,205	10,393	4,933	6,400	5,644	5,644
Capital Outlay-Real Property	60	61	90	83	19	19
Other Financial Transaction	62	524	48	567	1	1
Total	35,145	42,530	36,275	42,206	39,916	39,916

Total Agency Expenditures	35,145	42,530	36,275	42,206	39,916	39,916
Internal Billing Expenditures	246	291	321	452	472	472
Expenditures Less Internal Billing	34,899	42,239	35,954	41,754	39,444	39,444

<u>Full-Time Equivalents</u>	331.01	333.58	327.30	338.70	338.70	338.70
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(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
1000 - General						
Balance Forward In		1,371		1,182		
Direct Appropriation	22,125	22,125	22,031	22,140	22,198	22,198
Transfers In	532	2,574				
Transfers Out	532	2,574				
Cancellations		82				
Balance Forward Out	1,371		1,182			
Expenditures	20,754	23,414	20,849	23,322	22,198	22,198
Biennial Change in Expenditures				3		225
Biennial % Change in Expenditures				0		1
Full-Time Equivalents	287.51	288.46	281.40	287.60	287.60	287.60

1201 - Health Related Boards

Balance Forward In				102		
Direct Appropriation	1,823	1,823	2,405	2,406	2,410	2,410
Receipts	564	564				
Cancellations		9				
Balance Forward Out			102			
Expenditures	2,387	2,378	2,303	2,508	2,410	2,410
Biennial Change in Expenditures				46		9
Biennial % Change in Expenditures				1		0
Full-Time Equivalents	24.02	23.20	23.23	24.50	24.50	24.50

2000 - Restrict Misc Special Revenue

Balance Forward In	2,776	2,335	2,309	2,302	2,287	2,272
Receipts	279	22	21	18	18	18
Internal Billing Receipts	246					
Transfers Out	251					
Balance Forward Out	2,336	2,309	2,301	2,287	2,272	2,257
Expenditures	468	47	29	33	33	33
Biennial Change in Expenditures				(453)		4
Biennial % Change in Expenditures				(88)		7
Full-Time Equivalents	4.96	0.23				

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21

2001 - Other Misc Special Revenue

Balance Forward In		251	330	1,301	205	205
Receipts	6,127	7,294	11,532	11,751	11,751	11,751
Internal Billing Receipts		291	321	376	376	376
Transfers In	10,391	10,597	8,371	8,387	8,387	8,387
Transfers Out	7,232	7,489	8,371	8,387	8,387	8,387
Balance Forward Out	251	321	1,301	205	205	205
Expenditures	9,036	10,332	10,561	12,847	11,751	11,751
Biennial Change in Expenditures				4,040		94
Biennial % Change in Expenditures				21		0
Full-Time Equivalents		3.79	4.20	5.00	5.00	5.00

2800 - Environmental

Balance Forward In		145		145		
Direct Appropriation	145	145	145	145	145	145
Cancellations		290		145		
Balance Forward Out	145		145			
Expenditures				145	145	145
Biennial Change in Expenditures				145		145
Biennial % Change in Expenditures						

2801 - Remediation

Balance Forward In		250		250		
Direct Appropriation	250	250	250	250	250	250
Cancellations		500		250		
Balance Forward Out	250		250			
Expenditures				250	250	250
Biennial Change in Expenditures				250		250
Biennial % Change in Expenditures						

3000 - Federal

Receipts	1,685	1,970	2,126	2,974	3,123	3,123
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(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
Expenditures	1,685	1,970	2,126	2,974	3,123	3,123
Biennial Change in Expenditures				1,445		1,146
Biennial % Change in Expenditures				40		22
Full-Time Equivalents	14.52	17.90	18.47	21.60	21.60	21.60

6000 - Miscellaneous Agency

Balance Forward In	8,459	7,805	20,093	18,880	18,042	18,037
Receipts	2,498	16,688	2,254	25	1	1
Transfers In			140			
Transfers Out	2,337	11	3,197	736		
Balance Forward Out	7,805	20,092	18,881	18,042	18,037	18,032
Expenditures	816	4,390	407	127	6	6
Biennial Change in Expenditures				(4,671)		(522)
Biennial % Change in Expenditures				(90)		(98)

(Dollars in Thousands)

	FY19	FY20	FY21	Biennium 2020-21
Direct				
Fund: 1000 - General				
FY2019 Appropriations	22,140	22,140	22,140	44,280
Base Adjustments				
Pension Allocation		58	58	116
Forecast Base	22,140	22,198	22,198	44,396
Fund: 1201 - Health Related Boards				
FY2019 Appropriations	2,406	2,406	2,406	4,812
Base Adjustments				
Pension Allocation		4	4	8
Forecast Base	2,406	2,410	2,410	4,820
Fund: 2800 - Environmental				
FY2019 Appropriations	145	145	145	290
Forecast Base	145	145	145	290
Fund: 2801 - Remediation				
FY2019 Appropriations	250	250	250	500
Forecast Base	250	250	250	500
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Planned Spending	33	33	33	66
Forecast Base	33	33	33	66
Fund: 2001 - Other Misc Special Revenue				
Planned Spending	12,847	11,751	11,751	23,502
Forecast Base	12,847	11,751	11,751	23,502
Fund: 3000 - Federal				
Planned Spending	2,974	3,123	3,123	6,246
Forecast Base	2,974	3,123	3,123	6,246
Fund: 6000 - Miscellaneous Agency				
Planned Spending	127	6	6	12
Forecast Base	127	6	6	12
Revenue Change Summary				

(Dollars in Thousands)

	FY19	FY20	FY21	Biennium 2020-21
<i>Dedicated</i>				
Fund: 2000 - Restrict Misc Special Revenue				
Forecast Revenues	18	18	18	36
Fund: 2001 - Other Misc Special Revenue				
Forecast Revenues	11,751	11,751	11,751	23,502
Fund: 3000 - Federal				
Forecast Revenues	2,974	3,123	3,123	6,246
Fund: 6000 - Miscellaneous Agency				
Forecast Revenues	25	1	1	2
<i>Non-Dedicated</i>				
Fund: 1000 - General				
Forecast Revenues	1,641	1,641	1,641	3,282

Program: Attorney General
Activity: Government Legal Services Section

AT A GLANCE

In 2018, the Government Legal Services Section:

- Enforced the laws and rules enacted to protect Minnesota residents.
- Defended State entities and laws in enforcement proceedings.
- Defended claims against State entities and employees saving millions of taxpayer dollars.

