

STATE OF MINNESOTA
IN SUPREME COURT
A26-0997



Minnesota Voters Alliance, et al.

Petitioners,

vs.

City of Minneapolis, et al

Respondents.

**SECRETARY'S
MEMORANDUM ON
PROCEDURAL ISSUES**

The Court ordered submissions regarding three procedural issues: whether there are disputed facts, whether there are dispositive threshold legal issues, and scheduling. Minnesota Secretary of State Steve Simon believes that no material fact disputes exist, no threshold legal issues preclude reaching the merits, and a decision is necessary by August 14.¹

I. THE ALLEGATIONS REGARDING THE SECRETARY DO NOT REQUIRE A HEARING.

Most of Petitioners Minnesota Voters Alliance and Diane Napper's (collectively, "MVA") factual allegations address actions by the City of Minneapolis. With respect to those allegations, the Secretary lacks knowledge to confirm or deny them.

MVA does make allegations regarding the Secretary in paragraphs 19, 41, 42, and 48 of its petition. The latter three paragraphs discuss information published on the

¹ The Secretary is not a party. In its June 12 order, however, the Court directed him to also provide a submission on these topics.

Secretary's website. While characterizations such as "prominently" may be subject to interpretation, the description of the website's content is generally accurate.

Legislation enacted in 2023 required the Secretary to certify certain things about the statewide voter registration system to the Revisor of Statutes before the statute governing early voting procedures became effective. 2023 Minn. Laws ch. 62, art. 4, §§ 68, 137. Paragraph 19 incorrectly states that the Secretary has not made that certification. The Secretary recently made the certification, and the Revisor confirmed receipt on May 15, 2026. An appropriate staff member can provide a declaration to that effect, and the Secretary does not believe there is a genuine fact dispute on the issue that would require an evidentiary hearing.

II. THERE ARE NO POTENTIALLY DISPOSITIVE THRESHOLD LEGAL ISSUES.

The central question here is a question of law: are election judges required at early voting polling places. The case does not involve other dispositive threshold legal issues.

III. A DECISION IS NECESSARY BY AUGUST 14.

MVA seeks relief relating to the November 2026 election. (Pet. ¶¶ 54-56.) The eighteen-day early-voting period at issue in this case starts on October 16. To account for orderly administration of that election and timely training of election judges, the Secretary requests a decision by August 14.

Election judges must be trained before elections occur. Minn. Stat. § 204B.25, subd. 1. If Minneapolis must provide election judges for early voting locations, either it or Hennepin County will have to hire and train those judges. *See id.* (placing training responsibility on counties but permitting them to delegate responsibility to municipalities).

The city is in the best position to know when a decision is necessary. Based on communication with Minneapolis, the Secretary believes a decision is necessary by August 14 for the city to ensure election judges will be at its early voting locations if required by the Court.

As a non-party, the Secretary has no objection to the briefing schedule proposed by MVA. (Pet. ¶ 57.) If the Court orders further participation by the Secretary, then the Secretary requests that his submission be due at the same time as that of the city.

CONCLUSION

There are no genuine issues of material fact or potentially dispositive legal issues. A decision is necessary by August 14.

Dated: June 18, 2026

Respectfully submitted,

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