

STATE OF MINNESOTA
IN SUPREME COURT
ADM04-8001



**ORDER PROMULGATING AMENDMENTS TO THE
RULES OF CIVIL PROCEDURE AND THE
SPECIAL RULES FOR THE PILOT EXPEDITED CIVIL
LITIGATION TRACK**

The Supreme Court Advisory Committee on the Rules of Civil Procedure has recommended amendments to the Rules of Civil Procedure and to the Special Rules for the Pilot Expedited Civil Litigation Track, to clarify the rules and forms regarding the case type identifiers that are included on pleadings and used by court administration managing judicial workloads. The Committee's recommended amendments are limited, do not generally affect litigants, and are intended to reduce the need for future amendments to the rules if changes are made to the index of case type identifiers. The Committee also provided a proposed updated and revised Case Type Index that, although not recommended for adoption in the rules, will be made available on the judicial branch website (www.mncourts.gov). Thus, the court has considered the Committee's recommendations and proposed amendments without a public comment period. Based on all of the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the attached amendments to the Rules of Civil Procedure and the Special Rules for the Pilot Expedited Civil Litigation Track, be, and the same are, prescribed and promulgated to be effective as of September 1, 2017. The rules

as amended shall apply to all cases pending on, or filed on or after, the effective date. Advisory Committee comments are included for convenience and do not reflect court approval of the comments. The proposed Case Type Index shown in Appendix A of the Committee's report, which is included at the end of the approved rule amendments, will be made available at a later date on the judicial branch website, and is included here only for convenience and not as part of the rules as amended.

Dated: July 14, 2017

BY THE COURT:

A handwritten signature in black ink, appearing to read "Lorie S. Gildea". The signature is written in a cursive style with a large initial "L".

Lorie S. Gildea
Chief Justice

AMENDMENTS TO THE RULES OF CIVIL PROCEDURE

[Note: In the following amendments, deletions are indicated by a line drawn through the words and additions are indicated by a line drawn under the words.]

RULE 10. FORM OF PLEADINGS

10.01. Caption; Names of Parties

Every pleading shall have a caption setting forth the name of the court and the county in which the action is brought, the title of the action, the court file number if one has been assigned, and a designation as in Rule 7, and, in the upper right hand corner, the appropriate case type indicator ~~as set forth in the subject matter index included in the appendix as Form 23~~ Case Type Index as published by the State Court Administrator and maintained on the state court website (www.mncourts.gov). If a case is assigned to a particular judge for all subsequent proceedings, the name of that judge shall be included in the caption and adjacent to the file number. In the complaint, the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the first party on each side with an appropriate indication of other parties.

Advisory Committee Comments—2017 Amendments

Rule 10.01 is amended to move the list of required case types from Form 23 in the Appendix of Forms and to replace it with a Case Type Index to be maintained and available on the state court website. Case types have evolved over time, and this change will both bring the list up to date and provide a mechanism for it to be modified in the future without additional court orders. The case types on the Case Type Index should match those provided by drop-down menus in the district courts' e-filing system.

Special Rules for the Pilot Expedited Civil Litigation Track

RULE 1. MANDATORY ASSIGNMENT OF CERTAIN ACTIONS TO THE EXPEDITED LITIGATION TRACK

* * *

(b) Actions Included. The following civil actions shall be assigned to the ELT, unless excluded pursuant to Rule 1(c) herein:

(1) in the Sixth Judicial District in St. Louis County in Duluth, the Third Judicial District in Olmsted County, and in the First Judicial District in Dakota County, all civil matters having the case type indicator Consumer Credit Contract, Other Contract, Personal Injury, Reduced Mortgage Redemption, or Other Civil, or Conciliation Appeal;

(2) in the Fourth Judicial District, all civil matters having the case type indicator Consumer Credit Contract and Conciliation Appeal, and, where designated by the presiding judge by assignment to ELT (referred to in these rules as "Assignment to ELT"), matters having the case type indicator Other Contract, Personal Injury, or Other Civil; provided that this shall not prevent the Fourth Judicial District from initially requiring any Conciliation Appeal to first proceed with mediation before Assignment to ELT.

* * *

FORM 23 - SUBJECT MATTER INDEX FOR CIVIL CASES

Form 23 is abrogated. The Case Type Index containing current case types required for Rule 10.01 is found at the website specified in the rule.

APPENDIX A

CASE TYPE INDEX (Formerly Minn. R. Civ. P. Form 23)

The eCourtMN Commonly Filed Case Types and Documents contains additional information that may also be helpful.

CIVIL CASE TYPES

Appeal from Administrative Agency	Implied Consent
Appointment of Trustee	Malpractice
Assessment Appeal	Mechanics Lien
Change of Name	Minor Settlement
Civil Other/Miscellaneous * (see below)	Personal Injury
Conciliation	Product Liability
Conciliation – Forfeiture	Property Damage
Conciliation Appeal	Quiet Title
Condemnation	Receivership
Condemnation Appeal	Rent Escrow
Confession of Judgment	Replevin
Consumer Credit Contract	Restitution Judgment
Contract	Reduced Mortgage Redemption (5 week redemption)
Default Judgment	Sexual Harassment
Discrimination	Tax Court
Eminent Domain	Torrens
Employment	Transcript Judgment
Eviction (UD)	Transcript Judgment From Other Minnesota County
Foreign Judgment	Trust
Forfeiture	Welfare Appeal
Habeas Corpus	Worker's Compensation
Harassment	Wrongful Death

*Civil Other/Miscellaneous includes all other non-criminal, non-juvenile matters that are not one of the Civil, Family, Probate or Civil Commitment Case Types identified in this document, including:

Corporate dissolution

Declaratory judgment

Foreign country money judgments

Mortgage foreclosure (other than Reduced Mortgage Redemption)

Writs of Attachment, Certiorari, Mandamus, and Prohibition

FAMILY CASE TYPES

Annulment	Legal Separation
Custody	Paternity
Dissolution with Child	Separate Maintenance
Dissolution without Child	Summary Dissolution
Domestic Abuse	Support
Family Other	

PROBATE CASE TYPES

Decree of Descent	Probate Document
Formal Supervised	Probate Other
Formal Unsupervised	Special Administration
Guardianship/Conservatorship	Substitute Decision Maker
Informal Probate	Summary Administration

CIVIL COMMITMENT CASE TYPES

Commitment – Chemically Dependent
Commitment – Developmentally Disabled
Commitment – Mentally Ill, Developmentally Disabled and Chemically Dependent
Commitment – Mentally Ill
Commitment – Mentally Ill and Chemically Dependent
Commitment – Mentally Ill and Dangerous
Commitment – Mentally Ill and Developmentally Disabled
Commitment – Mentally Ill, Developmentally Disabled and Dangerous
Commitment – Multiple Types
Commitment – Sexually Dangerous & Psychopathic Personality
Commitment – Sexual Psychopathic Personality
Commitment – Sexually Dangerous Person