PURPOSE & CONTEXT

The Government Legal Services Section provides a broad range of legal representation to various Minnesota State entities including Minnesota Management and Budget, the Minnesota Departments of Corrections, Commerce, Health and Transportation and the State Board of Investment.

The section primarily provides legal representation in state agency's enforcement, disciplinary and regulatory actions to protect Minnesota residents. The section represents State entities in licensing, regulatory, rate making, disciplinary and enforcement actions. The section advises State agencies and boards in financial, investment, real estate, contract and bond issuance transactions.

SERVICES PROVIDED

- State agencies and boards are provided legal representation in enforcement and disciplinary proceedings.
- Claims and litigation are avoided by proactive legal advice.
- Millions of tax dollars are saved by defense of legal claims.
- Agencies and boards are represented in complex financial and contract transactions.

RESULTS

- Enforcement of Minnesota laws and regulations protects Minnesotans' rights, health and safety.
- Legal advice and representation facilitates the implementation and enforcement of laws enacted by the Minnesota Legislature.
- The implementation and enforcement of laws enacted by the Minnesota Legislature are facilitated by the provision of efficient and competent legal advice and representation.
- Litigation is conducted in a manner to advance the public interest.
- Defense of claims and recovery actions for State entities protects the State Treasury.

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
<u>Expenditures by Fund</u>						
1000 - General	3,508	4,337	3,769	4,113	3,963	3,963
2001 - Other Misc Special Revenue	1,804	2,726	2,025	2,617	2,365	2,365
Total	5,312	7,063	5,794	6,730	6,328	6,328
Biennial Change				149		132
Biennial % Change				1		1

Expenditures by Category

Compensation	4,979	5,520	5,475	6,099	5,991	5,991
Operating Expenses	307	1,414	289	504	331	331
Capital Outlay-Real Property	13	13	20	20	5	5
Other Financial Transaction	13	115	10	107	1	1
Total	5,312	7,063	5,794	6,730	6,328	6,328

Full-Time Equivalents

47.43	50.28	49.71	45.10	45.10	45.10
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Government Legal Services

Activity Financing by Fund

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
1000 - General						
Balance Forward In		227		162		
Direct Appropriation	3,723	3,723	3,931	3,951	3,963	3,963
Transfers In	12	426				
Transfers Out		32				
Cancellations		8				
Balance Forward Out	227		162			
Expenditures	3,508	4,337	3,769	4,113	3,963	3,963
Biennial Change in Expenditures				38		44
Biennial % Change in Expenditures				0		1
Full-Time Equivalents	47.43	50.28	49.71	45.10	45.10	45.10
2001 - Other Misc Special Revenue						
Balance Forward In		0	60	252		
Receipts	6,127	7,001	10,588	10,752	10,752	10,752
Transfers In	2,908	3,143				
Transfers Out	7,232	7,368	8,371	8,387	8,387	8,387
Balance Forward Out	0	51	252			
Expenditures	1,804	2,726	2,025	2,617	2,365	2,365
Biennial Change in Expenditures				112		88
Biennial % Change in Expenditures				2		2

Program: Attorney General

Activity: Regulatory Law and Professions Section

AT A GLANCE

In 2018, the Regulatory Law and Professions Section:

- Provided legal counsel and representation to state agencies and boards to ensure that the laws enacted by the Minnesota Legislature were enforced and upheld.
- Defended the State in actions for money judgments and in tax appeals to preserve taxpayer dollars
- Protected the public by representing the health licensing boards in disciplinary actions against licensed health care professionals.
- Upheld the public interest by providing proactive legal advice and in resolving disputes.

PURPOSE & CONTEXT

The Regulatory Law and Professions Section of the Attorney General's Office provides legal advice and representation to the Department of Revenue, Pollution Control Agency, Department of Natural Resources, Department of Agriculture, Environmental Quality Board, Professional Educator Licensing and Standards Board and all of the Minnesota health licensing boards.

The section represents these state agencies and boards in disciplinary and enforcement proceedings in state, administrative, and federal courts to ensure that Minnesota law is enforced and upheld. The section provides consistent high quality legal advice and representation in a cost effective manner and works to ensure the public interest is represented in all matters. By representing the Department of Revenue, the section helps to enforce State tax laws and protects the public through its representation of the state agencies and boards. The section also regularly provides legal advice and representation in matters involving real estate to numerous state agencies and boards.

SERVICES PROVIDED

The Regulatory Law and Professions Section provides the following services:

- Represents the Department of Revenue, Department of Education, Pollution Control Agency, Department of Natural Resources, Department of Agriculture, Environmental Quality Board, Professional Educator Licensing, and Minnesota's health licensing boards.
- Provides proactive legal counsel and representation in an effort to avoid lawsuits or resolve disputes.
- Litigates matters on behalf of state agencies and boards to ensure that Minnesota laws are enforced and upheld and that the public interest is protected.
- Protects taxpayer dollars by defending the state agencies and boards in actions to recover money judgments and by representing the Department of Revenue in tax appeals.

