STATE OF MINNESOTA
IN COURT OF APPEALS
A26-1439

Safe Homes Saint Paul, et al.,
Respondents,

vs.

City of St. Paul, et al.,
Appellants,

Dave Triplett,
Respondent Below.

Filed November 2, 2026
Affirmed
Frisch, Chief Judge
Concurring specially, Harris, Judge

Ramsey County District Court
File No. 62-CV-26-5594

Steven T. Appelget, Appelget Law Office, St. Paul, Minnesota (for respondents)

Irene Kao, St. Paul City Attorney, Colin Laffey, Aaron Winter, Assistant City Attorneys, St. Paul, Minnesota (for appellants)

Considered and decided by Frisch, Chief Judge; Larson, Judge; and Harris, Judge.

SYLLABUS

In an action challenging whether a procedurally sufficient initiative should be placed on a ballot, judicial inquiry is limited to determining whether the proposed ordinance would be unlawful on its face.

OPINION

FRISCH, Chief Judge

This appeal stems from appellant-city's refusal to place an initiative—an ordinance proposed for consideration by voters—on the November 3, 2026 ballot. There is no dispute that the initiative is procedurally sufficient, meaning that it is properly formatted and garnered the signatures required under the city's charter. But the city refused to place the initiative on the ballot because it believes that the proposed ordinance, if adopted, would be preempted by state law and unconstitutional. Respondents obtained a district court order requiring the city to place the initiative on the ballot, and the city appeals from that order. The city asserts that (1) the district court applied an incorrect legal standard to determine whether the city could refuse to place the initiative on the ballot; and (2) the city properly refused to place the initiative on the ballot. We affirm the district court's order because the city has not established a legal basis to keep the initiative off the ballot.

FACTS[1]

During the summer of 2026, respondents Safe Homes St. Paul, et al., submitted to appellant City of St. Paul a petition to include a "Tenant Right to Repair in Residential Rental Property" initiative on the November 3, 2026 ballot.[2] "Initiative is the process by

[1] This factual summary is based on the record developed in the district court. The parties do not dispute the underlying facts.

[2] The appellants in this matter are the city and the city clerk. For ease of reference, we refer to them collectively as the city. Respondent Safe Homes St. Paul is a ballot question political committee. *See* Minn. Stat. § 10A.01, subd. 7c (2024) (defining "[b]allot question political committee" as a "political committee that makes only expenditures to promote or defeat a ballot question and disbursements permitted under section 10A.121, subdivision

which a small percentage of voters may propose legislation and compel officials to submit the proposed legislation to the voters." *St. Paul Citizens for Hum. Rts. v. City Council of City of St. Paul*, 289 N.W.2d 402, 404 n.2 (Minn. 1979). The city's home-rule charter authorizes adoption of ordinances through initiative and provides a procedure for petitioning to place an initiative on a ballot. St. Paul, Minn., City Charter ch. 8, §§ 8.01-.02; *see also* Minn. Stat. § 410.16 (2024) (authorizing cities with home-rule charters to adopt any form of government "not inconsistent with constitution or statute").

At its August 5, 2026 meeting, the St. Paul City Council took two votes in relation to the initiative petition. First, it passed resolution 26-1250, adopting a report from Ramsey County Elections finding that the initiative was "sufficient."[3] Second, it voted down resolution 26-1253, which would have directed the city clerk to notify the county auditor to place the initiative on the November 3 ballot. Through these votes, the city determined that the initiative was procedurally sufficient but nevertheless should not be included on the ballot.

On August 7, 2026, Safe Homes filed a petition in district court under Minn. Stat. § 204B.44 (2024), seeking to require the city to place the initiative on the November

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1"). The other respondents are registered voters and residents of St. Paul who signed and helped to circulate the petition for the initiative. We refer to respondents collectively as Safe Homes.

[3] Resolution 26-1250 indicates that the Ramsey County Elections Deputy Director supervises elections for the city and "ha[d] reported to the Council that Petition signatures ha[d] been checked for compliance with the requirements of Chapter 8 of the Saint Paul City Charter."

ballot.[4] As pertinent here, section 204B.44 provides a judicial proceeding "for the correction of . . . an error or omission in the placement or printing of . . . any question on any official ballot." Minn. Stat. § 204B.44(a)(1). The district court held an expedited hearing on Safe Homes' section 204B.44 petition and issued an order the same day granting the petition and directing the city to place the initiative on the November 3, 2026 ballot.

The city appeals.[5]

ISSUES

I. What legal standard applies in an action challenging whether a city must place a procedurally sufficient initiative on a ballot?

II. Has the city established a basis to keep the initiative off the ballot?

ANALYSIS

The city advances two arguments on appeal. First, the city argues that the district court applied the wrong legal standard to determine whether the city is required to place the initiative on the ballot. Second, the city argues that it is not required to put the initiative on the ballot because the proposed ordinance would be preempted by state law and facially unconstitutional. Safe Homes argues that the district court applied the correct legal standard

[4] The petition also named as a respondent the Deputy Director for Property Tax, Records, and Election Services for Ramsey County, who has not participated in proceedings before the district court or on appeal.

[5] The city initially sought an emergency extraordinary writ from the supreme court, which the supreme court denied, reasoning in part that "meaningful relief could be awarded to the City of Saint Paul so long as an order was issued prior to November 3, 2026, cancelling the election on the Initiative." *See City of St. Paul v. Safe Homes St. Paul*, No. A26-1415 (Minn. Aug. 11, 2026) (order). The supreme court subsequently denied the city's petition for accelerated review in this appeal, and we granted the city's motion to expedite processing of the appeal.

and properly ordered the city to place the initiative on the ballot. The parties' arguments present legal issues that are subject to de novo review. *See In re Polaris, Inc.*, 967 N.W.2d 397, 406 (Minn. 2021) ("Determining the appropriate legal standard is a question of law that we review de novo."); *Bicking v. City of Minneapolis*, 891 N.W.2d 304, 312 (Minn. 2017) ("Preemption of municipal ordinances by state law is a legal question subject to de novo review."); *Fletcher Props. v. City of Minneapolis*, 947 N.W.2d 1, 9 (Minn. 2020) ("The constitutionality of a statute is a question of law which we review de novo."). We therefore consider the issues independently. *See, e.g.*, *Roberts v. State*, 945 N.W.2d 850, 853 (Minn. 2020) ("Under the de novo standard, we do not defer to the analysis of the courts below, but instead we exercise independent review." (quotation omitted)).[6]

I. Judicial inquiry in an action challenging whether a procedurally sufficient initiative should be placed on a ballot is limited to determining whether the proposed ordinance would be unlawful on its face.

