

SF472 - 0 - Court Fee Requirements Exemption

Chief Author: **Mary Kunesh**
 Committee: **Judiciary And Public Safety**
 Date Completed: **2/11/2025 9:21:57 AM**
 Lead Agency: **Minn Management and Budget**
 Other Agencies:
 Ombudsperson for American Indian Families Supreme Court

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
 Reductions shown in the parentheses.

State Cost (Savings)		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
State Total						
Total		-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2025	FY2026	FY2027	FY2028	FY2029
Total		-	-	-	-	-

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Chloe Burns **Date:** 2/11/2025 9:21:57 AM
Phone: 651-297-1423 **Email:** chloe.burns@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

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 Agency: **Minn Management and Budget**

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Total		-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2025	FY2026	FY2027	FY2028	FY2029
Total		-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Chloe Burns **Date:** 2/10/2025 9:29:43 PM
Phone: 651-297-1423 **Email:** chloe.burns@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
	Total	-	-	-	-	-
	Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
	Total	-	-	-	-	-
	Biennial Total			-		-
2 - Revenues, Transfers In*						
	Total	-	-	-	-	-
	Biennial Total			-		-

Bill Description

SF472-0 exempts the Office of Ombudsperson for American Indian Families (OAIF) from court fee requirements when filing into cases arising under Chapters 257, 260D, 518, 524.5-201 to 524.5-317, 260, 260A, 260B, and 260C. Bill amends Minnesota Statutes 2024, section 357.021, subdivision 1a. Minn. Stat. § 357.021, subd. 1a establishes the requirements for the transmittal of fees by the court administrator to the commissioner of management and budget and identifies case and party types for which fees are not required.

Assumptions

Minnesota Statute § 260.771, subd. 2e currently provides an Indian child's Tribe, Tribal representative, or attorney representing the Tribe is exempt from any filing fees required under section 357.021. The civil filing fee of \$285 would apply for most case types identified in bill, with the exception of dissolution actions where the fee is \$315. All filing fees collected are transmitted to the General Fund. Of the fees remitted, Minnesota Management and Budget allocates \$30 to special revenue funds for Minnesota Family Resiliency Partnership and remainder to state treasury. This is accordance to Minnesota Statute § 260.771, subd. 1a.

It is assumed the number of case filings submitted by the OAIF will remain consistent with the number of cases the OAIF or the "Office of Ombudsperson for families" has appeared as a "Tribal representative," "interested observer," or "participant" in a district court case. Since 2009, there have been only nine cases meeting this criterion. Initially, the number of filings by the OAIF may be higher due to the expansion of eligible case types and the potential it would no longer need to potentially request a party to the case to submit a document on its behalf; however, it is expected any increase would have a nominal impact on fee revenue.

Expenditure and/or Revenue Formula

This bill will have minimal impact on the state treasury and Minnesota Family Resiliency Partnership. It is not possible to estimate the exact impact, but it is expected that this bill may nominally reduce filing fees collected and transmitted to the General Fund.

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact: Ronika Rampadarat 651-201-8115

Agency Fiscal Note Coordinator Signature: Ronika Rampadarat

Phone: 651-201-8115

Date: 2/10/2025 11:26:58 AM

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SF472 - 0 - Court Fee Requirements Exemption

Chief Author: **Mary Kunesh**
 Committee: **Judiciary And Public Safety**
 Date Completed: **2/11/2025 9:21:57 AM**
 Agency: **Ombudsperson for American Indian Families**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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Biennial Total				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2025	FY2026	FY2027	FY2028	FY2029
Total		-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Steve McDaniel **Date:** 1/28/2025 8:48:59 AM
Phone: 651-284-6437 **Email:** steve.mcdaniel@lbo.mn.gov

State Cost (Savings) Calculation Details

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State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2025	FY2026	FY2027	FY2028	FY2029
	Total	-	-	-	-	-
	Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
	Total	-	-	-	-	-
	Biennial Total			-		-
2 - Revenues, Transfers In*						
	Total	-	-	-	-	-
	Biennial Total			-		-

Bill Description

No fee to be required from the Office of Ombudsperson for American Indian Families (OAIF) when the Agency submits a letter to the Courts for filing in Juvenile Court Cases and Third-Party Custody Cases filed in Family Court regarding possible violations of the Indian Child Welfare Act (ICWA) and/or the Minnesota Indian Family Preservation Act (MIFPA).