RESULTS

- Recovers funds owed to the State and also defends monetary claims brought against the State to protect taxpayer dollars.
- Laws enacted by the Minnesota Legislature are enforced and upheld.
- Delivers proactive and effective legal representation to state agencies and boards in a cost effective and efficient manner.
- Protects the public interest in its representation of state agencies and boards.
- Resident's rights are protected by ensuring that laws are enforced and upheld.
- Represents the health licensing boards in disciplinary action so that Minnesota residents are provided with access to safer health care professionals.

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
<u>Expenditures by Fund</u>						
1000 - General	1,900	2,592	2,194	2,604	2,413	2,413
1201 - Health Related Boards	2,366	2,357	2,282	2,487	2,389	2,389
2001 - Other Misc Special Revenue	991	1,323	1,817	2,184	2,020	2,020
2800 - Environmental				145	145	145
2801 - Remediation				250	250	250
Total	5,257	6,271	6,293	7,670	7,217	7,217
Biennial Change				2,435		471
Biennial % Change				21		3

Expenditures by Category

Compensation	4,903	5,837	5,969	7,023	6,776	6,776
Operating Expenses	340	359	307	564	438	438
Capital Outlay-Real Property	7	8	12	13	3	3
Other Financial Transaction	7	68	6	70		
Total	5,257	6,271	6,293	7,670	7,217	7,217

Full-Time Equivalents

	50.77	58.52	58.41	65.80	65.80	65.80
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Regulatory Law and Professions

Activity Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base	
	FY16	FY17	FY18	FY19	FY20	FY21
1000 - General						
Balance Forward In		197		199		
Direct Appropriation	2,085	2,085	2,393	2,405	2,413	2,413
Transfers In	62	392				
Transfers Out	50	81				
Cancellations		0				
Balance Forward Out	197		199			
Expenditures	1,900	2,592	2,194	2,604	2,413	2,413
Biennial Change in Expenditures				306		28
Biennial % Change in Expenditures				7		1
Full-Time Equivalents	26.75	35.32	35.18	41.30	41.30	41.30

1201 - Health Related Boards

Balance Forward In				102		
Direct Appropriation	1,802	1,802	2,384	2,385	2,389	2,389
Receipts	564	564				
Cancellations		9				
Balance Forward Out			102			
Expenditures	2,366	2,357	2,282	2,487	2,389	2,389
Biennial Change in Expenditures				46		9
Biennial % Change in Expenditures				1		0
Full-Time Equivalents	24.02	23.20	23.23	24.50	24.50	24.50

2001 - Other Misc Special Revenue

Balance Forward In			8	164		
Receipts			622	622	622	622
Transfers In	991	1,331	1,351	1,398	1,398	1,398
Balance Forward Out		8	164			
Expenditures	991	1,323	1,817	2,184	2,020	2,020
Biennial Change in Expenditures				1,688		39
Biennial % Change in Expenditures				73		1

2800 - Environmental

Balance Forward In		145		145		
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Regulatory Law and Professions

Activity Financing by Fund

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
Direct Appropriation	145	145	145	145	145	145
Cancellations		290		145		
Balance Forward Out	145		145			
Expenditures				145	145	145
Biennial Change in Expenditures				145		145
Biennial % Change in Expenditures						

2801 - Remediation

Balance Forward In		250		250		
Direct Appropriation	250	250	250	250	250	250
Cancellations		500		250		
Balance Forward Out	250		250			
Expenditures				250	250	250
Biennial Change in Expenditures				250		250
Biennial % Change in Expenditures						

Program: Attorney General

Activity: State Government Services Section

AT A GLANCE

In 2018, the State Government Services Section:

- Provided Minnesota counties and law enforcement agencies with prosecutorial assistance in serious criminal matters.
- Prosecuted healthcare providers that fraudulently obtained State Medicaid funds.
- Participated in False Claims Act cases.
- Protected and saved taxpayer dollars by defending claims for monetary judgments against the Department of Human Services.
- Represented the Department of Public Safety at implied consent hearings.
- Provided assistance to Minnesota residents.

PURPOSE & CONTEXT

The State Government Services Section provides a broad range of legal services with the goals of protecting public safety and taxpayer dollars. The section provides assistance to county attorneys and local law enforcement agencies in prosecuting serious crimes and in the civil commitment of sex offenders. The section further provides assistance to Minnesota counties with criminal appeals. The section prosecutes healthcare providers committing Medicaid fraud and assists county attorneys in prosecuting vulnerable adult abuse, neglect, and financial exploitation cases. The section also provides assistance to Minnesota residents.

Through its defense of the Minnesota Department of Human Services in litigation, the section defends the State's laws and the constitutionality of the State's actions and decisions. In addition, the section provides legal representation to the Commissioner of Public Safety, including at implied consent hearings.

SERVICES PROVIDED

The State Government Services Section provides the following services:

- Assists Minnesota counties and law enforcement in prosecuting serious crimes.
- Assists county attorneys in civil commitment hearings involving dangerous sexual predators.
- Provides assistance to county attorneys in felony appeals, including murder, sexual assault, child sexual abuse, felony assault, and drug distribution cases.
- Prosecutes healthcare provider fraud within the Medicaid program and recovers fraudulently obtained Medicaid funds.
- Provides legal counsel to the Minnesota Department of Human Services, including the defense of the constitutionality of the Minnesota Sex Offender Program.
- Appears in court on behalf of the Commissioner of Public Safety in implied consent cases.
- Delivers proactive legal advice to avoid lawsuits.
- Assists residents who contact the office.

