

In re Recommendations by the Examiner of Titles to Companion or Consolidate Cases

STANDING ORDER

Whereas, Minnesota Statutes § 508.12 permits the judges of the Fourth Judicial District to appoint a legal advisor to the Registrar of Titles, who is known as the Examiner of Titles;

Whereas, the judges of the Fourth Judicial District appointed Susan Ledray as the Hennepin County Examiner of Titles on February 3, 2014;

Whereas, Minnesota Statutes §§ 508.13, 508.20, and 508.71 define the duties of the Examiner of Titles including management of investigations into real-property title and offering opinions to judicial officers on the disposition of land-registration applications and proceedings subsequent (i.e., Torrens cases);

Whereas, the Hennepin County Examiner of Titles has reported a significant increase in contested land-registration applications and proceedings subsequent where the parties are also participating in contemporaneous litigation in the district court;

Whereas, Minnesota Statutes § 484.69, Subdivision 3, gives the Fourth Judicial District's Chief Judge broad discretion to assign cases to judges within the district;

Whereas, Minnesota Rule of General Practice 113 allows the Chief Judge or his designee, by motion or the district court's own initiative, to assign individual and/or related cases to a single judicial officer;

Whereas the Fourth Judicial District's Chief Judge has designated the Presiding Judge of the Civil Division to make all determinations about the assignment of individual and/or related cases to a single judicial officer;

Whereas the Examiner of Titles is uniquely situated, as a court-appointed legal advisor to Hennepin County, to assess real-property cases and make recommendations for the effective management and timely resolution of disputed issues;

Now, therefore,

IT IS ORDERED:

1. The Hennepin County Examiner of Titles is permitted to recommend the companioning or consolidation of a Torrens case with related district-court cases to the Fourth Judicial District's Presiding Judge of the Civil Division. The Examiner may refer cases for companioning or consolidation by submitting correspondence to the Presiding Judge offering the basis for the consolidation recommendation. The correspondence must be copied to all parties to the Torrens action and filed into the Torrens case record.
2. The Presiding Judge of the Civil Division will then take the recommendation under advisement. The Presiding Judge will determine whether formal motion practice and a hearing are required to address the recommendation.
3. All orders ruling on a recommendation of the Examiner of Titles shall be filed and forwarded to the Civil Assignment Office for the required administrative action.

DATED: December 11, 2014

BY THE COURT

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12/11/2014 03:12:22 pm

Ronald Abrams
Judge of District Court
Civil Division, Presiding Judge