

STATE OF MINNESOTA

IN SUPREME COURT

IT IS HEREBY ORDERED that Rule 135 of the RULES OF CIVIL APPELLATE PROCEDURE, adopted December 7, 1967, as amended, is hereby amended to read:

RULE 135. EN BANC AND DIVISIONS HEARINGS

(1) "Cases set for oral argument or submitted on the briefs will be heard either en banc or by a division of the court. The Chief Justice will sit with each division and will assign 4 associate justices, including any retired justice or district court judge serving pursuant to Minnesota Statutes, Section 2.724, Subd. 2, to sit as a division of the court to hear and decide cases assigned to such division. The assignment of associate justices will be made on a rotating basis and may be changed as may be required by disqualification or illness of a justice.

(2) The administrative assistant to the court is hereby designated as a referee of the court for the purpose of reviewing the record, transcript, and briefs in all cases and submitting to all justices of the court his recommendations for the classification of cases for assignment to the en banc or to a division calendar, according to the legal and judicial significance of the issues raised. Any one justice of the court may order a case to be placed on the en banc calendar rather than a division calendar. The Chief Justice, in his discretion and according to the requirements of composing the calendar, shall accept, reject, or revise the recommended classification of cases. Thereafter, the clerk shall prepare the calendar.

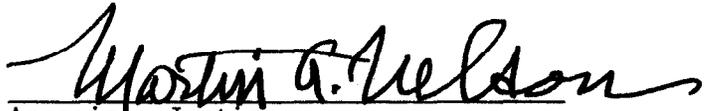
(3) The decision of a case by a division of the court shall be by the concurrence of four justices. If four justices do not concur in the decision, the case shall be re-set for an en banc hearing. A copy of the tentative written opinion of a division in each case, prior to filing with the clerk, shall be circulated among the justices who did not sit on the case, and any two justices of the court, by questioning the decision, may signify their doubt as to the decision of the division, in which event the case, at a further conference of the court, may be re-set for an en banc hearing. An en banc hearing under this paragraph shall be scheduled at the earliest practicable date, at which hearing the argument time allotted by Rule 134 shall not apply, but counsel for the parties will appear to answer legal or factual questions posed by the court. No additional briefs need be filed unless requested by the court."

Dated October 24, 1969

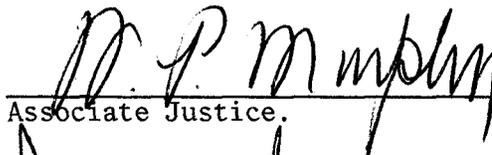
SUPREME COURT OF THE STATE OF MINNESOTA



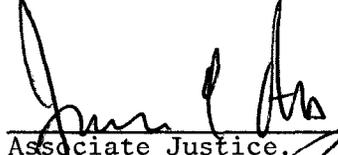
Chief Justice.



Associate Justice.



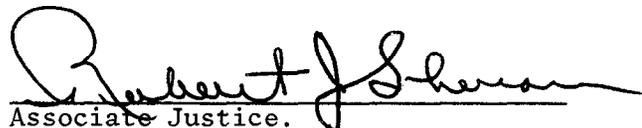
Associate Justice.



Associate Justice.



Associate Justice.



Associate Justice.



Associate Justice.

SUPREME COURT  
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JOHN McCARTHY  
CLERK

STATE OF MINNESOTA

IN SUPREME COURT

IT IS HEREBY ORDERED that Rule 103.01, Title III and Rule 115.01 of the RULES OF CIVIL APPELLATE PROCEDURE, adopted December 7, 1967, as amended, are hereby amended to read:

RULE 103. APPEAL AS OF RIGHT - HOW TAKEN

103.01 Manner of Making Appeal

(1) "An appeal shall be made by the service of a written notice of appeal on the adverse party. The notice shall specify the judgment or order from which the appeal is taken. Not more than five days after expiration of the time to appeal, the appellant shall file the notice of appeal and the cost bond required by Rule 107 with the clerk of the court in which the judgment or order was entered, together with a deposit of \$25. The bond may be waived by stipulation of the parties.

(2) When a party in good faith serves notice of appeal from a judgment or an order, and omits, through inadvertence or mistake, to proceed further with the appeal, or to stay proceedings, the Supreme Court may grant relief on such terms as may be just.

(3) Upon compliance with subdivision (1) of this rule, the clerk of the trial court shall immediately transmit to the clerk of the Supreme Court \$20 out of the prescribed fee together with a certified copy of the notice of appeal and bond or stipulation waiving such bond."

TITLE III. "REVIEW OF WORKMEN'S COMPENSATION COMMISSION;  
TAX COURT; DEPARTMENT OF MANPOWER SERVICES; COMMERCE  
DEPARTMENT; AND OTHER DECISIONS REVIEWABLE OF RIGHT BY  
CERTIORARI TO SUPREME COURT"

RULE 115.01 How Obtained; Time for Securing Writ

"Review of a decision of Workmen's Compensation Commission; Tax Court; Department of Manpower Services; Commerce Department; and other decisions reviewable of right by certiorari to the Supreme Court may be had by securing issuance of a writ of certiorari within sixty (60) days after the party applying for such writ shall have received written notice of the decision sought to be reviewed, unless an applicable statute prescribes a different period of time."

Dated October 23, 1969

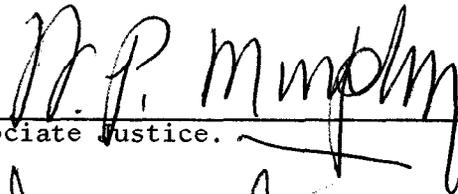
SUPREME COURT OF THE STATE OF MINNESOTA



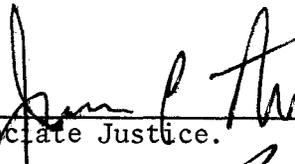
Chief Justice.



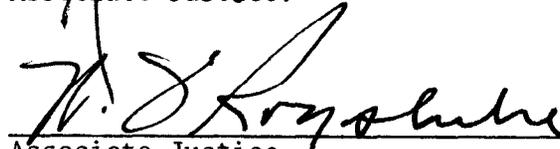
Associate Justice.



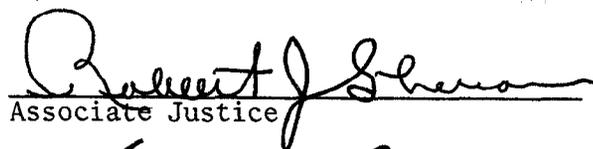
Associate Justice.



Associate Justice.



Associate Justice.



Associate Justice



Associate Justice.

**SUPREME COURT  
FILED**

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**JOHN McCARTHY**  
CLERK