

STATE OF MINNESOTA
IN SUPREME COURT

C4-94-1646

OFFICE OF
APPELLATE COURTS

DEC 12 2008

FILED

PROMULGATION OF AMENDMENT
TO SPECIAL RULES OF PROCEDURE
GOVERNING PROCEEDINGS UNDER
THE MINNESOTA COMMITMENT
AND TREATMENT ACT.

ORDER

Because of the expedited appeal process required under Minn. Stat. ch. 253B, it is desirable to provide for early notice of such appeals to court reporters who must prepare transcripts in a shortened time frame.

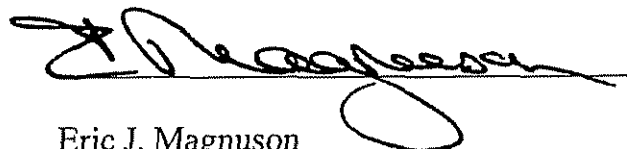
Based upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. The attached amendment to the Special Rules of Procedure Governing Proceedings Under the Minnesota Commitment and Treatment Act, adding a new Rule 24, be, and the same is, prescribed and promulgated to be effective on July 1, 2009.
2. This amendment shall apply to all appeals commenced on or after the effective date.

Dated: December 12, 2008

BY THE COURT:



Eric J. Magnuson
Chief Justice

Amendment to Special Rules of Procedure Governing Proceedings Under the Minnesota Commitment and Treatment Act

[Note: the following rule is entirely new, and underlining is therefore not used to designate new language.]

Rule 24. *Expediting Transcripts for Chapter 253B Appeals*

In addition to satisfying the requirements of the Rules of Civil Appellate Procedure, any party initiating an appeal of an order entered under Minn. Stat. ch. 253B shall, at or before the date of filing the notice of appeal, (a) serve on each court reporter who recorded the proceedings a copy of the notice of appeal and a request for transcripts the appellant deems necessary for the appeal and (b) file with the notice of appeal a copy of the request(s) for transcripts, along with an affidavit of service of the request(s) on opposing counsel, the court administrator of the court that issued the order appealed, and the court reporter or reporters, unless at the time of filing the notice of appeal all transcripts necessary for the appeal have already been transcribed. The transcript request(s) shall require completion of the transcripts no more than 25 days after the filing of the notice of appeal, unless the 25th day falls on a Saturday, Sunday or a holiday, in which case the transcripts shall be completed on the next business day. The Court of Appeals may modify the deadline for completion of the transcripts if necessary. Failure of an appellant who intends to order a transcript to serve on the court reporter(s) a request for transcripts the appellant deems necessary for the appeal at the date of filing the notice of appeal does not deprive the Court of Appeals of jurisdiction over the appeal, but extends the time for the Court of Appeals to hear the appeal by the period of delay between the filing of the appeal and service of the transcript request(s).