

STATE OF MINNESOTA

IN SUPREME COURT

C6-84-2134

AMENDMENTS TO THE MINNESOTA
RULES OF CIVIL PROCEDURE

ORDER

WHEREAS, amendments to the Rules of Civil Procedure were adopted November 15, 1996 to be effective January 1, 1997; and

WHEREAS, it has been called to the attention of the court that a minor clerical change is needed;

IT IS HEREBY ORDERED that Rules 5.04 and 5.05 are amended, to be effective January 1, 1997, to read as follows:

5.04 Filing; Certificate of Service

All papers after the complaint required to be served upon a party, together with a certificate of service, shall be filed with the court within a reasonable time after service, except expert disclosures and reports, depositions upon oral examination and interrogatories, requests for documents, requests for admission, and answers and responses thereto shall not be filed unless upon order of the court or for use in the proceeding.

The administrator shall not refuse to accept for filing any paper presented for that purpose solely because it is not presented in proper form as required by these rules or any local rules or practices.

5.05 Filing; Facsimile Transmission

Any paper may be filed with the court by facsimile transmission. Filing shall be deemed complete at the time that the facsimile transmission is received by the court and the filed facsimile shall have the same force and effect as the original. Only facsimile transmission equipment that satisfies the published criteria of the Supreme Court shall be used for filing in accordance with this rule.

Within 5 days after the court has received the transmission, the party filing the document shall forward the following to the court:

- (a) a \$5 transmission fee; and
- (b) the original signed document; and
- (c) the applicable filing fee, if any.

Upon failure to comply with the requirements of this rule, the court in which the action is pending may make such orders as are just, including but not limited to, an order striking pleadings or parts thereof, staying further proceedings until compliance is complete, or dismissing the action, proceeding, or any part thereof.

~~The administrator shall not refuse to accept for filing any paper presented for that purpose solely because it is not presented in proper form as required by these rules or any local rules or practices.~~

Dated:

BY THE COURT:

OFFICE OF
APPELLATE COURTS

DEC 06 1996

FILED



A.M. KEITH
Chief Justice