

STATE OF MINNESOTA
IN COURT OF APPEALS



Minnesota Court of Appeals Special Rules of Practice.

O R D E R

#ADM10-8010

BASED ON THE FILE, RECORD, AND PROCEEDINGS, AND BECAUSE the court has approved and adopted minor amendments to rule 2 of the Special Rules of Practice for the Minnesota Court of Appeals.

IT IS HEREBY ORDERED amendments to the Special Rules of Practice for the Minnesota Court of Appeals are promulgated, effective July 12, 2024.

Dated: July 12, 2024

BY THE COURT



Susan L. Segal
Chief Judge

AMENDMENTS TO THE SPECIAL RULES OF PRACTICE FOR THE MINNESOTA COURT OF APPEALS

[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 2. Oral Argument

Members of the Minnesota Bar and attorneys admitted pro hac vice by the Court of Appeals may argue before the court. If any litigant is without counsel, the case will be submitted on the briefs and record, without oral arguments by any party. Minn. R. Civ. App. P. 134.01 sets out circumstances in which oral argument will not be allowed. Waiver of argument is governed by Minn. R. Civ. App. P. 134.05 and 134.06.

Appellants are allowed 15 minutes to present their principal arguments, respondents are allowed 15 minutes (to be divided, in cases involving multiple respondents), and appellants are allowed 5 minutes for rebuttal. Arguments are held in the Judicial Center in St. Paul and at appropriate locations in other judicial districts, as provided in Minn. Stat. § 480A.09, subd. 1 and Minn. R. Civ. App. P. 134.09, subd. 2.

If an attorney not listed on a party's brief intends to argue, a letter identifying the arguing attorney must be e-filed and served on opposing counsel at least 7 days in advance of the scheduled oral argument. If more than one attorney will argue as appellant or respondent, attorneys must apportion time and notify the Clerk of the Appellate Courts in writing at least 7 days in advance of the scheduled oral argument of the proposed arrangement.

A motion to reset or postpone oral argument must be made in writing, with a copy to opposing counsel, in accordance with Minn. R. Civ. App. P. 134.02. Reasons for the request must be stated. The court will reset a case only upon a showing of extreme emergency ~~and no more than once~~. However, the court may reschedule cases on its own motion.

Counsel may use exhibits from the record (or enlargements of such exhibits) as graphic aids during oral argument. If counsel intends to use graphic aids for illustrative purposes, counsel must provide two days' notice to the court and opposing counsel and provide to the marshal four copies of the graphic aid on 8 ½ x 11-inch paper. Counsel must make arrangements prior to hearing with the court's receptionist or with the local court administrator for the use of easels. It is the responsibility of counsel to ensure that any trial exhibit to be used is obtained prior to argument. The court prefers that counsel identify the location of pertinent exhibits in the district court record or addenda to the parties' briefs, rather than using electronic equipment to display exhibits during oral arguments.

Oral ~~arguments are recorded by the court~~ arguments will be livestreamed by the court, but only the audio portion of the arguments will be recorded. Audio recordings of oral arguments occurring after January 1, 2019 are publicly available on the Minnesota Judicial Branch website. Prior approval of the Chief Judge or presiding judge is required to take photographs or to record or videotape oral argument. The media may cover proceedings in accordance with rules adopted by the Supreme Court.

Adopted Oct. 25, 1991, eff. Oct. 25, 1991; amended eff. Oct. 7, 2010; amended eff. July 18, 2016; amended eff. Sept. 13, 2018; amended eff. July 12, 2024