

**SUPREME COURT
FILED**

APR 1 1977

JOHN McCARTHY
CLERK

STATE OF MINNESOTA
IN SUPREME COURT

ORDER PROMULGATING
THE RULES OF EVIDENCE

WHEREAS, the Supreme Court has the authority pursuant to Minn. St. 480.0591 to promulgate rules of evidence in civil and criminal actions in all courts of the state; and

WHEREAS, the Supreme Court received and considered the proposed Rules of Evidence submitted to the court by the Advisory Committee established pursuant to Minn. St. 480.0591 to assist the court in preparing the rules of evidence; and

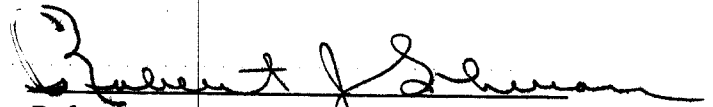
WHEREAS, a public hearing on said proposed Rules of Evidence was conducted before this court on March 17, 1977,

NOW, THEREFORE, IT IS HEREBY ORDERED, that the proposed rules, annexed hereto, which shall be known as the Minnesota Rules of Evidence, be and the same hereby are promulgated. Said rules shall apply to proceedings and actions in Minnesota courts to the extent set forth in said rules and in Minn. St. 480.0591. The inclusion of the Advisory Committee comments is made for convenience and does not necessarily reflect court approval of the comments.

IT IS FURTHER ORDERED, that the Minnesota Rules of Evidence shall take effect on July 1, 1977, and be applicable to actions and proceedings brought thereafter. The Rules of Evidence shall be applicable in cases pending on July 1, 1977, unless the trial court concludes, upon proper motion, that application of the rules would not be feasible or would work an injustice, in which cases the former principles of evidence would be applicable.

IT IS FURTHER ORDERED, that the promulgation of the Minnesota Rules of Evidence is subject to the express reservation of the power to modify, supersede, or otherwise amplify specific rules of evidence by subsequent decisions of this court without following general rulemaking procedures.

BY THE COURT


Robert J. Sheran
Chief Justice

Dated: April 1, 1977

The following persons comprised the Advisory Committee on the Rules of Evidence:

Leonard J. Keyes, Chairman
William J. Baudler
Robert E. Bowen
Irving R. Brand
Edward T. Fride, Jr.
James L. Hetlund, Jr.
William A. Johnson
Robert J. King
John E. MacGibbon
Gordon L. McRae
Jack S. Nordby
Bertrand L. Poritsky
Chester G. Rosengren
Peter N. Thompson, Reporter for the committee