The city first argues that the district court applied the wrong legal standard to determine whether the city was required to place the initiative on the ballot. The city asserts that the district court improperly considered the extent to which the proposed ordinance might be unlawful, quoting the district court's conclusion that "the alleged conflicts and preemption asserted by the City of Saint Paul are not so clear and obvious that it would render the vote on [Safe Homes'] initiative to be considered 'futile' and a 'total waste.'"

[6] Safe Homes seems to suggest that a district court considering a ballot-initiative challenge may apply a different legal standard in considering the proposed ordinance than the appellate courts, but it cites no authority supporting this suggestion and does not meaningfully distinguish the applicable standard based on the court applying it. Because the consideration of a ballot-initiative challenge involves questions of law, the same legal standard applies at each level of judicial review.

Safe Homes counters that the district court properly ordered the city to place the initiative on the ballot because it is not, in Safe Homes' words, "manifestly, clearly, or obviously unlawful."

Both the city and Safe Homes rely on a series of Minnesota Supreme Court cases addressing proposed ballot questions. Safe Homes cites cases in which the supreme court has recognized that cities are not required to place charter amendments on a ballot if they are "manifestly unconstitutional." *See Kranz v. City of Bloomington*, 990 N.W.2d 695, 700 (Minn. 2023) (summarizing cases applying this standard). The city acknowledges that many of the supreme court's cases have referenced a "manifestly unconstitutional" standard, but it points to other cases in which the supreme court has not used that language and argues that, in all cases, the supreme court has merely analyzed the lawfulness of ballot questions without requiring any particular degree of unlawfulness to keep a question off a ballot. *See, e.g.*, *Bicking*, 891 N.W.2d at 312-15 (evaluating whether proposed charter amendment would be preempted without referencing "manifestly unconstitutional" standard).

We acknowledge the apparent inconsistency in these authorities as to the "manifestly unconstitutional" standard. *See Bicking v. City of Minneapolis*, 891 N.W.2d 304, 319 (Minn. 2017) (Stras, J., dissenting) (asserting that opinion of the court did not apply "manifestly unconstitutional" standard). But although these cases may not uniformly apply that standard, the supreme court has repeatedly emphasized that cities should not be "required to undertake 'what would amount to a futile election and total waste of taxpayers' money.'" *Bicking*, 891 N.W.2d at 311 (quoting *Davies v. City of Minneapolis*, 316 N.W.2d

498, 504 (Minn. 1982)); *see also Hous. & Redev. Auth. of Minneapolis v. City of Minneapolis*, 198 N.W.2d 531, 536 (Minn. 1972) (*HRA*) (affirming district court order enjoining election that "was ultimately destined to be futile"). And the supreme court has consistently recognized that elections may be futile when the action proposed by a ballot question would be unconstitutional, *Davies*, 316 N.W.2d at 504; *HRA*, 198 N.W.2d at 536, or preempted by state law, *Bicking*, 891 N.W.2d at 313.

The supreme court does not appear to have expressly addressed the appropriate limit on the judiciary's ability to intervene on a preenactment basis in relation to ballot questions. But it has recognized that "the entry of the Court into any stage of the electoral process is a step to be taken only with the utmost caution." *HRA*, 198 N.W.2d at 536 (quoting *Holmes v. Leadbetter*, 294 F. Supp. 991, 993 (E.D. Mich. 1968)). The supreme court has similarly emphasized that it is "wary of unnecessary judicial interference in the political process." *Simon v. Demuth*, 17 N.W.3d 753, 758 (Minn. 2025) (quoting *Ninetieth Minn. State Senate v. Dayton*, 903 N.W.2d 609, 625 (Minn. 2017)). Relatedly, the supreme court has limited the errors-or-omissions remedy provided by section 204B.44 to "a challenge in the context of a single specific election, rather than a challenge to election policies generally" and required that the issues raised be ripe and not hypothetical. *Benda for Common-Sense v. Anderson*, 27 N.W.3d 155, 159-60 (Minn. 2025) (emphasis omitted) (quoting *Minn. Voters All. v. Simon*, 885 N.W.2d 660, 665 (Minn. 2016)). In sum, the supreme court has not interfered with the inherently democratic initiative process on a preenactment basis in the absence of the demonstrated futility of a ballot question.

We additionally note the fundamental limitations in a preenactment challenge to a proposed ordinance. The proposed ordinance has not yet been adopted, much less implemented or applied. Thus, as the city concedes, our constitutional analysis is limited to inquiring whether the proposed ordinance would be unconstitutional on its face. That means that the city "bears the heavy burden of proving that the [proposed ordinance would be] unconstitutional in all applications." *McCaughtry v. City of Red Wing*, 831 N.W.2d 518, 522 (Minn. 2013) (quotation omitted). Our inquiry into preemption is likewise limited to addressing the proposed ordinance on its face because hypotheticals regarding future implementation or application of the ordinance—if the voters approve it—are not ripe for judicial consideration. *See Benda for Common Sense*, 27 N.W.3d at 160 ("Issues which have no existence other than in the realm of future possibility are purely hypothetical and are not justiciable." (quotation omitted)).

Based on all of the foregoing, we hold that, in an action challenging whether a procedurally sufficient initiative should be placed on a ballot, judicial inquiry is limited to determining whether the proposed ordinance would be unlawful on its face.

II. The city has not established a basis to keep the initiative off the ballot.[7]

As we note above, the city asserts that the ordinance proposed by the ballot initiative would be preempted by state law and unconstitutional. To frame our analysis of these arguments, we first summarize the provisions of the proposed ordinance.

[7] Consistent with the principle of party presentation, our analysis in this case is limited to the arguments advanced by the city. *See Greenlaw v. United States*, 554 U.S. 237, 243 (2008) (explaining that the "principle of party presentation . . . rel[ies] on the parties to

The proposed ordinance would create section 34A of the Saint Paul Code of Ordinances, the purpose of which would be to "protect and promote the public health, safety, and welfare of the residents of St. Paul by providing tenants with an effective remedy against standard repair violations." It would establish a procedure through which a tenant could pay for and cause "required repairs" to be completed and deduct the amount of the payment—up to the greater of $500 or one-half of a month's rent—from their rent.

