



March 26, 2025

Minnesota  
State Bar  
Association

33 South Sixth St  
Suite 4540  
Minneapolis, MN  
55402

[www.mnbar.org](http://www.mnbar.org)

*Telephone*  
612-333-1183  
*National*  
800-882-MSBA  
*Fax*  
612-333-4927

*President*  
Samuel Edmunds

*President-Elect*  
Thomas R. Pack

*Treasurer*  
Kenya Bodden

*Secretary*  
Nicole Kettwick

*Chief Executive Officer*  
Cheryl Dalby

**RE: MSBA support for SF2826**

Chair Latz and Senate Judiciary & Public Safety Committee Members:

The Minnesota State Bar Association (MSBA) is a voluntary professional association that represents approximately 12,000 attorneys throughout Minnesota. The MSBA supports the passage of SF2826.

SF2826 fixes a flaw in Minnesota's post-conviction relief statute highlighted by a Minnesota Supreme Court case that precludes certain defendants from even attempting to withdraw a guilty plea under Minn. Stat. § 590.01. The court held that people convicted under Minnesota law can seek relief under § 590.01, but those who admitted guilt and only received a stay of adjudication cannot, even if they can prove their constitutional right to effective assistance of counsel was violated. Unfortunately, the mere public admission of guilt can have serious collateral consequences. And if a guilty plea was entered due to bad legal advice, then it violates a defendant's basic constitutional right to effective assistance of counsel.

SF2826 does not make it easier to overturn a conviction or withdraw a guilty plea, it merely allows those with a stay of adjudication the opportunity to present their constitutional argument to the court. The bill will ensure fairness for those individuals while not detracting from the current beneficiaries of § 590.01. The MSBA urges you to support SF2826.

Sincerely,

Samuel Edmunds  
MSBA President, 2024-2025