RESULTS

- Legal work helps facilitate the implementation and enforcement of laws enacted by the Minnesota Legislature.
- High quality, effective and efficient legal representation delivered to state agencies, boards, and commissions.
- Providers are prosecuted for fraudulent use of Medicaid funds.
- Public interest is advanced by providing assistance in prosecutions and appeals.
- Public interest is advanced in civil litigation.
- Residents' rights and safety are protected.

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
<u>Expenditures by Fund</u>						
1000 - General	5,228	7,110	6,286	6,956	6,652	6,652
1201 - Health Related Boards	21	21	21	21	21	21
2000 - Restrict Misc Special Revenue	50	30	14	15	15	15
2001 - Other Misc Special Revenue	2,851	3,732	3,780	4,492	4,086	4,086
3000 - Federal	1,685	1,970	2,126	2,974	3,123	3,123
6000 - Miscellaneous Agency			7			
Total	9,835	12,863	12,233	14,458	13,897	13,897
Biennial Change				3,993		1,103
Biennial % Change				18		4

Expenditures by Category

Compensation	8,895	11,185	10,990	12,519	12,398	12,398
Operating Expenses	904	1,456	1,190	1,678	1,488	1,488
Capital Outlay-Real Property	18	23	34	31	11	11
Other Financial Transaction	18	198	19	230		
Total	9,835	12,863	12,233	14,458	13,897	13,897

Total Agency Expenditures	9,835	12,863	12,233	14,458	13,897	13,897
Internal Billing Expenditures	246	291	321	452	472	472
Expenditures Less Internal Billing	9,588	12,572	11,912	14,006	13,425	13,425

Full-Time Equivalents

	115.80	136.27	133.00	136.40	136.40	136.40
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State Government Services

Activity Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base	
	FY16	FY17	FY18	FY19	FY20	FY21
1000 - General						
Balance Forward In		195		319		
Direct Appropriation	5,321	5,321	6,605	6,637	6,652	6,652
Transfers In	152	1,596				
Transfers Out	50					
Cancellations		2				
Balance Forward Out	195		319			
Expenditures	5,228	7,110	6,286	6,956	6,652	6,652
Biennial Change in Expenditures				903		62
Biennial % Change in Expenditures				7		0
Full-Time Equivalents	101.28	118.37	114.53	114.80	114.80	114.80

1201 - Health Related Boards

Direct Appropriation	21	21	21	21	21	21
Expenditures	21	21	21	21	21	21
Biennial Change in Expenditures				0		0
Biennial % Change in Expenditures				0		0

2000 - Restrict Misc Special Revenue

Balance Forward In	2,380	2,329	2,299	2,286	2,271	2,256
Balance Forward Out	2,330	2,299	2,285	2,271	2,256	2,241
Expenditures	50	30	14	15	15	15
Biennial Change in Expenditures				(51)		1
Biennial % Change in Expenditures				(64)		5

2001 - Other Misc Special Revenue

Balance Forward In			21	406		
Transfers In	2,851	3,779	4,164	4,086	4,086	4,086
Transfers Out		25				
Balance Forward Out		21	406			
Expenditures	2,851	3,732	3,780	4,492	4,086	4,086
Biennial Change in Expenditures				1,689		(100)
Biennial % Change in Expenditures				26		(1)

State Government Services

Activity Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base	
	FY16	FY17	FY18	FY19	FY20	FY21

3000 - Federal

Receipts	1,685	1,970	2,126	2,974	3,123	3,123
Expenditures	1,685	1,970	2,126	2,974	3,123	3,123
Biennial Change in Expenditures				1,445		1,146
Biennial % Change in Expenditures				40		22
Full-Time Equivalents	14.52	17.90	18.47	21.60	21.60	21.60

6000 - Miscellaneous Agency

Balance Forward In				9	9	9
Receipts			16			
Balance Forward Out			9	9	9	9
Expenditures			7			
Biennial Change in Expenditures				7		(7)
Biennial % Change in Expenditures						

Program: Attorney General

Activity: Civil Law Section

AT A GLANCE

In 2018, the Civil Law Section:

- Upheld and implemented the laws enacted by the Minnesota Legislature.
- Ensured Minnesota nonprofits, charities, and trusts registered and complied with Minnesota law.
- Advocated for residential and small business ratepayers on utility matters.

PURPOSE & CONTEXT

The Civil Law Section of the Attorney General's Office regulates nonprofits, charities, and trusts that operate and fundraise in Minnesota. The section also advocates for the interest of residential and small business ratepayers in matters involving electric, natural gas, and telecommunications services and rates. The Civil Law Section also enforces Minnesota's antitrust laws and ensures that businesses operating in Minnesota comply with state consumer protection laws by investigating and taking enforcement actions against entities that violate state law.

SERVICES PROVIDED

The Civil Law Section provides the following services:

- Oversees and regulates Minnesota nonprofit organizations, charities and trusts.
- Advocates for residential and small business ratepayers in utility matters before the Minnesota Public Utilities Commission.
- Files enforcement actions to ensure businesses comply with the state consumer protection and antitrust laws.

RESULTS

- Ensure nonprofits, charities, and trusts manage, preserve, and use their charitable assets for the benefit of the public.
- Legal work facilitates the implementation and enforcement of laws enacted by the Minnesota Legislature.
- Recover funds for the State and obtain restitution to Minnesota consumers.
- Ensure the public interest is advanced in civil litigation.
- Residents' rights are protected by making sure Minnesota laws are enforced and upheld.
- Ensures nonprofits, charities and trusts register and comply with Minnesota laws.
- Residential and small business ratepayer interests are advanced in utility matters.
- Consumer protection and antitrust laws are fairly enforced.