The proposed ordinance includes a definition of "required repairs":

> One or more repairs, remediations, or other ameliorations of conditions concerning a dwelling unit required under a residential lease agreement or required under any law, administrative rule, or local ordinance or regulation. Required repairs shall include, but not be limited by, the list of eligible repairs enumerated in Section 34A.05(d).

Section 34A.05(d) does not list repairs, per se, but rather identifies 26 putative maintenance failures, including "failure to maintain floors, interior walls or ceilings in sound condition and good repair," "failure to maintain windows, exterior doors or basement hatchways in sound condition and repair and substantially tight," and "failure to maintain and repair any equipment or appliances which the landlord supplies or is required to supply."

Procedurally, a tenant would be required to provide written notice to a landlord, after which the landlord would have 14 days to provide the requested repair or dispute its necessity. If the landlord disputed the necessity of the repair, the landlord would need to provide written notice of the dispute and arrange for an inspection by a building official. A

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frame the issues for decision and assign[s] to courts the role of neutral arbiter of matters the parties present").

tenant could commence a repair if the landlord did not respond within 14 days of the initial notice; if a building official did not inspect within 30 days of the landlord's notice of dispute; or if the building official determined the repair to be necessary. The proposed ordinance would prohibit retaliation and provide both civil and criminal penalties for violations of its provisions.

Against this backdrop, we consider the city's challenges to the proposed ordinance.

A. The city has not demonstrated that the proposed ordinance would be preempted by state law.

The Minnesota Supreme Court "recognizes three types of state preemption of municipal legislative authority: express preemption, conflict preemption, and field preemption." *Graco, Inc. v. City of Minneapolis*, 937 N.W.2d 756, 759 (Minn. 2020) (quotation omitted); *see also Bicking*, 891 N.W.2d at 313 n.8. The city argues two types of preemption apply here. It argues that the proposed ordinance would be expressly preempted by a provision of the State Building Code and would conflict with provisions of the landlord-tenant statutes and Minnesota Residential Energy Code. We address express preemption and conflict preemption in turn.

1. Express Preemption

The city first argues that the proposed ordinance would be expressly preempted by the State Building Code. "Express preemption occurs when the legislature has expressly declared that state law shall prevail over municipal regulation." *Jennissen v. City of Bloomington*, 913 N.W.2d 456, 459 (Minn. 2018) (quotation omitted). "The extent of express preemption is a question of statutory interpretation." *State v. Kuhlman*, 722 N.W.2d

1, 4 (Minn. App. 2006), *aff'd*, 729 N.W.2d 577 (Minn. 2007); *see also City of Morris v. Sax Invs., Inc.*, 749 N.W.2d 1, 7 (Minn. 2008) ("When a statute contains specific language as to the extent of permissible municipal regulation, our focus is on the language of the statute.").

The city argues that the proposed ordinance is expressly preempted by statutory language providing that "[a] municipality must not by ordinance, or through development agreement, require [1] building code provisions [2] regulating components or systems of any structure that are [3] different from any provision of the State Building Code." Minn. Stat. § 326B.121, subd. 2(c) (2024); *see also City of Morris*, 749 N.W.2d at 7 (interpreting this language in three parts).[8] In considering the express preemption by the State Building Code, the supreme court has explained that "if the subject of the regulation is included within the State Building Code, it is a 'building code' regulation" and that "any difference from the State Building Code is prohibited," including "a provision that is merely additional and complementary to a provision in the State Building Code." *City of Morris*, 749 N.W.2d at 8, 10.

The city's argument for express preemption focuses on a provision in the State Building Code that requires "an owner or authorized agent" to obtain a permit before performing certain repairs. Minn. R. 1300.0120, subp. 1 (2025). The city asserts that the

[8] *City of Morris* addressed nearly identical language in Minn. Stat. § 16B.62, subd. 1 (2006), which was later renumbered to section 326B.121, subdivision 2(c). *See* 2007 Minn. Laws ch. 140, art. 4, § 61. The State Building Code, housed in administrative rules, has been adopted and updated by the commissioner of labor and industry as directed by Minn. Stat. § 326B.106, subd. 1 (2024). *See* Minn. R. 1300.0050 (2025) (identifying parts of administrative rules comprising State Building Code).

proposed ordinance "purports to either alter who may apply for a permit or exempt tenants performing repairs from obtaining a permit at all." Safe Homes counters that the proposed ordinance "regulates who bears the cost of a repair already owed; it does not regulate, and does not purport to regulate, who may pull a permit or perform code-governed work."

We agree with Safe Homes that the proposed ordinance does not attempt to alter the requirements of the State Building Code. Nothing in the ordinance impacts the permitting requirements set forth in the State Building Code. The city's interpretation of the proposed ordinance asks us to add words to it, which we cannot do. *See Walsh v. U.S. Bank, N.A.*, 851 N.W.2d 598, 604 (Minn. 2014) (applying principle of statutory construction that precludes adding words to unambiguous statutes); *Chanhassen Ests. Residents Ass'n v. City of Chanhassen*, 342 N.W.2d 335, 339 n.3 (Minn. 1984) ("Ordinances are construed according to the recognized principles of statutory construction."). The ordinance, if adopted, may give rise to questions as to how permits will be obtained when required for repairs pursued by a tenant, but we do not read the ordinance to allow required repairs to proceed without a permit, if required under the State Building Code, or otherwise alter permitting processes or requirements set forth in the State Building Code. And, as Safe Homes notes, required repairs will not need a permit if they are "ordinary repairs to structures." Minn. R. 1300.0120, subp. 6 (2025).[9] For these reasons, we reject the city's express preemption arguments.

