



MINNESOTA GUIDE & FILE

NEXT STEPS: Conciliation Court (Paper Filing)

Below are the next steps for starting a **Conciliation Court** case when you have chosen to print your forms at the end of the Minnesota Guide & File interview.



STEP 1: Review the completed forms

- Are your forms complete? Is the information accurate and true? If you find any errors, go back into the interview (<https://minnesota.tylerhost.net/SRL>) and make changes.
- Print all of the forms that you see listed on the **Summary Page** in the interview.

STEP 2: Sign the *Statement of Claim and Summons*

- Sign the *Statement of Claim and Summons* form under penalty of perjury. This means you are saying that everything in the form is true; if you know something in the form is not true when you sign it, you could be found guilty of the crime of perjury (see Minn. Stat. § 609.48, <https://www.revisor.mn.gov/statutes/?id=609.48>).
- **Is there more than one plaintiff?** Each plaintiff must sign the *Statement of Claim and Summons*.

STEP 3: File the *Statement of Claim and Summons*

AT THE COURTHOUSE	ELECTRONIC FILING (NOT USING GUIDE & FILE)
<ul style="list-style-type: none"> • You will need to file the original <i>Statement of Claim and Summons</i> (CCT102) with Court Administration. You may also need to file the <i>Additional Litigants Form</i> (CCT702) and the <i>Power of Attorney for Conciliation Court</i> (CCT701), depending on your situation. • When you file the forms with Court Administration, there will be a filing fee of at least \$65 (in some counties, there is an additional amount for the law library fee). You can find the filing fees for your county online starting at http://mncourts.gov/HelpTopics/Court-Fees.aspx. • If you are a person (not a business) and cannot afford to pay the filing fee, please fill out the <i>Affidavit of Inability to Pay Conciliation Court Fee</i> (CCT104) and file it when you file the other Conciliation Court papers. CCT104 is available online at http://mncourts.gov/GetForms.aspx?c=10&f=173. 	<ul style="list-style-type: none"> • If you have an account with the eFS System (Minnesota Judicial Branch’s web-based system that is used to electronically file documents in Minnesota district and conciliation courts), you can file electronically. See www.mncourts.gov/efile. • Once you choose to eFile, you will need to continue to use the eFS System for the rest of the case. See Minn. Gen. R. Prac. 14.01(b)(5)(i) (https://www.revisor.mn.gov/court_rules/rule.php?type=gp&id=14). • There will be a court filing fee of at least \$65, and an additional \$5 fee for using the eFS System. • A person who cannot afford to pay the filing fee can file the <i>Affidavit of Inability to Pay Conciliation Court Fee</i> (CCT104) with the other Conciliation Court papers.

STEP 4: Serve all of the parties

- **Rule 508(d) of the Minnesota General Rules of Practice** describes how each defendant should be served with the *Statement of Claim and Summons*.
- **If your claim is less than \$2500, and if a defendant's address is within the county you're filing in**, then the Court Administrator will try to serve that defendant.
- **If your claim is for more than \$2500**, then you must serve each defendant by certified mail, and you must file proof of service with Court Administration **within 60 days** of when the Summons was issued. There will not be a hearing unless the proof of service is filed on time.
 - Fill out *Conciliation Court Affidavit of Service* (CCT103) after serving Defendant to prove service.
CCT103 is available online at <http://mncourts.gov/GetForms.aspx?c=10&f=172>.
- **If a defendant does not live in Minnesota**, you may be required to have that defendant personally served. See Minn. Stat. § 491A.01, subd. 7, at <https://www.revisor.leg.state.mn.us/statutes/?id=491A.01#stat.491A.01.7>. Please check with Court Administration if you have any questions about serving a defendant in Conciliation Court.

STEP 5: Prepare for the hearing, then go to court

- Conciliation Court hearings are informal, but you must be prepared to present your case. If a witness does not want to appear, you can ask Court Administration for a subpoena to compel them to appear. There is a fee for each subpoena. Written statements and affidavits of people who do not appear in court have very little value, and the judge may not accept them as evidence.
- You should also **bring all other relevant evidence** to court such as receipts, repair bills, estimates, and other items to help prove your claim. If a defendant or some other person has documents relating to your claim that they will not give to you, you can get a subpoena to require the person to give you the documents. Before you go to court, **prepare a list of facts you want to present**. Organize your presentation as clearly and completely as possible so you will not forget important facts and details.
- There is a 10-minute video on the MN Judicial Branch website called "How to Handle a Conciliation Court Hearing." You can watch that video to get tips on how to prepare for your Conciliation Court hearing. See <http://www.mncourts.gov/documents/50/Public/videos/Conciliation%20Court%20Hearing/conciliationvideo.htm> .
- **What happens if you do not appear for the hearing?** All parties must appear at the hearing. If you do not appear at the hearing, the judge may dismiss your claim or award a "default" judgment against you on any counterclaims.
- For more information about Conciliation Court, please look at the "Conciliation Court" Help Topic online starting at <http://mncourts.gov/Help-Topics/Conciliation-Court.aspx> .

Need Help?

Call the Statewide Self-Help Center at 651-435-6535, or go to <http://mncourts.gov/Help-Topics/Self-Help-Centers/Self-Help-Centers-Contact.aspx>.

For help with the eFS System (see Step 3 above), call the eFS Support Center at 651-227-2002 or 1-855-291-8246, or email eCourtMN@courts.state.mn.us.