



Re: SF 4271 (Judicial Branch Supplemental Budget/Policy Bill)

Dear Chair Latz and Members of the Judiciary Committee:

I write as executive director of the Minnesota Newspaper Association (MNA) to express our serious concerns about two portions of SF 4271. MNA represents more than 260 newspapers throughout the state, from the smallest to the largest.

The bill includes provisions (at Section 5, line 3.3, and Section 11, line 7.14) that would eliminate the long-standing requirement that certain important notifications issued by the judicial branch be published in newspapers. Instead, those notices would be posted on a judicial branch website.

It seems certain that many of the affected notices address issues of considerable public importance. When published in local newspapers and posted on their websites, those notices will be seen by many local residents. Yet how likely is it that those residents would ever see or even know about notices posted only on a website of the judicial branch?

Furthermore, state law requires that notices published in newspapers must also be posted on the newspapers' websites (in front of any paywall), and on the statewide searchable public notice website maintained by MNA, at no additional cost to the advertiser (see Minn. Stat. section 331A.02, subd. 5). Public notices disseminated in this fashion are far more likely to be seen by the parties who are the subjects of the notice, or by others who know the parties and can notify them, than notices posted only on a judicial branch website.

Public notices placed in newspapers as a means of alternative service of process of legal documents has been validated by decades of experience and practice. Making the kind of dramatic changes proposed by SF 4271 could very well raise questions about the legitimacy of service and invite due process challenges.

It also bears noting that the total cost of publishing the notices at issue appears to be approximately \$240,000, which is a miniscule portion of the budget of the judicial branch. Informing affected individuals and the public generally about important legal proceedings is an appropriate use of such modest amounts of government resources.

Finally, publication of public notices in newspapers performs a significant archival and historical function. Once published, those notices become part of a permanent, independent, easily accessible, and unalterable record. In contrast, content posted only on websites is vulnerable to manipulation or deletion, as many recent examples demonstrate.

We would therefore ask that the proposed elimination of published public notices from newspapers be removed from the bill.

We sincerely appreciate your consideration of our concerns.



MINNESOTA  
NEWSPAPER  
ASSOCIATION

Sincerely,

Lisa Hills  
Executive Director, Minnesota Newspaper Association