



## Tip of the Month December 2019

### Timing Changes to Minnesota Court Rules

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Litigators may have become aware of a set of timing changes in the Rules of Civil Procedure and the General Rules that are to take effect with the new year. You have probably also noticed that the new year is swiftly arriving! Below, I am referring you to multiple sources where you can find comprehensive lists of the affected rules. **The changes do affect some of the rules of the specialty courts.** If you occasionally represent clients in housing court, conciliation court or family court, or advise clients at clinic who may be headed to one of these courts, there are a few changes of which you should be aware.

Hon. Eric. Hylden, Michael B. Johnson, and David F. Herr noted in the October 2019 issue of *Bench & Bar of Minnesota* that courts may show some flexibility the first few weeks of the year, if a litigator requests application of the old (current) rule rather than the new rule if necessary and appropriate. They also laid out some of the history and reasoning for the changes. Their list of the rules changes is comprehensive and well-organized; you can [click here to read their full article, "Minnesota Adopts New Timing Rules."](#)

[You can also view the Orders in their entirety by clicking here.](#) They are: Order Promulgating Amendments to the Rules of Civil Procedure (Minn. 2019), Order Promulgating Amendments to the General Rules of Practice for the District Courts (Minn. 2019), and Order Promulgating Amendments to the Rules of Civil Appellate Procedure (Minn. 2019), all filed on June 20, 2019.

Please take some time to review the Orders if you ever represent clients in court. To help you advise or represent VLN clients, some of the most relevant changes are highlighted below.

#### **CIVIL PROCEDURE**

You will probably want to start by looking at Rule 6, affecting the computation of time. As Hylden, Johnson and Herr point out, "the omission of counting legal holidays and weekend days for certain short periods is gone—all days are counted." Also look to Rules 6, 12 15 and 55 if you anticipate going to District Court.

#### **GENERAL RULES OF PRACTICE**

There are some specific changes to some of the specialty courts that may most relevant to your pro bono clients through VLN. Below is a quick reference to help you spot the changes. They are pulled from Hylden, Johnson and Herr's list, which is organized according to the type of time period affected:

## CONCILIATION COURT RULES

- 5 days changed to 7 days
  - 509(B); 509(D) [2X]
  - 510(A)
- 20 days changed to 21 days
  - 515
  - 519
  - 520(A) & (B)
  - 521(B) [2X], 521(C); 521(E)
- 30 days changed to 28 days
  - 510(B) [2X]

## HOUSING COURT RULES

- 1 day changed to 24 hours
  - 602
- 5 “business days” changed to 7 days
  - 611(C)
- RULE 503. COMPUTATION OF TIME

## FAMILY COURT RULES

- 5 days changed to 7 days
  - 303.01(c)
    - Reminder: Karen Terese Kugler, McGee Kugler Family Law LLC (Osseo) points out in her “Update on Minnesota Family Law Rules Changes (CLE: New Developments & Strategies in Minnesota Family Law, November 2019) notes: **“Update your forms”** (Emphasis in original).

## CHILD SUPPORT RULES

- RULE 354. COMPUTATION OF TIME

This is just a starting point for you to prepare for these changes taking effect. Many of the changes appear minor, but they can have a big impact on your practice, your pro bono cases and the helpful service you are providing our clients.