

1 COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

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3 **Policy on Legal Fees**
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5 The Committee on Rules and Legislative Administration authorizes payment by the
6 House of Representatives of reasonable legal fees and expenses incurred under the following
7 circumstances by the individuals indicated.

8 1. When the vote in an election to the House is the subject of a publicly-funded recount
9 under Minnesota Statutes, section 204C.35, subdivision 1, payment may be authorized for each
10 candidate.

11 2. When the vote in an election to the House is the subject of a recount at a candidate's
12 own expense under Minnesota Statutes, section 204C.35, subdivision 2, payment may be
13 authorized for: (a) a candidate who is responding as a contestee to a recount paid by another
14 candidate, and (b) a candidate who pays for a recount at the candidate's own expense and
15 prevails.

16 3. When an election to the House is contested in a judicial proceeding under Minnesota
17 Statutes, chapter 209, on the ground that deliberate, serious, and material violations of state
18 election laws occurred, payment may be authorized for a member of the House whose election
19 was contested if the member was exonerated in the judicial proceeding by virtue either of a
20 dismissal or a judicial decision.

21 4. When an election to the House is contested in a judicial proceeding under Minnesota
22 Statutes, chapter 209, on grounds other than that identified in item #3, payment may be
23 authorized for: (a) a candidate who is responding as a contestee in the judicial proceeding, and
24 (b) a candidate who is a contestor and prevails in the judicial proceeding by virtue of a decision
25 either that the election was invalid or that the contestee did not receive the largest number of
26 votes legally cast.

27 5. When a county attorney conducts an investigation of alleged unfair campaign practices
28 under Minnesota Statutes, section 211B.16, payment may be authorized for a member of the
29 House who is subject to the investigation if the county attorney decides not to proceed with, an
30 indictment, charge, or complaint on the matter, or if the grand jury returns no indictment.

1 The general policy of the Committee is to authorize payment of reasonable legal fees and
2 expenses incurred by individuals in the circumstances enumerated above. However, all requests
3 for payment will be evaluated individually. Before authorizing payment of legal fees and
4 expenses, the Committee will require a detailed statement of all legal fees and expenses for
5 which payment is requested, including the date, activity, and time of each item. (Committee on
6 Rules and Legislative Administration, 2007-R9, approved 3/7/07.) The Committee may choose
7 to set limits on payment in particular cases, including on the aggregate time or payment allowed.

8 This policy does not preclude the Committee from refusing to authorize a payment of
9 legal fees and expenses, based on the facts and circumstances in a particular case, nor does the
10 policy preclude the Committee from approving other reasonable requests for payment of legal
11 fees and expenses.

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Date adopted: _____

Signed: _____

HARRY NISKA, CHAIR