Assumptions

Currently, the law already waives any filing fees from federally recognized Indian Tribes or its representatives and this law will just extend the waiver to the OAIF.

Currently District Court Filing Fees are \$285.00 for Child Protection and also the same amount for Custody matters.

This Bill would allow the Office of Ombudsperson for American Indian Families to file letters directly with the Court, instead of asking another party in the case to file it OR asking the Court to waive the filing fees.

The Indian Child Welfare Act (ICWA) is a unique area of the law. One of the primary duties of the Ombudsperson is to ensure compliance with all laws governing child protection and placement, public education, and housing issues related to child protection that impact American Indian children and their families. As a licensed Minnesota attorney, the Ombudsperson can provide information to the Court, including possible violations of the Indian Child Welfare Act and other applicable laws regarding American Indian children.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Minn. Stat. §3.9215 (Enabling statute for OAIF). . <https://www.revisor.mn.gov/statutes/2021/cite/3.9215>

Minn. Stat § 357.021 <https://www.revisor.mn.gov/statutes/cite/357.021>

Minn. Stat §134A.09 <https://www.revisor.mn.gov/statutes/cite/134a.09>

and 134A.10 <https://www.revisor.mn.gov/statutes/cite/134A.10>

Agency Contact: Jill Esch (651-592-1953)

Agency Fiscal Note Coordinator Signature: Jill Esch

Phone: 651-643-2523

Date: 1/27/2025 8:09:55 AM

Email: jill.esch@state.mn.us

SF472 - 0 - Court Fee Requirements Exemption

Chief Author: **Mary Kunesh**
 Committee: **Judiciary And Public Safety**
 Date Completed: **2/11/2025 9:21:57 AM**
 Agency: **Supreme Court**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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Total		-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 1/30/2025 8:35:49 PM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details

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2 - Revenues, Transfers In*						
Total		-	-	-	-	-
Biennial Total				-		-

Bill Description

SF472-0 (the "Bill") exempts the Office of Ombudsperson for American Indian Families (OAIF) from court fee requirements when filing into cases arising under Chapters 257, 260D, 518, 524.5-201 to 524.5-317, 260, 260A, 260B, and 260C. The Bill amends Minnesota Statutes 2024, section 357.021, subdivision 1a. Minn. Stat. § 357.021, subd. 1a establishes the requirements for the transmittal of fees by the court administrator to the commissioner of management and budget and identifies case and party types for which fees are not required.

Assumptions

Minnesota Statute § 260.771, subd. 2e currently provides an Indian child's Tribe, Tribal representative, or attorney representing the Tribe is exempt from any filing fees required under section 357.021. The civil filing fee of \$285 would apply for most case types identified in the Bill, with the exception of dissolution actions where the fee is \$315. All filing fees collected are transmitted to the General Fund.

It is assumed the number of case filings submitted by the OAIF will remain consistent with the number of cases the OAIF or the "Office of Ombudsperson for families" has appeared as a "Tribal representative," "interested observer," or "participant" in a district court case. Since 2009, there have been only nine cases meeting this criterion. Initially, the number of filings by the OAIF may be higher due to the expansion of eligible case types and the potential it would no longer need to potentially request a party to the case to submit a document on its behalf; however, it is expected any increase would have a nominal impact on fee revenue.

It is assumed this bill may require minor changes to court administration processes, staff trainings, and case management procedures.

Expenditure and/or Revenue Formula

This bill will have minimal impact on the judicial branch and will be absorbed by the judicial branch. It is not possible to estimate the exact impact, but it is expected to be nominal. It is assumed that the time needed to make changes to court administration processes will be absorbed by the State Court Administrator's Office. It is assumed this bill may nominally reduce filing fees collected and transmitted to the General Fund.

Long-Term Fiscal Considerations

None.

Local Fiscal Impact

None.

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Callie Lehman

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Date: 1/30/2025 4:13:27 PM

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