

Minnesota

[2007 Report](#) and 2009-10 Update by Barbara L. Golden, Minnesota State Law Library

OFFICIAL STATUS



No change since
the 2007 report

AUTHENTICATION



No change since
the 2007 report

One Minnesota online legal resource is *official* (*State Register*). Based on statute and statements within the PDF copies that constitute the Web version, judicial notice shall be taken of its contents. The other online resources investigated here are not *official*.

Although the Minnesota Legislature supports free public access to online legal resources, the Revisor of Statutes considers the print versions of the statutes, session laws, and administrative code to be the authoritative editions, pursuant to MINN. STAT. 3C.06, 3C.08, and 14.47. Other statutory provisions state that the print sources are prima facie evidence of the law in all proceedings (see MINN. STAT. §§ 3C.13 & 14.37(2)) and require that print sources include a “certificate of correctness” (see MINN. STAT. §§ 3C.11(1) & 14.47(4)). Disclaimers on the legislative website make it clear that none of these online resources is official. The Minnesota Supreme Court has adopted the North Western Reporter 2d as the official reporter of their opinions (by order dated June 9, 1978). A disclaimer on the appellate courts’ opinion archive page makes it clear that slip opinions published there are subject to change and refers users to the official source.

Minnesota addresses authentication.

The Revisor of Statutes is aware of the issues and has discussed digital signatures, watermarks, and other technologies, but there are no immediate plans to make online resources official and there is no process in place to certify Web text as complete and unaltered. The online State Register is considered official and authenticated insofar as the material submitted for publication is properly endorsed. Note that the statutory and administrative online sources are drawn from the same database used to create the print resources and, therefore, are considered authentic. In fact, in some cases, the Web version is more current and correct than the print source, as corrected errors and new materials are

available on the Web almost immediately. There is a disclaimer that graphics (in the case of Minnesota Rules) are not available online.

Has the state eliminated the print publication of any of these titles in favor of online only since the 2007 report? No.

Has the state enacted legislation guaranteeing the public's permanent access to state online government information since the 2007 report? No.

Have courts in your state adopted a medium neutral citation system since the 2007 report? No.

Have there been any other significant changes to the 2007 state summary? Changes have been integrated into the text below.

The Minnesota Revisor of Statutes supports free access to unofficial versions of the *Laws of Minnesota* (state session laws) since 1849 (1st Territorial Legislature) and the *Minnesota Statutes* since 1997 on the legislative website (at <https://www.revisor.leg.state.mn.us/pubs/>). The site's retention policy (posted at <http://www.leg.state.mn.us/leg/retention.asp>) states that the session laws are to be kept indefinitely. It also states that only the current statutes are to be kept (to avoid confusion over what is current law), but older editions back to 1997 have been retained in a separate statutes archive (<https://www.revisor.leg.state.mn.us/statutes/?view=archive>). The intent is to continue maintaining all archived versions. Sources for the historical session laws are explained at <https://www.revisor.leg.state.mn.us/press.php>. The text of both session laws (since 1994) and statutes is derived from the same database used to produce the print versions and corrections or additions appear immediately online.

The Minnesota Revisor of Statutes supports free access to a current, unofficial version of the *Minnesota Rules* (state administrative code) on the legislative website (at <https://www.revisor.leg.state.mn.us/pubs/>). Tables and graphics are not displayed online. The electronic documents are generated from the same data source as the print versions and corrections or additions appear shortly after the notice of adoption appears in the administrative register.

The *official* status, as well as *authentic* nature, of the print resources is based on applicable statutory provisions: The official versions of laws, statutes, and administrative rules are the printed volumes published by the Office of the Revisor of Statutes pursuant to MINN. STAT. 3C.06, 3C.08, and 14.47. The print version is *prima facie* evidence of the law in all courts and proceedings. See MINN. STAT. §§ 3C.13 & 14.37(2) (applicable to *Minnesota Statutes* and *Laws of Minnesota*, and to *Minnesota Rules*, respectively). The print version must include a "certificate of correctness." See MINN. STAT. §§ 3C.11 &

14.47(4) (applicable to *Minnesota Statutes and Laws of Minnesota*, and to *Minnesota Rules*, respectively).

Publication of the *State Register* is governed by MINN. STAT. § 14.46. An *official* version of the *State Register* from July 1, 2004 to date is available in PDF at http://www.comm.media.state.mn.us/bookstore/state_register.asp. Since that date, print subscriptions are no longer widely available although print copies are found in state depository libraries. Earlier issues back to March 17, 1997 are also available online. Issues from March 17, 1997 to May 27, 1997 are in HTML format; issues following that date are in PDF. Although not stated on the website, the intent is to continue to add new issues and permanently retain all archived issues. An online subscription with added features is available for a fee.

The Minnesota judicial branch offers no-fee access to the most recently released slip opinions from the Minnesota Supreme Court (at <http://www.mncourts.gov/?page=230>) and the Minnesota Court of Appeals (at <http://www.mncourts.gov/?page=433>). Opinions are available in PDF and can be downloaded in Word 2007 and Rich Text formats, but are neither *official* nor *authenticated*. These slip opinions are archived, in PDF only since January 2008, by the Minnesota State Law Library going back to May 1996 (at <http://www.lawlibrary.state.mn.us/archive/>). Prior to January 2008, the archived opinions are in HTML format. No written statement on the website guarantees permanent public access, but that is the intent. The archive states that the slip opinions are unofficial and subject to modification and correction by the courts. Since May 1977, *North Western Reporter 2d* has been the *official* source of Minnesota court appellate opinions (by Minnesota Supreme Court order dated June 9, 1978). Before that time, the *official* reporter was *Minnesota Reports* published by the state. The Supreme Court's order predates the establishment of the Court of Appeals but the Court has adopted this position since it began operations in 1983.

The Court of Appeals has affirmatively considered whether to adopt an open source citation format on at least three separate occasions. Each time the judges have specifically decided to recognize *North Western Reporter 2d* as the *official* reporter of the Court's published opinions. It should be noted that "unpublished" opinions of the Minnesota Court of Appeals, although available online, are not published in the *official* print source. See MINN. STAT. § 480A.08(3). Unpublished opinions are not precedential and may not be cited except as provided by statute. MINN. STAT. § 480A.08(3).