[9] Minn. R. 1300.0120, subp. 6, provides:

> Application or notice to the building official is not required for ordinary repairs to structures. The repairs shall not include the

2. Conflict Preemption

The city next argues that the proposed ordinance conflicts with Minn. Stat. § 504B.185 (2024) and the Minnesota Residential Energy Code.[10] A municipality may not "enact a local regulation that conflicts with state law." *Bicking*, 891 N.W.2d at 313 (quotation omitted). The supreme court has explained that, "[a]s a general rule, conflicts which would render an ordinance invalid exist only when both the ordinance and statute contain express or implied terms that are irreconcilable with each other." *Graco*, 937 N.W.2d at 760 (quoting *Mangold Midwest Co. v. Village of Richfield*, 143 N.W.2d 813, 816 (Minn. 1966)). The supreme court has "identified three principles for determining whether a municipal regulation and statute are irreconcilable and therefore in conflict." *Id.*

> First, a conflict exists where the ordinance permits what the statute forbids. Second, a conflict exists where the ordinance forbids what the statute expressly permits. And third, no conflict exists where the ordinance, though different, is merely

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> opening or removal of any wall, partition, or portion of a wall or partition, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement, or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring, or mechanical or other work affecting public health or general safety.

[10] In its principal brief, the city asserts that "the Proposed Ordinance is both expressly preempted and conflict preempted by the State Building Code." But the city's only argument regarding conflict preemption is that, "*if section 326B.121, subdivision 2(c) did not exist*, the Building Code would invalidate the Proposed Ordinance through conflict preemption." (Emphasis added.) Because that statutory section does exist, we do not further address this alternative argument.

> additional and complementary to or in aid and furtherance of the statute.

Id. (emphasis omitted) (quotations omitted). Thus, in contrast to express preemption, conflict preemption requires that there be more than a mere difference between a statute and local regulation.

a. Minn. Stat. § 504B.185

The city asserts that the proposed ordinance conflicts with Minn. Stat. § 504B.185, part of the landlord-tenant chapter of the Minnesota Statutes. That section provides:

> Subdivision 1. **Who may request.** If requested by a residential tenant, a housing-related neighborhood organization with the written permission of a residential tenant, or, if a residential building is unoccupied, by a housing-related neighborhood organization, an inspection shall be made by the local authority charged with enforcing a code claimed to be violated.
>
> Subd. 2. **Notice.** (a) After the local authority has inspected the residential building under subdivision 1, the inspector shall inform the landlord or the landlord's agent and the residential tenant or housing-related neighborhood organization in writing of any code violations discovered.
>
> (b) A reasonable period of time must be allowed in which to correct the violations.

As the city points out, section 504B.185 does not set forth a time period within which an inspection must take place, and it requires that a landlord be afforded "[a] reasonable period of time" to correct any code violations discovered during the inspection.

The city asserts that "[t]he Proposed Ordinance purports to override [section 504B.185], instead providing the Building Official only 30 days to inspect the rental unit at issue and the landlord an inflexible 14 days to schedule the repair." Safe Homes counters

that section 504B.185 "does not forbid a municipality from adopting a more specific timeline within the range 'reasonable' already permits"; that the 14-day repair period mirrors that afforded in a rent-escrow action under Minn. Stat. § 504B.385, subd. 1(c) (2024); and that section 504B.185 and the proposed ordinance are "at most, cumulative remedies addressing the same general subject, not irreconcilable ones." We agree with Safe Homes that there is no conflict.

By its express terms, section 504B.185 applies when a request for an inspection is made by "a residential tenant, a housing-related neighborhood organization with the written permission of a residential tenant, or, if a residential building is unoccupied, by a housing-related neighborhood organization." Minn. Stat. § 504B.185, subd. 1. After the inspection is completed "under subdivision 1," the statute requires notice of violations found and a reasonable time to correct the violations. *Id.*, subd. 2. Section 504B.185 thus provides a procedure through which a *tenant or neighborhood organization* may request an inspection and governs the results of such an inspection. The proposed ordinance, by contrast, requires a *landlord* to "arrange for" an inspection if the landlord disputes whether a repair that a tenant intends to have completed is required, and provides that, if "the inspection confirms that repair is required, or if an inspection does not occur within 30 days of the landlord's written notice of dispute, the tenant retains the right to initiate the repair."

Given the different context in which an inspection arises under the proposed ordinance, we conclude that the proposed ordinance does not permit what section 504B.185 forbids or prohibit what the statute expressly allows. Instead, the proposed ordinance appears to be "additional and complementary to or in aid and furtherance of" the remedies

provided by the landlord-tenant statutes. *Graco*, 937 N.W.2d at 760. We therefore reject the city's argument that the proposed ordinance would conflict with section 504B.185.

b. Minnesota Residential Energy Code

The city also asserts that the proposed ordinance would conflict with the Minnesota Residential Energy Code, which the city asserts exempts historic buildings from repairs that the proposed ordinance would require. The city argues that the proposed ordinance would require repairs to make buildings energy efficient, and that the energy code "exempts historic buildings from such repairs except when necessary to correct certain significant hazards." But the city's legal citations do not support its argument.

In support of its argument, the city cites Minn. R. 1322.0030, subp. 9 (2025), which provides, in its entirety: "References to the International Energy Conservation Code mean the Minnesota Energy Code, Minnesota Rules, chapters 1322 and 1323, adopted pursuant to Minnesota Statutes, section 326B.106." It also cites Minn. Stat. § 326B.106 (2024), which governs the "general powers" of the commissioner of labor and industry and includes a provision directing the commissioner to "act on each new model residential energy code." Minn. Stat. § 326B.106, subd. 1(d). We discern no substantive rule in either of these authorities with which the proposed ordinance would conflict.

The city also cites chapter 5, section 501.5 of the International Energy Conservation Code (IECC). But section 501.5 appears in the commercial energy (CE) provisions of the IECC, which do not apply in Minnesota. *See* Minn. R. 1322.0010, subp. 1 (2025) (adopting

Chapters 2(RE)-5(RE) of the IECC).[11] Because none of the city's citations support its assertion that the proposed ordinance conflicts with the Minnesota Residential Energy Code, we reject the city's argument that the proposed ordinance conflicts with that code.

B. The city has not demonstrated that the proposed ordinance would be facially unconstitutional.

The city asserts that the initiative is facially unconstitutional because the proposed ordinance would violate both substantive and procedural due-process rights. The city's facial challenge "requires a showing that no set of circumstances exists under which the [ordinance] would be valid." *SooHoo v. Johnson*, 731 N.W.2d 815, 821 (Minn. 2007) (quotation omitted). "Even a single situation in which the [ordinance] might be applied constitutionally can defeat a facial challenge." *Thigpen v. Best Home Care LLC*, 29 N.W.3d 205, 213 (Minn. 2025) (quotation omitted). We address each of the city's constitutional challenges in turn.