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
<u>Expenditures by Fund</u>						
1000 - General	4,928	3,386	3,042	3,455	3,264	3,264
2001 - Other Misc Special Revenue	2,685	1,686	1,830	2,229	2,043	2,043
6000 - Miscellaneous Agency	816	4,390	401	127	6	6
Total	8,428	9,461	5,272	5,811	5,313	5,313
Biennial Change				(6,806)		(457)
Biennial % Change				(38)		(4)

Expenditures by Category

Compensation	7,127	4,576	4,520	5,041	4,889	4,889
Operating Expenses	1,265	4,774	726	642	424	424
Capital Outlay-Real Property	18	12	17	13		
Other Financial Transaction	18	99	9	115		
Total	8,428	9,461	5,272	5,811	5,313	5,313

Full-Time Equivalents

77.43	49.54	45.67	50.00	50.00	50.00
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Civil Law

Activity Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base	
	FY16	FY17	FY18	FY19	FY20	FY21
1000 - General						
Balance Forward In		336		199		
Direct Appropriation	5,020	5,020	3,240	3,256	3,264	3,264
Transfers In	244	20				
Transfers Out		1,947				
Cancellations		44				
Balance Forward Out	336		199			
Expenditures	4,928	3,386	3,042	3,455	3,264	3,264
Biennial Change in Expenditures				(1,816)		31
Biennial % Change in Expenditures				(22)		0
Full-Time Equivalents	77.43	49.54	45.67	50.00	50.00	50.00

2001 - Other Misc Special Revenue

Balance Forward In			3	186		
Transfers In	2,685	1,748	2,013	2,043	2,043	2,043
Transfers Out		59				
Balance Forward Out		3	186			
Expenditures	2,685	1,686	1,830	2,229	2,043	2,043
Biennial Change in Expenditures				(312)		27
Biennial % Change in Expenditures				(7)		1

6000 - Miscellaneous Agency

Balance Forward In	8,459	7,805	20,093	18,871	18,033	18,028
Receipts	2,498	16,688	2,238	25	1	1
Transfers In			140			
Transfers Out	2,337	11	3,197	736		
Balance Forward Out	7,805	20,092	18,872	18,033	18,028	18,023
Expenditures	816	4,390	401	127	6	6
Biennial Change in Expenditures				(4,677)		(516)
Biennial % Change in Expenditures				(90)		(98)

Program: Attorney General
Activity: Civil Litigation Section

AT A GLANCE

In 2018, the Civil Litigation Section:

- Provided high-quality legal advice and representation to all three branches of Minnesota Government, including Constitutional officers, State agencies, boards, public officials, and employees.
- Successfully defended Minnesota laws from legal challenges brought before state and federal courts.
- Defended the State of Minnesota against employment and tort claims, protecting and saving taxpayer dollars in cases that often seek significant monetary payments.
- Provided legal advice to the Public Utilities Commission, and defended its decisions in court.

PURPOSE & CONTEXT

The Civil Litigation Section provides high-quality and effective legal advice and representation to all three branches of Minnesota Government in a wide variety of civil cases.

The section defends Minnesota laws against legal challenges, including challenges to the constitutionality of the laws. The section provides advice, representation, and defense to Constitutional officers, State agencies, boards, public officials, and employees across state government in tort, employment, and other civil legal claims. These cases often involve defending important legal principles and seek significant monetary damages.

The section also provides legal advice to the Minnesota Public Utilities Commission on matters pending before the Commission, and defends Commission decisions against legal challenges in both state and federal courts.

The population primarily served by the Civil Litigation Section includes the executive, legislative, and judicial branches of State government and the residents of Minnesota.

SERVICES PROVIDED

The Civil Litigation Section provides the following services:

- Represents the State of Minnesota in legal matters pending before state and federal courts, including at district court and appellate levels.
- Defends Minnesota laws enacted by the Legislature against constitutional and other legal challenges.
- Defends Constitutional officers, State agencies, boards, public officials and employees in challenges to their implementation of Minnesota laws.
- Defends Constitutional officers, State agencies, boards, public officials and employees in a variety of other civil matters, including in tort and employment claims.
- Advises Constitutional offices, State agencies, boards, public officials and employees in an effort to avoid meritorious adverse legal claims.
- Defends successfully against significant claims for monetary damages, saving and protecting taxpayer dollars.
- Provide legal representation to the Public Utilities Commission, both in matters pending before the Commission and in legal cases challenging their decisions.

RESULTS

As a result of the Civil Litigation Section:

- The laws enacted by the Minnesota Legislature are protected from constitutional and other legal challenges, and therefore can be enforced as intended by the Legislature.
- Constitutional officers, State agencies, boards, public officials, and employees are able to execute the authority and legal directives of the Legislature, because they receive effective and high-quality defense from civil claims challenging their actions.
- Significant taxpayer dollars are protected by the successful defense against civil legal claims seeking monetary damages, as well as through preventative legal advice which allows agencies to avoid potential civil legal claims.
- Public interest is advanced in litigation.

Civil Litigation

Activity Expenditure Overview

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
<u>Expenditures by Fund</u>						
1000 - General	1,658	1,720	1,543	1,685	1,622	1,622
2001 - Other Misc Special Revenue	705	554	760	948	860	860
Total	2,363	2,274	2,303	2,633	2,482	2,482
Biennial Change				298		28
Biennial % Change				6		1
<u>Expenditures by Category</u>						
Compensation	2,233	2,110	2,188	2,365	2,314	2,314
Operating Expenses	120	118	104	217	168	168
Capital Outlay-Real Property	5	5	7	6		
Other Financial Transaction	5	42	4	45		
Total	2,363	2,274	2,303	2,633	2,482	2,482
<u>Full-Time Equivalents</u>						
	23.06	20.48	20.44	21.00	21.00	21.00

