

**FILED**

August 28, 2019

**OFFICE OF  
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

ADM09-8006

**ORDER REGARDING THE EFFECTIVE  
DATE FOR AMENDMENTS TO RULE 139 OF  
THE RULES OF CIVIL APPELLATE PROCEDURE**

In an order filed on May 30, 2019, we adopted amendments to the Rules of Civil Appellate Procedure that clarify certain procedures for appeals governed by the rules. Rule 139, which governs the procedure for taxation of costs and disbursements and awards of attorneys' fees on appeal, was among the rules amended by this order. The amendments are effective as of September 1, 2019 for all appeals filed on or after that date.

Thereafter, additional amendments to the Rules of Civil Appellate Procedure were adopted to implement a consistent method for calculating time periods and deadlines in the rules by counting all days, including intermediate Saturdays, Sundays, and legal holidays, for most time periods established by the rules. The amendments to these rules are effective for all appeals pending on, or filed on or after, January 1, 2020. *See Order Regarding the Effective Date for Amendments to the Rules of Civil Appellate Procedure*, No. ADM09-8006 (Minn. filed Aug. 6, 2019).

The amendments to Rule 139 include changes in deadlines for the submissions required by the rules. Based on input from court staff, consistency in the effective date for Rule 139 with the effective date for the amendments that implemented timing changes in the Rules of Civil Appellate Procedure would be beneficial.

Based on all of the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the amendments to Rule 139 of the Rules of Civil Appellate Procedure, as adopted by order filed on May 30, 2019, shall apply to all further proceedings in appeals pending on, or filed on or after, January 1, 2020, unless the appellate court finds that the application of the rules as amended in a particular appeal pending on the effective date is not feasible or would work an injustice, in which case the former procedure will apply.

Dated: August 28, 2019

BY THE COURT:



Lorie S. Gildea  
Chief Justice