

STATE OF MINNESOTA

IN SUPREME COURT

C6-84-2134

In re Amendment to Rules of Civil
Procedure for the District Courts

ORDER

WHEREAS, the orderly and effective administration of justice requires trial court administrators to report statistical data concerning the number and types of case filings to assist in determining judicial staffing requirements, and

WHEREAS, litigants can conveniently ensure the accuracy of case type data, reported by trial court administrators, by identifying the case type on all pleadings, motions and other papers filed in civil actions; and

WHEREAS, all steps necessary to ensure the accuracy of such information should be instituted as soon as practicable;

NOW, THEREFORE, IT IS HEREBY ORDERED that the following amendments to Rule 10 and the Appendix of Forms, Rules of Civil Procedure for the District Courts be, and hereby are, adopted effective July 1, 1986 [new material underscored; matter to be deleted lined out]:

RULE 10 FORM OF PLEADINGS; SANCTIONS

Rule 10.01 caption; Names of Parties

Every pleading shall have a caption setting forth the name of the court and the county in which the action is brought, the title of the action, a designation as in Rule 7, and, in the upper right hand corner, the appropriate case type indicator as set forth in the subject matter index included in the appendix as Form 23. In the complaint the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties.

[Rules 10.02 and 10.03 unchanged]

Rule 10.04. Failure to Comply

If a pleading, motion or other paper fails to indicate the case type as required by Rule 10.01, it may be stricken by the court unless the appropriate case type indicator is communicated to the court administrator promptly after the omission is called to the attention of the pleader or movant.

FORM 23

SUBJECT MATTER INDEX FOR CIVIL CASES

1. Appeal from Conciliation Court
[All cases in which there has been an appeal from conciliation court decision]
2. Condemnation
3. Contract
4. Drivers License Revocation [Implied Consent]
5. Medical Malpractice
6. Property Damage
7. Personal Injury
8. Unlawful Detainer
9. Wrongful Death
10. Other Civil
[all other civil cases not covered by items 1 through 9 above, including but not limited to the following:

Appeals from administrative agencies
Attorney Malpractice
Change of Name
Corporate Dissolution
Declaratory Judgment
Discrimination
Minor Settlement
Mortgage Foreclosure
Quiet Title
Real Estate Tax Petitions
Receivership
Torrens
Writs of Attachment, Certiorari, Habeas Corpus,
Mandamus and Prohibition]

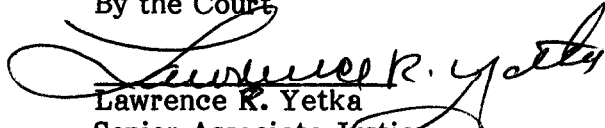
Dated: June 12, 1986

OFFICE OF
APPELLATE COURTS
FILED

JUN 12 1986

WAYNE TSCHIMPERLE
CLERK

By the Court


Lawrence R. Yetka
Senior Associate Justice