

STATE OF MINNESOTA
IN COURT OF APPEALS
A24-1825



Valerie Steiner,

Appellant,

vs.

Granite City Real Estate Parkside,

Respondent.

ORDER OPINION

Stearns County District Court
File No. 73-CV-24-7586

Considered and decided by Larkin, Presiding Judge; Larson, Judge; and Smith, John, Judge.*

BASED ON THE FILE, RECORD, AND PROCEEDINGS, AND BECAUSE:

1. Appellant Valerie Steiner appeals the district court's decision to deny her motion for a court fee waiver¹ based on its finding that her conciliation court complaint against respondent Granite City Real Estate Parkside (Granite City) is frivolous. Steiner raises two arguments on appeal.

2. Steiner first argues the district court abused its discretion because her conciliation court complaint was not frivolous. *See* Minn. Stat. § 563.01, subd. 3(b) (2024) (allowing district court to deny court fee waiver when action is frivolous). A district court

* Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to Minn. Const. art. VI, § 10.

¹ In 2024, the legislature amended Minnesota law to provide for a "court fee waiver" rather than "in forma pauperis proceedings." *See* 2024 Minn. Laws ch. 123, art. 15, § 14, at 2374.

has broad discretion to deny a court fee waiver request, and we will not reverse its decision absent an abuse of that discretion. *Maddox v. Dep't of Hum. Servs.*, 400 N.W.2d 136, 139 (Minn. App. 1987). “A district court abuses its discretion if its decision is against logic and the facts in the record.” *State v. Scheffler*, 932 N.W.2d 57, 60 (Minn. App. 2019). “In the context of a request for [a court fee waiver], [a] frivolous claim is one without any reasonable basis in law or equity and that could not be supported by a good faith argument for a modification or reversal of existing law.” *Id.* at 62 (quotation omitted).

3. Here, Steiner did not set forth any legal basis for her claim. Therefore, the record supports the district court’s determination that the claim is frivolous, and we discern no abuse of discretion.

4. Steiner argues second that we must reverse and remand because the district court judge was biased. “Whether a judge is disqualified from presiding over a case is a question of law, which we review de novo.” *In re Jacobs*, 802 N.W.2d 748, 750 (Minn. 2001). “No judge shall sit in any case if disqualified under the Code of Judicial Conduct.” Minn. R. Civ. P. 63.02. Under Minn. Code Jud. Conduct Rule 2.11(A), “[a] judge shall disqualify [themselves] in any proceeding in which the judge’s impartiality might reasonably be questioned.” We presume that a district court judge properly discharged their duties. *Hannon v. State*, 752 N.W.2d 518, 522 (Minn. 2008). “Whether a judge’s impartiality may reasonably be questioned is determined by an objective examination into the circumstances surrounding the removal request.” *Jacobs*, 802 N.W.2d at 752 (quotation omitted).

5. Steiner’s argument for judicial bias focuses solely on the district court’s prior adverse rulings against her. “Prior adverse rulings by a judge, without more, do not

constitute judicial bias.” *State v. Mems*, 708 N.W.2d 526, 533 (Minn. 2006). Accordingly, Steiner fails to overcome the presumption that the judge discharged their duties properly.

6. Accordingly, we affirm the district court’s decision to deny Steiner’s request for a court fee waiver.

IT IS HEREBY ORDERED:

1. The district court’s order is affirmed.
2. Pursuant to Minn. R. Civ. App. P. 136.01, subd. 1(c), this order opinion is nonprecedential, except as law of the case, res judicata, or collateral estoppel.

Dated: May 28, 2025

BY THE COURT

Judge Elise L. Larson