Civil Litigation

Activity Financing by Fund

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
1000 - General						
Balance Forward In		73		67		
Direct Appropriation	1,669	1,669	1,610	1,618	1,622	1,622
Transfers In	62					
Transfers Out		19				
Cancellations		2				
Balance Forward Out	73		67			
Expenditures	1,658	1,720	1,543	1,685	1,622	1,622
Biennial Change in Expenditures				(151)		16
Biennial % Change in Expenditures				(4)		1
Full-Time Equivalents	23.06	20.48	20.44	21.00	21.00	21.00

2001 - Other Misc Special Revenue

Balance Forward In			5	88		
Transfers In	705	596	843	860	860	860
Transfers Out		37				
Balance Forward Out		5	88			
Expenditures	705	554	760	948	860	860
Biennial Change in Expenditures				449		12
Biennial % Change in Expenditures				36		1

Program: Attorney General
Activity: Administrative Operations

AT A GLANCE

In 2018, Administrative Operations:

- Provided administrative, human resources, accounting services, and support services to the Attorney General's Office in order to provide efficient and effective legal representation.

PURPOSE & CONTEXT

- Ensure that budget, human resources, payroll, and accounting practices are in accordance with State law and procedures.
- Protect and save taxpayer dollars by ensuring an efficient use of resources and staff.
- Purchase goods and services pursuant to State guidelines and requirements.
- Interact with other State agencies and boards on personnel, administrative and accounting issues.

SERVICES PROVIDED

- Protect taxpayer dollars by ensuring accounting and payroll services are complete, accurate and in accordance with the law.
- Maintain budget and accounting systems to ensure that they are in compliance with State law and practice.
- Develop and implement administrative policies and procedures in accordance with State law and requirements.
- Provide the Attorney General's Office with necessary administrative support to provide high quality and efficient legal representation.
- Supply human resource, administrative and accounting services.
- Ensure that purchasing is cost effective and in accordance with all applicable laws and regulations.

RESULTS

- Administrative support is provided to efficiently carry out the delivery of high quality legal services.
- Legal resources are available to ensure timely and effective representation.
- Fiscal matters are handled to ensure that efficient and accountable government services are provided and that the systems are in accordance with the laws of the State.

Administrative Operations

Activity Expenditure Overview

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
<u>Expenditures by Fund</u>						
1000 - General	3,532	4,269	4,016	4,509	4,284	4,284
2000 - Restrict Misc Special Revenue	418	18	15	18	18	18
2001 - Other Misc Special Revenue		311	349	377	377	377
Total	3,950	4,598	4,380	4,904	4,679	4,679
Biennial Change				736		74
Biennial % Change				9		1
<u>Expenditures by Category</u>						
Compensation	1,682	2,324	2,062	2,109	1,884	1,884
Operating Expenses	2,269	2,273	2,318	2,795	2,795	2,795
Other Financial Transaction		2				
Total	3,950	4,598	4,380	4,904	4,679	4,679
<u>Full-Time Equivalents</u>						
	16.52	18.49	20.07	20.40	20.40	20.40

Administrative Operations

Activity Financing by Fund

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
1000 - General						
Balance Forward In		343		236		
Direct Appropriation	4,307	4,307	4,252	4,273	4,284	4,284
Transfers In		139				
Transfers Out	432	495				
Cancellations		25				
Balance Forward Out	343		236			
Expenditures	3,532	4,269	4,016	4,509	4,284	4,284
Biennial Change in Expenditures				723		43
Biennial % Change in Expenditures				9		1
Full-Time Equivalents	11.56	14.47	15.87	15.40	15.40	15.40

2000 - Restrict Misc Special Revenue

Balance Forward In	396	6	10	16	16	16
Receipts	279	22	21	18	18	18
Internal Billing Receipts	246					
Transfers Out	251					
Balance Forward Out	6	10	16	16	16	16
Expenditures	418	18	15	18	18	18
Biennial Change in Expenditures				(402)		3
Biennial % Change in Expenditures				(92)		8
Full-Time Equivalents	4.96	0.23				

2001 - Other Misc Special Revenue

Balance Forward In		251	233	205	205	205
Receipts		293	321	377	377	377
Internal Billing Receipts		291	321	376	376	376
Transfers In	251					
Balance Forward Out	251	233	205	205	205	205
Expenditures		311	349	377	377	377
Biennial Change in Expenditures				415		28
Biennial % Change in Expenditures						4
Full-Time Equivalents		3.79	4.20	5.00	5.00	5.00

Attorney General

FY 2020-21 Biennial Budget Change Item

Change Item Title: Maintain and Stabilize Experienced Attorney Staff

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	780	1,615	1,615	1,615
Revenues	0	0	0	0
Other Funds				
Expenditures	54	111	111	111
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	834	1,726	1,726	1,726
FTEs	0	0	0	0

Request:

For three successive biennia the total general fund appropriation for the Attorney General's Office has been frozen at \$22,125,000. For the biennium beginning July 1, 2019 the Attorney General seeks an additional \$2,395,000 from the general fund and \$165,000 from the health-related boards special fund to retain current staff by fairly and competitively compensating staff attorneys and legal support staff. This would result in a 5.4% increase in the Office's biennial general fund appropriation.

