

Bond Case Briefs

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OPEN MEETINGS - MINNESOTA

Funk v. O'Connor

Supreme Court of Minnesota - July 18, 2018 - N.W.2d - 2018 WL 3447688

City residents brought separate actions against mayor and city council members, alleging that mayor and council members had repeatedly and intentionally violated the open meeting law.

On motion brought by mayor and council members, the actions were consolidated. Following bench trial, the District Court found that the mayor and council members, collectively, committed 38 open meeting law violations, imposed civil penalties, but declined to remove mayor and council members from office. Residents appealed. The Court of Appeals affirmed. Residents sought further review, which the Supreme Court granted.

The Supreme Court of Minnesota held that city council members and mayor could not be removed from office for violating open meeting law, since their violations were not proven in three separate, sequential adjudications.