

STATE OF MINNESOTA

IN SUPREME COURT

C4-94-1646

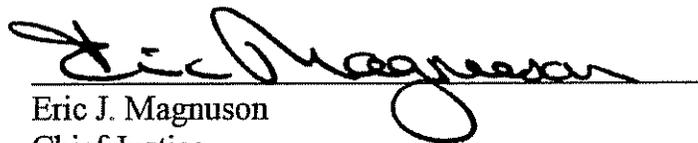
ORDER ESTABLISHING DEADLINE FOR SUBMITTING COMMENTS ON
PROPOSED AMENDMENT TO THE SPECIAL RULES OF PROCEDURE
GOVERNING PROCEDURES UNDER THE MINNESOTA COMMITMENT
AND TREATMENT ACT

The Supreme Court has proposed an amendment to the Special Rules of Procedure Governing Procedures under the Minnesota Commitment and Treatment Act dealing with expedited transcripts for Chapter 253B appeals. This Court will consider the proposed amendment without a hearing after soliciting and reviewing comments on the proposed changes. A copy of the proposed amendment is annexed to this order.

IT IS HEREBY ORDERED that any individual wishing to provide statements in support or opposition to the proposed amendment shall submit twelve copies in writing addressed to Frederick Grittner, Clerk of the Appellate Courts, 305 Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Boulevard, St. Paul, Minnesota 55155, no later than Wednesday, November 26, 2008.

DATED: October 23, 2008

BY THE COURT:



Eric J. Magnuson
Chief Justice

OFFICE OF
APPELLATE COURTS

OCT 23 2008

FILED

**Proposed New Rule for Special Rules of Procedure Governing Proceedings
Under the Minnesota Commitment Act**

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).