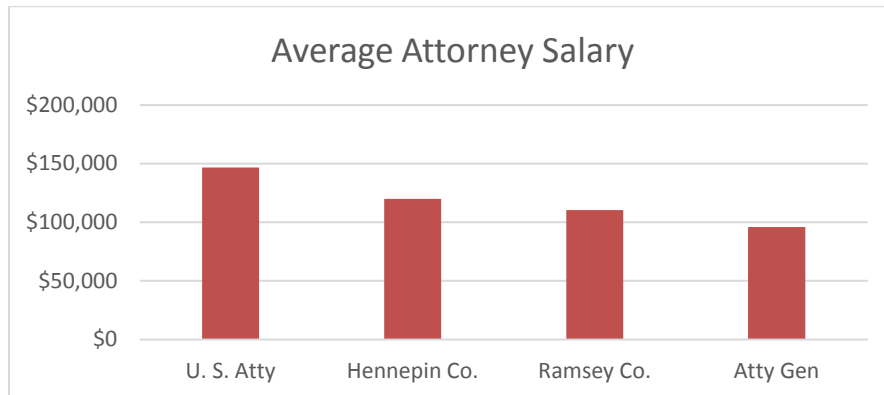
Rationale/Background:

The Attorney General's Office is the second largest public law office in Minnesota. Few public law offices in Minnesota handle the range, quantity, and complexity of civil litigation as the Minnesota Attorney General's Office. No other public law office serves as many clients as the Attorney General. The clients include over 100 state agencies, boards and commissions. Its lawyers handle more than 7,000 legal files per year covering a wide range of legal matters. It defends and implements laws enacted by the state legislature. This may require the Office to commence lawsuits to implement the laws enacted and to defend those laws against constitutional challenge. In many instances the litigation involves significant claims for monetary damages or compensation against the state and state officials.

Further, on the basis of size the Attorney General's Office would rank among the top ten private law offices in Minnesota. Matters litigated by attorneys of the Office bring them face to face across the table with attorneys employed by most of these law offices. The attorneys at these firms receive compensation equivalent to multiple times that of their Attorney General Office opponents. Often these firms are able to recruit staff attorneys away from the Attorney General's Office by offering them significant pay increases. Public law offices cannot compete with the salaries paid lawyers in private law offices of similar size, but the Attorney General's Office and other public law offices must be able to pay salaries that will enable them to recruit and retain attorneys capable of defending the interests of the state, its agencies and people in court.

Similarly, the Attorney General's Office must be able to compete with other public law offices for the best attorneys who are interested in public service. But an analysis of the salaries paid by the U. S. Attorney's Office, and Ramsey and Hennepin County Attorney Offices shows that the Attorney General salaries are a distant fourth. Comparisons with these federal and county law offices demonstrate that across the board Attorney General staff are paid less than their counterparts in those offices.

C. Y. 2018 Average Staff Attorney (non-manager attorneys)			
U. S. Atty	Hennepin Co.	Ramsey Co.	Atty Gen
\$146,733	\$120,094	\$110,399	\$96,102



A number of factors may explain this disparity in pay but certainly the freeze on the general fund appropriation to the Attorney General's Office is a significant one. For three successive biennia the general fund appropriation for the Attorney General's Office has been \$22,125,000. Every measure of inflation, including the Consumer Price Indicator (CPI) and the Implicit Price Deflator for State & Local Government Purchases (IPD) for FY 2014 to FY 2017, records growth over that period. Without positive action on this request pay to Attorney General staff will fall further behind.

Increases negotiated for Hennepin and Ramsey County Attorney Offices in calendar year 2019-21 will be 2.5% per year for all attorneys plus step increases and promotion amounts of 3% or more for some. Attorneys who separated from the Attorney General's Office for reasons other than retirement exceeded those at the Hennepin and Ramsey County Offices.

Proposal:

The Attorney General's Office requests an increase in operating funds for competitive salary increases for attorney staff. The requested funds will not eliminate or reduce the gap between salaries paid in these three comparable law offices, but they will help keep the gap from growing greater.

Equity and Inclusion:

The Attorney General's Office is committed to broaden its recruitment of attorneys, legal assistants and support staff that better reflects the State's diverse population. This will enhance service to marginalized communities and protected classes.

IT Related Proposals:

This is not an information technology proposal.

Statutory Change(s):

This proposal will not require statutory changes.

Attorney General

FY 2020-21 Biennial Budget Change Item

Change Item Title: Enhanced Criminal Enforcement – Assistance to Rural Counties and Prosecution of Economic Crimes

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	1,252	1,651	1,651	1,651
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,252	1,651	1,651	1,651
FTEs	9.0	11.0	11.0	11.0

Request:

The Office of the Attorney General requests an additional \$1.252 million in FY 2020 and \$1.651 million in FY 2021 and each year thereafter to provide needed legal services to rural county attorneys and prosecute crimes that unfairly harm consumers and legitimate, law-abiding businesses. Over the past 20 years, the AGO has significantly reduced the legal services available to respond to these requests. It has not prosecuted most violent or complex crimes, white collar crimes, cross-county crimes such as sex trafficking and financial exploitation, or respond to habeas corpus petitions. The outcome of additional resources would be to gradually rebuild the Office's capacity to aid counties to enforce the criminal laws in their jurisdiction that are beyond the scope of their resources and hold unscrupulous businesses accountable. This change represents a 6.5 percent increase in the Office's biennial general fund appropriation.

Rationale/Background:

Pursuant to Minn. Stat. Sect. 8.01, upon request of the county attorney, the attorney general shall appear in court in such criminal cases as the attorney general deems proper.

Since 1999, the AGO has decreased its capacity to assist county attorneys with criminal prosecutions. At the present time, the Attorney General's Office has only one full-time criminal prosecutor whose assistance is limited to homicide cases. Requests from county attorneys for assistance with prosecution of other violent crimes, white collar crime, financial exploitation, multi-county prosecutions of drug or human trafficking, or other complex or unusual cases are routinely not accepted for prosecution due to lack of staff.

Many counties are served by small offices, in some cases, staffed by part-time county attorneys. These offices do an admirable job of handling local enforcement and prosecution of crimes more typical to their communities. It is the rare instance of an atypical serious crime, including attempted murder, violent domestic or sexual assault, murder for hire, large-scale drug manufacture and sales, sex and human trafficking, or identified pattern of crime that crosses county lines, that is often beyond the experience and resources of these small offices. As the statute states, when faced with such alleged crimes, the county attorney has the option to request assistance. It is their expectation that the Attorney General's Office will employ a small group of experienced prosecutors to handle these uncommon matters efficiently and effectively, as requested.