1. Substantive Due Process – Void For Vagueness

The city argues that several provisions in the ordinance are void for vagueness, rendering the ordinance unconstitutional on its face. "Vague statutes are prohibited under the due process clause of the fourteenth amendment." *Hard Times Cafe, Inc. v. City of Minneapolis*, 625 N.W.2d 165, 171 (Minn. App. 2001) (quotation omitted). "The void-for-vagueness doctrine requires that a penal statute define the criminal offense with sufficient

[11] In 2023, Minnesota adopted portions of the ANSI/ASHRAE/IES Standard 90.1 as the Minnesota Commercial Energy Code. *See* Minn. R. 1323.0010, subp. 1 (2025); 47 State Reg. 245, 249 (Sep. 19, 2022) (announcing intent to adopt rules replacing IECC standards with Standard 90.1); 47 State Reg. 979, 983 (Apr. 10, 2023) (announcing adoption of rules).

definiteness that ordinary people can understand what conduct is prohibited and in a manner that does not encourage arbitrary and discriminatory enforcement." *State v. Bussmann*, 741 N.W.2d 79, 83 (Minn. 2007) (quotation omitted).

"Vagueness . . . means that a statute leaves its enforcers free to decide, without any legally fixed standards, what is prohibited and what is not in each particular case." *In re Welfare of B.A.H.*, 845 N.W.2d 158, 163 (Minn. 2014) (quotation omitted). But "[a] criminal statute need not be drafted with absolute certainty or mathematical precision." *Dunham v. Roer*, 708 N.W.2d 552, 568 (Minn. App. 2006). "[D]ue process requirements are satisfied by specifying standards of conduct in terms that have acquired meaning involving reasonably definite standards either according to the common law or by long and general usage." *Bussmann*, 741 N.W.2d at 83 (quotation omitted). And a court addressing a facial vagueness challenge must "examine the facial vagueness challenge and, assuming the enactment implicates no constitutionally protected conduct, should uphold the challenge only if the enactment is impermissibly vague in all of its applications." *Village of Hoffman Ests. v. Flipside, Hoffman Ests., Inc.*, 455 U.S. 489, 494-95 (1982).

The city first asserts that the penalty provision is vague because the proposed ordinance includes a nonexclusive list of required repairs, such that a landlord could not know what it was required to do to avoid a penalty. We disagree. The proposed ordinance defines "required repairs" as those "required under a residential lease agreement or required under any law, administrative rule, or local ordinance or regulation" and to "include, but not be limited by, the list of eligible repairs enumerated in Section 34A.05(d)." As we noted above, the list of eligible repairs does not list repairs but, instead,

lists conditions that might require repair. At this preenactment juncture and considering the ordinance on its face, we do not understand the list of eligible repairs as expanding the definition of "required repairs" beyond those required by law. We therefore reject the city's argument that the definition is void for vagueness.

The city next asserts that certain phrases used in the list of eligible repairs are vague: "fit and habitable condition," "sound condition and repair," "a safe and sanitary condition," "safe condition and sound repair," "a safe and sound condition," and "necessary for the safety and operation of the building for tenants." But we can easily imagine repairs that a reasonable person would understand to fit within these categories—a leaking toilet, exposed electrical wires, pest infestation, to name just a few. Accordingly, the proposed ordinance would not be "impermissibly vague in all of its applications," *Village of Hoffman Ests.*, 455 U.S. at 495, and the city has therefore not met its "heavy burden" to succeed on a facial vagueness challenge, *McCaughtry*, 831 N.W.2d at 522.[12]

2. Procedural Due Process

The city also argues that enforcement of the ordinance would deprive landlords of their right to procedural due process. Courts "conduct a two-step analysis to determine whether the government has violated an individual's procedural due process rights." *Rew v. Bergstrom*, 845 N.W.2d 764, 785 (Minn. 2014). A court must first "identify whether the government has deprived the individual of a protected life, liberty, or property interest."

[12] The city also suggests the proposed ordinance is vague because it provides penalties for violations of "this Section" (the penalty section), but the city immediately acknowledges that the intended reference is to "the Chapter" (chapter 34A), undermining its assertion that the proposed ordinance is vague in this regard.

Id. "If the government's action does not deprive an individual of such an interest, then no process is due." *Id.* "On the other hand, if the government's action deprives an individual of a protected interest, then the second step requires [the court] to determine whether the procedures followed by the government were constitutionally sufficient." *Id.* (quotation omitted). This second determination involves "weigh[ing] the *Mathews* factors to determine what type of process is constitutionally due to a person deprived of such an interest." *Sawh v. City of Lino Lakes*, 823 N.W.2d 627, 632 (Minn. 2012) (citing *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976)). The *Mathews* factors require consideration of

> [f]irst, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the Government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail.

Olson v. One 1999 Lexus, 924 N.W.2d 594, 602 (Minn. 2019).

Like other facial constitutional challenges, a facial procedural due-process challenge requires proof that the legislation at issue is unconstitutional in all its applications. *Id.* at 607. If we "can conceive of a circumstance" in which the statute could be constitutionally applied, the facial challenge fails. *Id.* at 608.

The city's procedural due-process analysis is cursory and falls short of the necessary showing. The city does not attempt to argue that the ordinance is unconstitutional in all of its applications. Instead, the city frames its arguments in hypotheticals, suggesting that the ordinance "could" impact property interests and that landlords may not have sufficient time

to address notices from tenants. These limitations in the city's arguments doom its facial due-process challenge, as we explain further below.

With respect to the first step of the procedural due-process analysis, the city asserts that "the Proposed Ordinance could impact personal liberty and multiple forms of property interests, including property value, fines, attorney's fees, and payment for potentially extensive repairs." The city hypothesizes worst-case scenarios of landlords not receiving actual notice before tenants commission significant property-value-depressing alterations to a landlord's building. But we can conceive of repairs that would not impact or may enhance property values. And the city does not cite any authority that would allow us to conclude that a landlord has a property interest in avoiding repairs if they are required by law. *Minn. Sands, LLC v. County of Winona*, 940 N.W.2d 183, 200 (Minn. 2020) ("Property interests that are protected by the Fifth Amendment are not created by the Constitution. Rather, they are created and their dimensions are defined by existing rules or understandings that stem from an independent source such as state law." (quotation omitted)).

