

Filing a Motion in District Court

Court personnel cannot provide you with legal advice. The following are general instructions to follow if you are preparing a motion to be scheduled for a hearing. It should be noted that laws are different for various proceedings. **Please refer to www.mncourts.gov to obtain detailed instructions related to the specific motion in which you intend to file.**

1. Prior to submitting motion paperwork, a motion date must be obtained from court administration. To obtain a motion date, please contact the court location in which your case was initiated.

Apple Valley
952-891-7243

Hastings
651-438-8199

West St. Paul
651-554-6200 (then press 3)

2. Then you must complete a motion form. You must sign the motion; the Affidavit(s) must be notarized. Copies of these materials and detailed instructions can be found in law libraries, some public libraries, and on www.mncourts.gov . On the motion form, print or type the case file number, case type, name of the plaintiff(s), and the name of the defendant(s). If you have other legal papers from the same case, you can copy the information from them. It must be copied exactly.

3. After completing the motion and your attachments, you must have a copy of the motion and attachments served on the opposing party(ies). A requirement of having your motion heard by a Judge is making sure that the other side has notice of the hearing date, time and place. Making sure that every party involved has copies of the motion papers with this information and the attachments is called service of process and is governed by the Minnesota Rules of Civil Procedure Rule 4 and 5, the Minnesota General Rules of Practice Rule 115 and the Minnesota State Statutes (laws).

4. You must file the original motion and supporting documents (attachments) and affidavit of service at the court location in which your case was initiated. You must pay a motion fee when filing these documents with the court. Please note that you must also pay the filing fee if it has not been previously paid. See <http://www.mncourts.gov/district/1/?page=190> for current motion and filing fees.

5. Come to your scheduled hearing prepared and bring your witnesses and original documents.