



MINNESOTA JUDICIAL BRANCH
MINNESOTA JUDICIAL CENTER
25 REV. DR. MARTIN LUTHER KING JR. BLVD.
SAINT PAUL, MINNESOTA 55155

JEFFREY SHORBA
STATE COURT ADMINISTRATOR

(651) 296-2474
Jeff.Shorba@courts.state.mn.us

August 28, 2023

Honorable Ron Latz
Minnesota Senate
3105 Minnesota Senate Bldg.
St. Paul, MN 55155
ronl@senate.mn

Honorable Warren Limmer
Minnesota Senate
2221 Minnesota Senate Bldg.
St. Paul, MN 55155
sen.warren.limmer@senate.mn

Honorable Kelly Moller
Minnesota House of Representatives
509 State Office Building
St. Paul, MN 55155
rep.kelly.moller@house.mn.gov

Honorable Paul Novotny
Minnesota House of Representatives
301 State Office Building
St. Paul, MN 55155
rep.paul.novotny@house.mn.gov

Sent via email to: ronl@senate.mn; sen.warren.limmer@senate.mn;
rep.kelly.moller@house.mn.gov; and rep.paul.novotny@house.mn.gov

Dear Chair Latz, Minority Lead Limmer, Chair Moller, and Minority Lead Novotny,

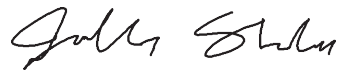
I'm writing to provide an update on a 2021 law appropriating \$30,000 and requiring the State Court Administrator to conduct a feasibility study on requiring courts to order that individuals convicted of felony-level criminal offenses undergo a neuropsychological examination to determine whether, due to a stroke, traumatic brain injury, or fetal the individual to lack substantial capacity for judgment when the offense was committed.¹ This provision was developed in conference committee without a fiscal note or analysis by the Judicial Branch.

The Judicial Branch is unable to complete this study for three reasons: first, the Branch is unable to collect this type of data; second, the Branch does not have expertise in this area; and third, the report requires the Judicial Branch to make recommendations on substantive law changes and the Judicial Branch does not weigh in on substantive law changes. The Judicial Branch returned the \$30,000 appropriation to the general fund as we are unable to complete this study.

¹ [Minn. Laws –2021, 1st Special Session, ch. 11, art. 1, §2, subd. 2\(d\); art. 2, §46](#)

As always, I appreciate the relationship between our two branches, and I am happy to discuss this matter further if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Shorba". The signature is fluid and cursive, with the first name "Jeff" and last name "Shorba" clearly distinguishable.

Jeff Shorba
State Court Administrator

cc: Callie Lehman, Intergovernmental Relations Specialist