With respect to the second step of the procedural due-process analysis, the city asserts that "the private interests at stake here require no further detailed discussion"; that "the risk of erroneous deprivation of private interests is high"; and that "the government has no interest strong enough to mandate such an absence of due process." The city's analysis focuses on the 14- and 30-day deadlines in the proposed ordinance, arguing that those time periods are too short to allow a meaningful opportunity to be heard. But this

argument again assumes the worst-case scenario rather than identifying any universal infirmity, which is required to succeed on a facial due-process challenge.

Because we can conceive of circumstances in which application of the proposed ordinance would not implicate a landlord's property rights and circumstances in which property rights may be implicated but the process afforded would be sufficient, we conclude that the city has not met its "heavy burden" to succeed on a facial procedural due-process challenge. *Olson*, 924 N.W.2d at 607.

DECISION

We hold that, in an action challenging whether a procedurally sufficient initiative should be placed on a ballot, judicial inquiry is limited to determining whether the proposed ordinance would be unlawful on its face. Applying that standard here, we conclude that the city has not established a basis to keep the initiative proposed by Safe Homes off the ballot. We therefore affirm the district court's order requiring the city to place the initiative on the ballot.

Affirmed.

HARRIS, Judge (concurring specially)

I concur in the reasoning and result reached by the majority, but I write separately to express my concerns regarding the fabricated authority provided by Safe Homes in its brief to this court.[1] By his own admission, counsel for Safe Homes used artificial intelligence (AI) in drafting respondent's brief and then filed it without verifying the cited legal authorities. The result was multiple misrepresentations of law to this court.[2]

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[1] "Fabricated authority includes citations that do not exist, quotations that do not appear in the cited authority, and asserted propositions of law not reasonably attributable to the cited authority." *Ally Bank v. Ngouambe*, No. A25-1873, 2026 WL 2150018, at *5 (Minn. App. July 27, 2026); *see* Minn. R. Civ. App. P. 136.01, subd. 1(c) ("Nonprecedential opinions . . . are not binding authority . . . but nonprecedential opinions may be cited as persuasive authority.").

[2] On September 16, 2026, counsel notified this court of a quotation and citation error in his principal brief, filed on September 11, 2026. On page 9 of the brief, counsel cited *Bicking v. City of Minneapolis*, 891 N.W.2d 304, 308 (Minn. 2017) (quoting *State ex rel. Andrews v. Beach*, 191 N.W. 1012, 1013 (Minn. 1923)), for the proposition that the proposed ballot initiative "could never lawfully become part of the city charter" regardless of the election's outcome. The brief repeated the incorrect quotation and citation on page 10. Neither *Bicking* nor *Beach* contains that phrase. Counsel identified the correct quotation as "will never be part of the charter, regardless of the election, because the amendment is unconstitutional or contrary to state law." *Bicking*, 891 N.W.2d at 308. On October 11, 2026, the day before oral argument, counsel notified this court of a second error in the principal brief. Citing *Graco, Inc. v. City of Minneapolis*, 937 N.W.2d 756 (Minn. 2020), the brief stated that the Minnesota Supreme Court rejected the theory that a local ordinance is preempted merely because it "adds a requirement absent from the statute." That characterization misstates *Graco*. The quoted phrase appears in *Bicking*, which quoted *State v. Kuhlman*, 729 N.W.2d 577, 583 (Minn. 2007), to explain why a proposed charter amendment conflicted with state law. *See Bicking*, 891 N.W.2d at 314. *Graco* quoted that passage in discussing *Bicking* but did not reject the proposition. *Graco*, 937 N.W.2d at 762.

Counsel acknowledges that the brief he filed with this court contains fabricated content that was generated by AI. He concedes that the inaccurate quotations were the product of AI, that they do not appear in any legal authorities, and that his briefs misrepresented the holdings of actual authorities.[3] He admits that those errors occurred because he failed to review the AI-generated content or verify its legal authorities and accepted full responsibility for those errors.[4] I appreciate counsel's candor in acknowledging his improper reliance on AI, but candor does not excuse what occurred in this appeal. His conduct imposed real costs on the court. Investigating the suspected improprieties, coordinating a response, and safeguarding the orderly conduct of these appellate proceedings required the investment of judicial resources.

The attorney's conduct in this case presents an opportunity to reflect on a broader problem that the courts face in the wake of widespread adoption of AI tools in the legal industry. At the court of appeals, we have confronted numerous cases involving hallucinated cases or legal statements that are unsupported by the cited authority. *See, e.g.*, *Asiedu v. Eastlund*, No. A25-2106, 2026 WL 2641360, at *5-6 (Minn. App. Sep. 8, 2026) (affirming district court's imposition of sanctions after appellant admitted using AI to cite nonexistent cases in his brief); *see also Ally Bank*, 2026 WL 2150018, at *5 (addressing

[3] The use of real legal authorities in counsel's brief—as opposed to "hallucinations" featuring fictitious cases—does not lessen the violation because his failure to verify the AI output resulted in a submission of false quotations and misleading legal arguments before this court.

[4] At oral argument, counsel stated that amid researching and preparing his brief, he used AI to draft the document and summarize cases. He then explained that "[he] made errors" that he did not catch. Counsel then stated that he was "very sorry" to the court.

the use of fabricated authority, stating that "[t]he submission of incorrect, misleading or nonexistent content to this, or any other, court is improper, unacceptable, and an abuse of the judicial process"); *Young v. Young*, No. A25-0906, 2026 WL 1647808, at *3 (Minn. App. June 8, 2026) (stating that "hallucinated caselaw is not valid authority"); *Petsinger v. Steele Cnty. Recorder's Off.*, No. A25-1198, 2026 WL 1284073, at *1 (Minn. App. May 11, 2026) (rejecting appellant's arguments because they were "supported by what appears in large part to be fictitious cases generated from the hallucinations of artificial intelligence"); *Nelson v. Nelson*, No. A25-0827, 2026 WL 1065922, at *2 n.3 (Minn. App. Apr. 15, 2026) (noting that "courts have seen a rash of cases in which both counsel and pro se litigants have cited such fake, hallucinated cases in their briefs" (quotation omitted)); *Ramos v. Ramos*, No. A25-0150, 2026 WL 81956, at *3 (Minn. App. Jan. 7, 2026) (concluding that appellant forfeited his subject-matter jurisdiction argument because he relied on nonexistent AI-generated cases and did not support his argument with valid authority). I therefore write to discuss and reiterate every attorneys' fundamental ethical obligations as they relate to the use of AI.