It is the intent of the Attorney General to begin the process of rebuilding this capacity to serve the counties that request assistance.

Pursuant to Minn. Stat. Sect 8.31, the attorney general shall investigate violations of the law of this state respecting unfair, discriminatory, or otherwise unlawful practices in business, commerce or trade. Although the Attorney General's Office has initiated civil litigation, no white-collar crime prosecutions (outside of Medicaid fraud) have been brought by the Attorney General in several years. Some cases have been referred to the federal government for prosecution, but those have not been prosecuted at the state level because of lack of resources. Allowing such criminal activity to go unchecked exploits both the victims of the activity, and the businesses that act ethically and within the law. It is anticipated that one of the positions will be filled by a forensic accountant, and that the office will also work closely with investigators at the Bureau of Criminal Apprehension, Department of Commerce, and Department of Labor and Industry.

Current level of services: In addition to prosecuting homicide cases, the Attorney General's Office handles 90 – 110 criminal appeals each year for 80 of the 87 Minnesota counties, and provides some materials and sample pleadings to help county attorneys conduct grand juries and respond to habeas corpus petitions. It also conducts Medicaid Fraud investigations and prosecutions, but these efforts are supported by dedicated state and federal funds that, by law, may not be used for any other purpose.

Proposal:

The Attorney General requests \$1.252 million in FY 2020 and \$1.651 million in FY 2021 and each year thereafter to rebuild the capacity of the office to meet its obligation to aid in the enforcement of the criminal laws of the state.

As soon as the funds are appropriated, the Attorney General will recruit and train staff, and develop formal lines of communication with the county attorneys and state investigators at the Bureau of Criminal Apprehension, Department of Commerce and Department of Labor and Industry. Since it will take some time to rebuild the capacity, two of the positions would be added in the second year of the biennium.

Equity and Inclusion:

The Attorney General's Office is committed to broaden its recruitment of attorneys, legal assistants and support staff that better reflects the State's diverse population.

This will enhance service to marginalized communities, including but not limited to persons of color, those with limited education or English-language skills, and those living on fixed incomes or at or near the poverty level, who are disproportionately represented among crime victims. However, crime victims cut across all groups and demographics.

IT Related Proposals:

This request contains no information technology changes.

Results:

With these resources, the Attorney General's Office will better respond to the unmet needs of the counties and begin to rebuild the capacity to provide necessary assistance with prosecution of serious offenses. It will also build the capacity to prosecute targeted cases against perpetrators of crimes that effect the economic security of Minnesotans.

It is expected that this initiative will become part of the Attorney General's Office base budget, and its efforts will be informed in the future by changing patterns of criminal activity. When unscrupulous actors, both individuals and businesses, recognize that illegal actions will be prosecuted, it should help deter future criminal activity, and increase the confidence of those businesses that follow the law that the unscrupulous will be held accountable.

The Attorney General will track the number of investigations and prosecutions commenced and completed, as well as the characteristics of crime victims and scope of economic loss.

Statutory Change(s):

No statutory changes are required.

Attorney General

FY 2020-21 Biennial Budget Change Item

Change Item Title: Continued IT Litigation Support Modernization

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	173	179	179	179
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	173	179	179	179
FTEs	1	1	1	1

Request:

The Attorney General's Office (AGO) requests an increase of \$352,000 in the upcoming biennium to make further investments in critical litigation Information Technology (IT) resources necessary in modern litigation.

Rationale/Background:

The AGO currently uses a software platform that provides a variety of tools to analyze the ever-expanding amount of electronic documents that are at the center of the complex litigation handled by this Office. Such software is often referred to as electronic discovery, or e-discovery, software. The AGO would like to expand the use of this specialized legal software to additional staff in order to benefit our state agency clients and the people of Minnesota. The powerful analytic tools of e-discovery software have been critically important in recent litigation. These tools allow the AGO to take on cases that it may not otherwise be able to.

The AGO regularly litigates against top law firms in the state and country that utilize powerful e-discovery software. Indeed, 198 of the AM Law 200 list of the largest law firms in the country use the same software platform as the AGO. The AGO needs to expand the use of industry-standard software in order to go head-to-head with these large law firms. It is also critical that the AGO be able to provide its attorneys and other legal staff with these modern tools in order to attract and retain top-flight talent to represent the interests of the people of Minnesota.

Proposal:

The AGO seeks an increase in the current base budget of \$173,000 in FY 2020 and \$179,000 in FY 2021 and each year thereafter. This proposal includes the cost of annual software licenses, as well as upgraded IT infrastructure to safely and securely store the millions of electronic documents that are part of modern litigation. The IT infrastructure costs consist primarily of storage costs in each fiscal year. Also included in this request is the cost of one additional full time equivalent (FTE) position. This Litigation IT Specialist position would serve as a subject matter expert to assist attorneys and other AGO staff with e-discovery tailored to the unique needs of each case.

IT Related Proposals:

Category	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Payroll	0	0	0	0	0	0
Professional/Technical Contracts	0	0	0	0	0	0
Infrastructure	0	0	0	0	0	0
Hardware	32	35	35	35	35	35
Software	48	48	48	48	48	48
Training	0	0	0	0	0	0
Enterprise Services	0	0	0	0	0	0
Staff costs (MNIT or agency)	93	96	96	96	96	96
Total	173	179	179	179	179	179
MNIT FTEs	0	0	0	0	0	0
Agency FTEs	1	1	1	1	1	1

Statutory Change(s):

No statutory changes are required.