

CHAPTER 388

COUNTY ATTORNEY

388.01 Election; qualifications; term.
388.23 County attorney; administrative subpoenas.

388.24 Pretrial diversion programs for juveniles.

388.01 ELECTION; QUALIFICATIONS; TERM.

There shall be elected in each county a county attorney who shall be licensed to practice law in this state, and whose term of office shall be four years and until a successor qualifies. Before entering upon duties the county attorney shall take an oath. The oath must be filed for record with the county recorder.

History: 1997 c 147 s 77

388.23 COUNTY ATTORNEY; ADMINISTRATIVE SUBPOENAS.

Subdivision 1. **Authority.** The county attorney, or any deputy or assistant county attorney whom the county attorney authorizes in writing, has the authority to subpoena and require the production of any records of telephone companies, cellular phone companies, paging companies, the names and addresses of subscribers of private computer networks including Internet service providers or computer bulletin board systems, electric companies, gas companies, water utilities, chemical suppliers, hotels and motels, pawn shops, airlines, buses, taxis, and other entities engaged in the business of transporting people, and freight companies, warehousing companies, self-service storage facilities, package delivery companies, and other entities engaged in the businesses of transport, storage, or delivery, and records of the existence of safe deposit box account numbers and customer savings and checking account numbers maintained by financial institutions and safe deposit companies, insurance records relating to the monetary payment or settlement of claims, and wage and employment records of an applicant or recipient of public assistance who is the subject of a welfare fraud investigation relating to eligibility information for public assistance programs. Subpoenas may only be issued for records that are relevant to an ongoing legitimate law enforcement investigation. Administrative subpoenas may only be issued in welfare fraud cases if there is probable cause to believe a crime has been committed. This provision applies only to the records of business entities and does not extend to private individuals or their dwellings.

[For text of subs 2 to 6, see M.S.1996]

History: 1997 c 85 art 5 s 25; 1997 c 239 art 3 s 3

388.24 PRETRIAL DIVERSION PROGRAMS FOR JUVENILES.

[For text of subs 1 to 4, see M.S.1996]

Subd. 5. [Repealed, 1997 c 7 art 2 s 67]