I pause here to discuss the use of AI. As a legal research and drafting technology, AI has been rapidly adopted by the legal profession in the past several years, and it presents significant promise for the legal field.[5] The Minnesota Judicial Branch has recognized AI's

[5] Two major legal research providers, Westlaw and Lexis, have developed AI tools to supplement their legal research databases. In 2023, for example, Westlaw introduced an AI-assisted legal research tool and has since released subsequent iterations with enhanced functionality. *See* Mike Dahn, *Thomson Reuters Is Changing Legal Research Forever: Meet Deep Research*, Thomson Reuters (Aug. 5, 2025), https://www.thomsonreuters.com/en-us/posts/innovation/thomson-reuters-is-changing-

potential to improve judicial efficiency and the delivery of court services while emphasizing the need for responsible use and appropriate safeguards.[6] AI presents great promise for enhancing access to justice for those without the resources to retain an attorney or to otherwise represent themselves effectively. *See* Damien Riehl, *AI + MSBA: Building Minnesota's Legal Future*, 81 Bench & Bar of Minn. 26, 30-31 (2024) (discussing the Minnesota State Bar Association's efforts to explore how AI can improve access to justice and the quality of legal representation). Additionally, AI can assist attorneys with performing repetitive tasks and increasing efficiency. *See* Jennifer Choe-Groves & J. Brian

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legal-research-forever-meet-deep-research/ [https://perma.cc/F92Y-FS7U]. When used in conjunction with comprehensive legal databases, these tools can help initiate and streamline research, reducing the time and effort required while leaving the researcher responsible for evaluating and verifying the results. These tools are also capable of enhancing work across the legal field: law firms, public institutions, and courts that subscribe to these technologies may access their benefits. Courts nationwide have cautiously recognized such potential. *See, e.g.*, *United States v. Ferris*, 171 F.4th 920, 922 (6th Cir. 2026) ("New technologies present significant promise for the legal field. But all in the legal profession must be clear eyed about technology's potential pitfalls. That mandate is especially critical in today's rapidly evolving artificial-intelligence landscape."); *Lifetime Well LLC v. IBSpot.com Inc.*, 819 F. Supp. 3d 373, 383 n.53 (E.D. Pa. 2026) ("We recognize artificial intelligence can greatly assist persons seeking access to the courts . . . . We do not condemn these programs or the use of technological advances to assist attorneys. The problems today instead arise from a lack of diligence and supervision."). *Laliberte v. Dollar Tree, Inc.*, 987 N.W.2d 590, 594 n.4 (Minn. App. 2023) ("Though they do not bind us, we consider federal court opinions for their persuasive value and afford those opinions 'due deference.'"); *see also State v. McClenton*, 781 N.W.2d 181, 191 (Minn. App. 2010) (recognizing that "although we are not bound to follow precedent from other states or federal courts, these authorities can be persuasive").

[6] *See* Minn. Jud. Council, *Artificial Intelligence* 704 (2024), https://mncourts.gov/_media/migration/judicial_council_library/policies/200/Policy-704-Information-Technology-Artificial-Intelligence.pdf [https://perma.cc/9KSL-PR4W] (establishing principles of responsible, equitable, traceable, reliable, and governable AI use within the Minnesota Judicial Branch).

Johns, *Promises and Perils: The Role of Artificial Intelligence in the Courts*, 77 Rutgers U. L. Rev. 427, 434 (2025) (discussing how generative AI tools aid attorneys with streamlining tasks, conducting legal research, drafting correspondence, screening cases, and summarizing documents). As a court, if we fail to recognize this, we are merely dinosaurs gazing up at the meteor and mistaking a changing world for an ordinary day.

The central issue is not the use of AI, but the failure to verify the accuracy of the resulting work product. An attorney may rely on AI-assisted tools and still satisfy applicable professional standards, provided the attorney's workflow incorporates source validation, citation verification, and other meaningful human review. The dispositive concern is not whether AI is used, but whether the attorney exercised independent professional judgment and confirmed the accuracy of the work before submitting it to a court or otherwise relying on it to represent a client.

I write to reiterate, in the clearest terms, that submitting fabricated authority or other false content in a judicial proceeding undermines the integrity of the judicial process. As this court has previously expressed, "[t]he submission of incorrect, misleading, or nonexistent content to this, or any other, court is improper, unacceptable, and an abuse of the judicial process." *Ally Bank*, 2026 WL 2150018, at *5. Notwithstanding the ability of Minnesota courts to identify and disregard fabricated authority, I am deeply troubled by the increased necessity of diverting precious public resources from the essential judicial function of deciding cases based on the rule of law.

In July 2024, the American Bar Association's Standing Committee on Ethics and Professional Responsibility issued a formal opinion addressing an attorney's use of

artificial intelligence tools.[7] ABA Comm. on Ethics & Prof. Resp., Formal Op. 512 (2024).[8] The opinion explains that the duty of competence under Model Rule 1.1 requires attorneys to understand the benefits and risks of the technology they use and that some risks are inherent in AI tools. *Id.* at 2-3. One such risk is inaccurate output.[9] *Id.* at 3. The opinion cautions that, because AI tools are subject to mistakes, an attorney's uncritical reliance on its results can produce inaccurate legal advice to clients or misleading representations to courts and third parties. *Id.* The opinion also recognizes that AI tools are prone to "hallucinations," that is, plausible-sounding responses with no basis in fact or reality. *Id.* Accordingly, an attorney's reliance on or submission of AI output without an appropriate degree of independent verification and review may violate the duty of competence. *Id.* at 3-4. The opinion also ties an attorney's use of AI to the duties of candor toward the tribunal, as well as an attorney's responsibility for bringing meritorious claims and contentions. *Id.* at 9. It notes that unverified output and unintentional misstatements to the court may implicate an attorney's duty to refrain from conduct involving dishonesty, fraud, deceit, or misrepresentation. *Id.* at 9-10. Ultimately, the opinion reinforces what our rules already require: An attorney who uses AI remains personally responsible for the

[7] While Formal Opinion 512 uses the term "generative artificial intelligence," I refer to it as "AI" throughout this opinion.

[8] Formal Opinion 512 can be found at https://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/ethics-opinions/aba-formal-opinion-512.pdf [https://perma.cc/C4TY-SYGJ].

[9] Although the ABA report identifies inaccurate outputs as one potential risk, I consider it the primary risk, given the potential consequences of inaccurate or misleading information.

accuracy of every citation and proposition submitted to the court. *Id.* at 15, *see also* Minn. R. Prof. Conduct 1.1 (competence), 3.3(a)(1) (candor toward tribunal), 4.1 (truthfulness in statements to others), 8.4 (misconduct).

The professional obligations of an attorney are not diminished when the work is assisted by AI. To the contrary, a tool capable of producing authoritative-sounding fabricated case citations, inaccurate quotations, and misstatements of law demands renewed attention to the duties of competence, candor, and reasonable inquiry. *See* Minn. R. Prof. Conduct 1.1 cmt. [8] (maintaining competence associated with relevant technology), 3.3(a)(1) (candor toward tribunal), 5.3 (responsibilities regarding nonlawyer assistants). For example, one experienced Minnesota attorney has candidly described how an AI error led him to relearn this lesson, and his account shows that even an experienced lawyer can mistake polished prose for verified work. Frederic W. Knaak, *Teaching the Old Dog the Old Trick*, 83 Bench & Bar of Minn. 18, 18-19 (2026).

Attorneys have an obligation to verify the citations and propositions they use, and those who rely on AI must carefully examine the accuracy of every citation they present to a court. Although the use of AI in legal practice is new, the ethical obligations governing the practice of law are not. And as this court has observed with increasing frequency, overreliance on AI can result in false statements of fact or law when proper safeguards are not in place before filing. The Minnesota Rules of Professional Conduct provide important guidance for attorneys who use AI in their practice. For instance, attorneys owe a duty of

honesty not only to clients and third parties pursuant to Rule 4.1,[10] but also to the court under Rule 3.3(a)(1).[11] An attorney's failure to confirm the accuracy and authenticity of the legal authorities cited in court filings, particularly in light of the known limitations of AI, may raise questions as to whether the attorney has satisfied the obligation to provide the "legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation," pursuant to Rule 1.1.[12] An attorney who uses AI must review its output for accuracy, including every analysis and citation to authority, and must correct any errors, including hallucinated citations, misstatements of law, omissions of controlling authority, and misleading arguments. That review ensures that the argument presented has a basis in law and fact as required by Rule 3.1.[13] Failure to review AI-generated work that results in the submission of misstatements to the court may violate Rule 8.4.[14] An attorney's ethical

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[10] Minnesota Rule of Professional Conduct 4.1 provides: "In the course of representing a client a lawyer shall not knowingly make a false statement of fact or law."

[11] Minnesota Rule of Professional Conduct 3.3(a)(1) provides: "A lawyer shall not knowingly . . . make a false statement of fact or law to a tribunal, or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer."

[12] Minnesota Rule of Professional Conduct 1.1 provides: "A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation."

[13] Minnesota Rule of Professional Conduct 3.1 provides in relevant part: "A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous . . . ."

[14] Minnesota Rule of Professional Conduct 8.4 provides in relevant part: "It is professional misconduct for a lawyer to . . . engage in conduct involving dishonesty, fraud, deceit or misrepresentation" or to "engage in conduct that is prejudicial to the administration of justice."

duties do not take a back seat when using AI. The ethical shortcomings in such cases are not the use of AI, but the abdication of professional diligence and judgment in reliance on it. It is critical that attorneys remember their ethical obligations and keep them at the forefront when using any technology, including but not limited to AI.

An attorney who submits a brief to this, or any other, court remains responsible for the accuracy of its representations, whether they originated with the lawyer, a colleague, or an algorithm. AI may assist the practice of law, but it cannot assume the attorney's duties, excuse a failure to investigate, or relieve counsel of the obligation to verify the authorities on which the court is asked to rely. *See* Minn. R. Civ. P. 11.02. The governing principles I have discussed are neither novel nor technology-specific; they are the enduring requirements of competence and candor. Attorneys, as a profession, should embrace useful innovation without surrendering independent judgment and careful verification on which the administration of justice depends.

AI does not displace the deeply rooted safeguards that attorneys are ethically bound to employ. Before filing any documents with a court, attorneys must check that every citation is accurate and that each cited source actually supports the proposition for which it is cited. Failing to do so is fundamentally at odds with the Minnesota Professionalism Aspirations, which call on every Minnesota attorney to act with integrity, to preserve public confidence in the administration of justice, and to ensure that advocacy advances, rather than undermines, the fair and impartial resolution of disputes.[15] Relying on unverified AI-

[15] The Minnesota Professionalism Aspirations were drafted by the Minnesota State Bar Association and approved and endorsed by the Minnesota Supreme Court on January 11,

generated work product falls short of these aspirations, as well as an attorney's ethical obligations. AI may change how attorneys practice law, but it does not alter their ethical duties. Verify every citation. Validate every proposition. Ensure the integrity of every filing. Technology may assist, but responsibility for the work remains with the attorney.

2001. *See* Minn. Prof. Aspirations, reprinted in Minn. Prof. R.; Order No. CO-00-01699, *Order Approving Professionalism Aspirations*, (Minn. Jan. 11, 2001), found at https://mncourts.gov/_media/migration/administrativefilearchive/professionalism-aspirations-adm10-8030-formerly-c0-00-1699/2001-01-11-order-approving-prof-aspirations.pdf [https://perma.cc/7ZE6-5U3U]. Their stated purpose is to memorialize the obligations that Minnesota judges and attorneys owe to one another, to their clients, and to the people of Minnesota, and to raise public confidence in the legal profession and the justice system by promoting and protecting professionalism and civility. Minn. Prof. Aspirations, Preamble. The Aspirations are, as their name suggests, aspirational. They are not a basis for litigation, lawyer discipline, or court sanctions, and they do not supersede or alter existing disciplinary standards. *Id.* As such, I invoke them not as an independent source of obligation, but as a statement of the professional values that we should all strive to meet.